

**MINUTES OF THE REGULAR MEETING OF THE
HISTORIC PRESERVATION COMMISSION
SANFORD, NORTH CAROLINA**

The Historic Preservation Commission met in regular session in the City Council Chambers at City Hall, 225 E. Weatherspoon Street, on Monday, September 28, 2020, at 7:00 PM.

ROLL CALL

Members Present: Brian Mitchell, Chair
 Greg Stoch, Vice-Chair
 Philip Yarborough
 Jason Cline
 Allen Gordon
 Charles Petty

Council Member : Sam Gaskins

Staff Present: Liz Whitmore, Historic Preservation Planner II
 Angela Baker, Clerk to the Board
 Kevin Hornick, Attorney

APPROVAL OF AGENDA

Having noted the presence of a quorum, Chair Mitchell called the meeting to order, and entertained a motion to approve the agenda. Board member Gordon made the motion, seconded by Vice Chair Stoch, the motion carried unanimously.

APPROVAL OF MINUTES

Chair Mitchell asked for a Motion to approve the August 24, 2020, minutes. Vice Chair Stoch made a motion, seconded by Board member Cline, the motion carried unanimously.

NEW BUSINESS

Chair Mitchell read the quasi-judicial reference statement

Administer the Oath: Chair Mitchell called all participants speaking in favor of, or against the COA's, as well as staff, to come forward to be sworn in for testimony. Applicants Chris Dalton, Nathaniel Dobbs, Russell Spivey and Greg Stoch; and Staff Liz Whitmore appeared and took the oath.

Conflicts of Interest: None.

- A. COA 20-35 – Application by City of Sanford, who wishes to install four concrete columns 2 to 3 feet tall in Charlie Watson Lane. Two will be at each end of the Lane. The columns will be tiled mosaics which an arch will be mounted at a later date.

Staff Presentation: Staff Whitmore stated that this is part of the public art program. They are going to be doing public art work on Charlie Watson Lane on S. Steele Street. There will be 4 columns and 2 on the front; and 2 on the back entrance of the alley. The columns will be tiled creating a mosaic.

The COA was advertised in accordance with the General Statutes; letters mailed; and site posted on Wednesday, September 16, 2020.

The Guidelines do not address public art in Downtown. The City of Sanford as part of their public arts program wishes to install four concrete pillars. Two pillars will be located at the entrance of Charlie Watson Lane and two will be located at the rear entrance to the Charlie Watson Lane. These pillars will be 46 inches tall. They will be 16 inches square. They will be tiled in a mosaic pattern (Exhibits A, B, C, pages 8, 9, and 10). It will not disturb any brick. This was presented to City Council in January 2020; and they are fully supportive.

Staff Comments and Analysis:

The City of Sanford's vision of becoming an Arts Destination has become a reality. We are getting wonderful feedback from the citizens of Sanford and beyond. The program has been featured in two National Trade Magazines, numerous articles in magazines and newspapers and we have been featured on Tar Heel Traveler. Other cities throughout the state are inquiring about the program. Most recently, Kinston; Selma, North Carolina; Manassas, Virginia; and Smyrna, Delaware about our program.

Board Questions

Chair Mitchell asked when the actual art would be installed would it come back before the board.

Staff Whitmore said no, because it is not making any impact on the buildings.

Vice Chair Stoch asked if there would be an arch on the back.

Staff Whitmore stated that it would be later on; and the approval would be extended if necessary and would not have to come back before the Board; it would be completed at staff level. Jason Howard will be doing all the electrical work. There will be twinkle lights strung across the top and entwined in the arches. This will all be considered one project. The whole project will be done by November 14, 2020. Everything will be dedicated that day, including, the wings and the caterpillar.

Board member Gordon asked if the mosaic would be on all four sides.

Staff Whitmore stated that was correct; and each piece would be similar, but different in design.

Applicant's Testimony:

Chris Dalton, 2604 Chippendale Trail, Sanford. Artist of the project.

Ms. Dalton stated that she has been collecting stuff for years; including, porcelain roses, watches, all different pieces. She said that she will be incorporating all the pieces to draw

kids as well as adults into enjoying the arts. She is really trying to target the kids to the alley when she did the butterfly and the caterpillar, so the kids will grow up and love Sanford. She is excited about doing the pieces.

