

**Minutes of the
New Bern Historic Preservation Commission
May 20, 2009**

The New Bern Historic Preservation Commission (HPC) held its regular meeting on Wednesday, May 20, 2009, in the Planning Conference Room, 3rd Floor, 248 Craven Street.

Members Present: Peter Adolph, Vice-chair Jack Morton, Jr.
Richard Parsons Rich Frye
Bradley Cummins Jay Heck
Karen Britton

Members Excused/Absent: Sadaf Hassan (A)

Staff Present: Annette Stone, AICP, City Planner
Leigh Anne Friesen, AICP, Volunteer

The meeting was opened and roll call was taken. A quorum was present. April 15, 2009 minutes were approved with motion by Commissioner Morton, second by Commissioner Parson and unanimous vote of Commission. Vice chairman Adolph discussed the function and qualifications of the Historic Preservation Commission and its members. Witnesses were sworn in.

Witnesses Sworn: John Phaup, Sabrina and Steve Bengel, Lucien Vaughn, Charles Francis, Danny Meadows, Ann Frye, Jay Manning and others.

New Business

- 1. Consider COA for 215 Change Street owned by Connie Dugan to add a roof to a second story porch.**

Staff Comments: Staff Ms. Stone narrated a video of the subject property and detailed the application.

Applicant's Comments: John Phaup, Contractor, was on hand to answer questions. He noted that as requested, heights were added to the application. He said the porch was to be screened.

Public Comments: NONE

Discussion by the Commission: The Commissioners asked questions regarding some details of the application.

Finding of Fact: Commissioner Morton moved to find the application congruous with the Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required; Section 15-429 Review Criteria, citing "Additions to Historic Buildings", pages 50-51, guidelines #1-6. Commissioner Heck seconded. The Commission voted unanimously in favor of the motion.

Statements of Reason: 1) The project impacts a tertiary area of visual concern. 2) The existing porch was constructed in 2000. 3) The new construction will match the existing in size, scale, materials, and design.

Discussion on the Motion: None

Motion: Commissioner Parsons moved to issue the COA, seconded by Commissioner Frye. The motion passed unanimously.

2. Consider COA for 512 West Street owned by Jay Manning for demolition of a contributing historic structure.

Staff Comments: Staff Ms. Stone showed a video of the subject property, a contributing structure, and detailed the application. She read the National Register description and noted that while the structure is listed as a contributing, there is virtually no historic fabric in the building due to severe fire damage. There may be some original wood siding underneath the synthetic, and possibly the original foundation. She also noted the house has a Minimum Housing Code file, indicating that some work has been done to comply with this Code.

Ms. Stone distributed worksheets and Commissioners were asked to score, then discuss the proposed-for-demo structure based on the newly adopted preservation standards for evaluating demolition of contributing structures: Architectural Integrity, Architectural Style, Cultural Significance, and Structural Integrity. The intricacies of each topic were discussed. The Commission was advised that each Commissioner should vote according to their scoring; a total of four points equates to a denial to demolish.

Applicant's Comments: Owner, Jay Manning, gave testimony. He said that he could only find record of the house on the 1800s Insurance papers. He recounted that more recently, during an attempted renovation of the house, a large amount of copper wiring was stolen from it. He noted that he'd included interior pictures in the application to document the lack of original material. All sheathing is vinyl. He's offering the house for sale "you move as is" for a modest sum (\$0.50-1).

Public Comments: None

Discussion by the Commission: Commissioners addressed topics such as the future plan for the site, considerations made for the sister house nearby, the interior state of the house, the house as representative of a workman's house though not enough historic fabric to warrant denying the demolition, possibility of moving house, and the presence of fixtures in the house.

The Commission voted unanimously to consider a demolition based on the applicant's forthcoming reuse plan.

3. Consider COA for 730 Queen Street owned by the City of New Bern for demolition of a non-contributing structure.

Staff Comments: Staff Ms. Stone showed a video of the property and briefed the Commissioners on the application. She noted that as this structure is non-contributing, the Commission cannot deny the demolition, only place conditions on it, if necessary.

Applicant's Comments: Public Works Director Danny Meadows said the lot is cared for by the Police, and will initially be left as a greenspace until there is money to do more. Future plans include a more developed greenspace/park area.

Public Comments: *Ann Frye*, 406 Queen Street, inquired about the presence of underground storage tanks on the property and whether or not remediation was necessary.

Discussion by the Commission: Topics discussed by the Commission included environmental remediation needs on the site, the potential types of "product" (hydrocarbons) that may remain in the ground, the state the ground will be left in (pavement or grass), the temporary use of the site, the desire not to have the site used as a parking lot, the need to place a condition on the demolition that the site will be left grassed, and the ownership of adjacent properties to the site.

Findings of Fact: Commissioner Frye moved to find the application congruous with the Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required; Section 15-429 Review Criteria, citing the following guidelines: "Demolition of Buildings", pages 71-72, Guidelines 4 and 5. Commissioner Heck seconded. The Commission voted unanimously in favor of the motion.

Statement(s) of Reason: The structure is a non-contributing building

Discussion on the Motion: Commissioners wondered about the need to address mitigation of contaminants, but it was determined this is not the purview of the Commission.