Board Discussion:

Board member Gordon stated that Ms. Dalton's work is fabulous and thinks it will be attractive.

Vice Chair Stoch is very supportive of the art work, and keeping Sanford an Arts Destination.

Board member Petty stated that a City that is engaged in the Arts is very specific and this project is very inviting.

Motion: Board member Yarborough made a motion that the Historic Preservation Commission find as fact that the proposed project COA-20-35, installation of four pillars two at the front and two at the rear of Charlie Watson Lane, which will be 3 feet tall and 16 inches square; which will be tiled to create a mosaic pattern when completed and is done in accordance with the Downtown Design Guidelines; and the decision by the Historic Preservation Commission, is congruous with the character of the district, for the reasons that it fits the artistic vision and the arts destination; and therefore, is generally in harmony with the criteria in the design guidelines, the special character of the neighboring properties, and the historic district as a whole. Motion seconded by Board member Petty.

Chair Mitchell called for a vote. The motion carried. Vice-Chair Stoch abstain.

Final Motion: Board member Yarborough made a motion based on the preceding findings of fact, moved that the Historic Preservation Commission grant a Certificate of Appropriateness (COA-20-35) to the City of Sanford for the installation of four pillars two at the front and two at the rear of Charlie Watson Lane which will be 3 feet tall and 16 inches square and will be tiled to create a mosaic pattern as shown in COA-20-35 for Charlie Watson Lane (mid-block of S. Steele Street) as submitted. Motion seconded by Vice Chair Stoch.

Chair Mitchell called for a vote. The motion carried.

- B. COA-20-36: Application by Nathaniel Dobbs, property owner of 311 Green Street, who wishes to remove 5 trees located in the rear yard. Two trees should be planted to maintain the tree canopy in the Historic District.

Staff Presentation: The Historic Preservation Commission received a Certificate of Appropriateness (COA-20-36) an application by Nathaniel Dobbs owner of 311 Green Street. The original application was to remove 5 trees, however it is only one tree. It was advertised in The Sanford Herald in accordance with the General Statutes and it was posted on September 16, 2020, and letters were mailed to the property owner and all property owners within a 100 feet.

Staff Whitmore stated that it appears that a lot of trees are being removed. The trees are aging out. Forester Sam Buchanan always goes and looks at the trees before the trees are recommended for removal.

Staff supports the removal of the Mulberry tree, as well as the juvenile trees. The applicant would like to eventually put parking behind his house. The applicant has agreed to replant trees and Staff recommends three red bud trees be planted along the fence line. Behind the properties on Green Street there is an alley 10-12 feet wide. There is a petition to close the alley. In the meantime, the residents have taken over the alley and put up fences and such. The alley has been divided unofficially. The request to put the trees back along the fence line so the applicant does have the area to provide parking in the future if he so chooses. The applicant does have an easement, so he would not need a future COA for a driveway.

Guidelines

- a. It is appropriate to protect, retain, and maintain landscaping that contributes to the character of the historic district. This includes large trees and original or historically significant trellises, patios, terraces, and fountains.
Comment: The applicant is proposing to remove one mature Mulberry tree (*Morus alba*) – Exhibits A, B, C and D, pages 9 and 12.
- b. It is appropriate to preserve, protect and retain historic hardscape materials, such as brick or granite pavers. If replacement is necessary, use materials that match or blend with original material in color, texture and pattern.
Comment: No historic hardscape materials are being affected by this tree therefore this guideline does not apply.
- c. This guideline does not apply.
- d. This guideline does not apply
- e. It is appropriate to maintain the existing grade on the site when technically feasible.
Comment: Should the removal of the Mulberry tree (*Morus alba*) be approved by the commission the applicant shall have the stump ground and the area should be leveled and reseeded or sodded to avoid erosion.
- f. It is appropriate that mature, healthy trees should remain intact and undisturbed on a site, unless they are causing the deterioration of a building, accessory buildings, appurtenant features or creating a safety hazard.
Comment: The Lee County Forest Ranger Sam Buchanan recommends the removal of the Mulberry tree (*Morus alba*, Exhibit B, page 10).
- g. Trees which are dead or diseased should be replaced with an appropriate tree.
Comment: The applicant has agreed to plant three replacement trees – Eastern Redbuds along the fence line in the rear yard.
- h. Tree removal shall be completed in a manner so that the affected area seems original to the landscape.

Comment: The applicant is proposing to remove one large Mulberry tree (*Morus alba*) Exhibit A, Pages 9 and 10, should the commission approve the removal of said tree the stump shall be removed and the area sodded or seeded to avoid erosion which would make the area appear original to the landscape.

Staff Comments and Analysis:

Staff recommends the Mulberry tree (*Morus alba*) be removed (the four juvenile trees do not require a Certificate of Appropriateness to be removed) and 3 Eastern Redbuds (*Ceris canadensis*) will be planted along the fence line in the rear yard to maintain the tree canopy in the District. The replacement trees should be 5 to 6 feet tall at the time of planting. The above comments are of the opinion of staff and it is the Commission's discretion whether to agree or disagree and make any additions or deletions as they deem fit.

Board Questions

Nate Dobbs, 311 Green Street.

Chair Mitchell asked the applicant if he was willing to plant another tree.
Nate Dobbs said definitely.

Board Discussion:

Chair Mitchell stated that the only tree he needed a COA has a significant lean and it is a potential risk to structures.

Vice Chair Stoch said that if the Forester recommends that it makes sense.

Board member Petty asked if there was another botanist or someone to help out the Forester with the number of trees that potentially need to be removed.

Staff Whitmore stated that she is in the process of preparing a tree planting plan. The Forester is an arborist and if anyone else helps with the decisions of the trees, they would have to be paid. Sam Buchanan the Forester and his assistant, Zach Prevatte are very good.

Motion:

Board member Gordon moved that the Historic Preservation Commission find as fact that the proposed project COA-20-36, 311 Green Street, if the removal of the Mulberry tree, and the planting of three Eastern Red Bud trees 5-6 feet tall are done in accordance with the decision by the Historic Preservation Commission, is congruous with the character of the district, for the reasons that no Historic hardscape materials are being affected by this tree; the stump will be ground, leveled, and resodded to avoid erosion; and the Forester, Sam Buchanan recommends the removal of said tree; and the applicant has agreed to replant replacement trees, for the following reasons that were stated that it is generally in harmony with the criteria in the design guidelines and the special character of the neighboring properties and the historic district as a whole. The motion was seconded by Board member Cline.

Chair Mitchell called for a vote. The motion was carried unanimously.

Final Motion:

Board member Gordon made a motion based on the preceding findings of fact, moved that the Historic Preservation Commission grant at Certificate of Appropriateness to Nathaniel Hobbs and approve the proposal as shown in COA-20-36, 311 Green Street. The motion was seconded by Vice Chair Stoch.

Chair Mitchell called for a vote. The motion was carried unanimously.

- C. COA-20-38: Application by Lee County, property owner of 408 Summit Drive who wishes to remove five trees.

Staff Presentation: The Historic Preservation Commission received an application for a Certificate of Appropriateness (COA-20-38) by Lee County, NC owner of 408 Summitt Drive who wishes to remove six (6) trees : 4 pine trees (2 on N. Gulf Street and 2 on Vance Street), and 2 Oak trees. It was advertised in the Sanford Herald and posted on Wednesday, September 16, 2020. Sam Buchanan looked at the trees on August 27, 2020. He recommended that all six trees should be removed. The applicant has agreed to replant replacement trees and they should be at least 5-6 feet tall.

Exhibit A, 2008 Tree Survey, page 11; Exhibits B thru F, pages 12-16 trees to be removed. B and C are view of the three facades. A is the east facing façade, B is the south facing view of the property and C, west facing view of the property, pages O, O and O.