Condition(s):

- Minimize ground disturbing activity to avoid damaging potential archaeological resources and environmental hazards.
- Leave the site properly cleaned, graded and seeded after demolition, and maintain the site as a greenspace until another use is proposed at a future meeting.

Motion: Commissioner Parsons moved, and Commissioner Cummins seconded, to issue a Certificate of Appropriateness for demolition. There was a unanimous approval by the Commission.

4. Consider COA for 418 New Street owned by First Presbyterian Church for consideration of new construction for facilities expansion.

Staff Comments: Staff Ms. Stone reminded the Commissioners about the last meeting at which the applicant requested demolition for this project. The demolition was approved contingent on the proposed reused plan. She passed out Phase II Demolition worksheets to the group, noting that in this phase of the request they are to determine not only if the plans meet the guidelines, but also how well the guidelines are met. Ms. Stone addressed the use of the corner for parking and the potential trees to be removed. She otherwise gave an overview of the project.

Applicant's Comments: Project Architect Charles Francis appeared before the Commission with a more detailed brief of the proposed project, including computer images. He reviewed the previous presentation and discussed materials. At the request of the Commission, he listed the height from the "groundline" on drawing ("roughly grade") to the ridgeline of the tallest portion of the new construction as 38 feet, 3¼ inches. He said the existing church projects above this ridgeline by five feet. He discussed the possibility of using a solar film on the roof that would generate DC current, but that he would return to the Commission if the budget permitted this option.

Public Comments: NONE

Discussion by the Commission: Issues addressed by the Commission included landscaping, security concerns, sustainability of permeable parking lot, fence design, grading of site, notification of adjacent synagogue regarding the change in HVAC location, and the fact that the plans seemed well thought out.

Findings of Fact: Commissioner Morton moved to find the application congruous with the Historic Preservation Guidelines, citing Section 15-427 Certificate of Appropriateness required; Section 15-429 Review Criteria, citing the following guidelines: "New Construction: Placement", page 44, guidelines 1, 3-6; "Building Scale and Height", page 45, guidelines 1-3; "Materials", page 46, guidelines 1, 3, 4; "Details", page 48, guidelines 1, 4, 5; "Texture", page 48, guidelines 1-2; "Form and Rhythm", guidelines 1-4; "New Construction: Non residential", page 49.1, guidelines 2,7; and "Additions to Historic Buildings", page 51, guidelines 1-4 and 8. Commissioner Parsons seconded. The motion passed unanimously.

Statements of Reason: 1) The project impacts primary and secondary areas of visual concern. 2) The new construction relates to the church in terms of massing and has been broken up into small elements allowing the church to take precedence on the site. 3) New vestibules will match the church materials and details. 4) New structure will use contemporary cement siding, precast concrete details and metal roof for materials and a modern interpretation of details.

Discussion on the Motion: Commissioners wanted to add the condition of permeable paver use on the corner parking lot.

Condition(s): "Geogrid permeable" pavers shall be used on the corner parking lot.

Motion: Commissioner Cummins moved and Commissioner Parsons seconded to issue a Certificate of Appropriateness. The motion passed unanimously.

Old Business

1. Consider amendment to the COA for 313 Pollock Street owned by BudBeck, LLC for miscellaneous repairs/alterations to storefront and rear façade.

Staff Comments: Staff Ms. Stone described the application, mentioning that while the project appears more extensive than what is normally considered for an amendment, much of the proposed changes are repairs or replacements-in-kind. She brought the Commission's attention to the main changes requested: (1) the use of an elastomeric water repellent on the front façade, and (2) a change from existing window to French doors on the rear.

Applicants Comments: Steve and Sabrina Bengel, owners, and Lucien Vaughn, Contractor answered questions of the Commissioners. Mr. Bengel noted that they are making many changes that should protect the building for years to come. Mr. Vaughn presented the Commission with a tear sheet for the repellant product they are requesting to use.

Public Comments: NONE

Discussion by the Commission: The Commission discussed topics such as the material of the façade, the thickness of the proposed coating, the necessary pre-treatment of the façade, the presence of a basement in the building, the need to have more time to research the coating as well as see it on an existing historic structure, the need to see a sample of the product, how long the product has been on the market, whether or not there is a clear (versus tinted) version, alternatives to this coating, the concern that such application would trap water inside the building, the need to address these water issues to further preserve the building, how the Bengels became familiar with this product, concerns with leaks from the parapet wall, and the possibility of hearing this case in two weeks at the Design Review as a special called meeting to allow more time for research.

Motion: Commissioner Parsons moved, and Commissioner Cummins seconded, to approve all amendment requests except the elastomeric coating. Motion passed unanimously.

Motion to recess meeting: Commissioner Britton moved, and Commissioner Parsons seconded, to recess the meeting until a Special Called Meeting on June 3rd to further consider the request for elastomeric coating, as well as to elect a new Chairperson for the Commission. Motion passed unanimously.

The Commission requested that Staff Ms. Stone email John Wood to request his advice on the matter of the elastomeric coating.

Peter Adolph, Vice Chair

Annette Stone, AICP
Commission Administrator