Guidelines

- a. It is appropriate to protect, retain, and maintain landscaping that contributes to the character of the historic district. This includes large trees and original or historically significant trellises, patios, terraces, and fountains.
Comment: The applicant is proposing to remove one six trees as described above. The removal of said trees will affect the current character of the historic district. Staff recommends that six trees be planted in an attempt to reestablish the character of the district. Three Redbuds (*Ceris Canadensis*) should be planted adjacent to Vance street. One Saucer magnolia (*Magnolia x soulangeana*) should be planted in the parking lot island. Two Little Gem Magnolias (*Magnolia grandiflora* "Little Gem") should be planted in the planting strip adjacent to N. Gulf Street. Replacement trees, Exhibits G thru I, pages 17-19. .
- b. It is appropriate to preserve, protect and retain historic hardscape materials, such as brick or granite pavers. If replacement is necessary, use materials that match or blend with original material in color, texture and pattern.
Comment: No historic hardscape materials are being affected by this tree therefore this guideline does not apply.
- c. This guideline does not apply.

- d. This guideline does not apply
- e. It is appropriate to maintain the existing grade on the site when technically feasible.
Comment: Should the removal of the six trees approved by the commission the applicant shall have the sumps ground and the area should be leveled and reseeded or sodded to avoid erosion, until such time replacement trees are planted.
- f. It is appropriate that mature, healthy trees should remain intact and undisturbed on a site, unless they are causing the deterioration of a building, accessory buildings, appurtenant features or creating a safety hazard.
Comment: Removal of these trees is recommended by the Lee County Assistant Forester Ranger.
- g. Trees which are dead or diseased should be replaced with an appropriate tree.
Comment: The Post Oak located in the parking lot island has visible rot and should be removed. The Post Oak tree located adjacent to N. Gulf has a significant lean and should be removed. Two pines adjacent to N. Gulf have a slight lean and due to the close proximity of the power lines it is recommended that these two trees be removed. The two pines adjacent to Vance Street are a maintenance issue due to the pine needles getting in the gutters of the county building and have been recommended that they also be removed. Exhibits A-F, pages 11-16.
- h. Tree removal shall be completed in a manner so that the affected area seems original to the landscape.
Comment: The applicant is proposing to remove six trees, should the commission approve the removal of said trees. Staff recommends that the stumps be removed and the area sodded or seeded to avoid erosion which would make the area appear original to the landscape, until replacement trees are planted. Some replacement trees will most likely not go back in the identical spot of the tree removal.

Staff Comments and Analysis:

Staff supports the removal of the six trees and recommends that six replacement trees be planted. These replacement trees should be at least five to seven feet tall. It is recommended that three Redbuds (*Ceris Canadensis*, max height and width is, 20-30 feet in height and 15 to 35 feet in width), a Saucer Magnolia (*Magnolia x soulangena*, max height and width is 20-30 in height and spread of 25 feet at maturity) and two Little Gem Dwarf Magnolias (*Magnolia grandiflora*, "Little Gem"), max height 25 feet with a spread of 12 feet) adjacent to N. Gulf Street.

Board Questions

Russell Spivey, Lee County Employee.

Vice Chair Stoch asked about the placement of the trees.

Staff Whitmore said that the trees would be placed between the sidewalk and the parking lot.

Chair Mitchell asked if the applicant agreed to replace the trees as proposed.

Mr. Spivey said yes. He is a tree person, but there have been several incidents with trees falling and they have been very fortunate no one was hurt.

Board Discussion:

Board member Yarborough asked about pictures of the replacement trees.
Staff Whitmore stated that they bloom early in the Spring and have heart shaped leaves.

Motion:

Board member Cline moved that in regards to COA-20-38, the Historic Preservation Commission find as fact that the proposed project, 408 Summitt Drive, if the removal of the six trees, and the planting of three Redbuds (*Cercis Canadensis*, max height and width is, 20-30 feet in height and 15-35 feet in width), a Saucer Magnolia (*Magnolia x soulangena*, max height and width is 20-30 feet in height and spread of 25 feet at maturity) and two Little Gem Dwarf Magnolias (*Magnolia grandiflora*, "Little Gem"), max height 25 feet with a spread of 12 feet) adjacent to N. Gulf Street are done in accordance with the decision by the Historic Preservation Commission, is congruous with the character of the district, for the reasons that the Historic materials are being touched and it is not a contributing structure to the Historic District; Forester agrees the trees should be removed; trees are decayed; trees have already fallen and damaged the property and adjoining property; in general harmony with the criteria with the design guidelines. The motion was seconded by Board member Yarborough. Chair Mitchell called for a vote. The motion was carried unanimously.

Final Motion:

Board member Cline made a motion based on the preceding findings of fact, moved that the Historic Preservation Commission grant at Certificate of Appropriateness to Lee County (John Crumpton, County Manager) and approve the proposal as shown in COA-20-38, 408 Summitt Drive with the following conditions:

1. The area of the removal of said trees shall be seeded or sodded so that area appears natural to the landscape, until such time replacement trees are planted.
2. The applicant shall plant the following replacement trees:
 - a. Three Redbuds (*Cercis Canadensis*) 5to7 feet tall adjacent to N. Vance Street;.
 - b. One Saucer Magnolia (*Magnolia x soulangeana*) 5 to 7 feet tall in the north parking lot island; and
 - c. Two Little Gem Magnolias (*Magnolia grandiflora* "Little Gem") in the planting island adjacent to N. Gulf Street.

The motion was seconded by Vice Chair Stoch.

Chair Mitchell called for a vote. The motion was carried unanimously.

- D. COA-20-37 Application by Greg Stoch, property owner of 220 N. Gulf Street who wishes to install a new driveway and driveway cut, pave said driveway and remove existing macadam.

Greg Stoch recused himself.

Staff Presentation: The Historic Preservation Commission received a Certificate of Appropriateness COA -19-37 application from Greg and Jocelyn Stoch, property owners of 220 N. Gulf Street who wish to install a driveway with access off of N. Gulf Street. The site was advertised in the Sanford Herald and posted on Tuesday, September 22, 2020.

4. Walks, Steps and Driveways.

Walkways and steps constructed of cement, stone, or brick are important features of the historic district and provide visual unity. Most historic district houses feature wide straight front walks leading directly from the public sidewalk to the front door of the structure.

Exhibit A, page 8, - location of the new driveway.

Guidelines

- a. Historic paving configurations and materials should be maintained. New paving for walkways, steps, alleys and driveways should match and/or blend whenever possible to historic materials, design and scale.
Comment: The current driveway is macadam and the proposed driveway is macadam. The applicant is proposing to remove the part of the existing driveway which will not be used once the new driveway is installed (Exhibit B, page9).
- b. Guideline does not apply.
- c. New walks, steps and driveways should minimize changes to existing landscape features such as retaining walls and major landscaping.
Comment: The installation of the new driveway does not interfere with landscaping, or retaining walls (Exhibit A, page 8).
- d. Circular driveways in the principal elevation are not appropriate unless demonstrated to be historically accurate for the site.
Comment: It appears that this property had a circular driveway that went from N. Gulf Street only. Currently the applicant and neighbors who back up to the alley is requesting it be closed and divided among the properties that abut the easement.
- e. Driveway aprons are required for driveway entrances / exits.
Comment: Prior to release of the COA placard the applicant shall obtain all permits and provide copies to Historic Preservation office to be included in the official file; including Zoning and Street Department / Public Works approval.

Staff Comments and Analysis

The applicant is requesting a new driveway cut off of N. Gulf Street. The closing of the easement will afford the property located at 216 N. Gulf Street, that does not have a dedicated driveway, to have their own driveway and thus provide off-street parking. Once this easement is closed the applicant will not have access to his property thus the request for a driveway cut. The applicant is in agreement with the closure of the easement located between 220 and 216 N. Gulf Street. The applicant has not stated how they intend to handle erosion

once the driveway is installed. It is recommended that the Applicant should include a memorandum as to how they intend to handle the erosion once the driveway cut has been made. Staff supports this request.

Board Questions

Chair Mitchell requested clarification of the request before the Board tonight.
Staff Whitmore stated just the driveway cut on Gulf Street.

Board member Cline asked if there was any concern with the trees on each side of the driveway cut, Exhibit A.

Staff Whitmore stated that the trees are that big right now, but may have issues in the future because they are maples. It should be considered.

Board member Yarborough asked why are they changing the driveway.

Staff Whitmore stated that the Stoch's agreed with Carter Keller that if the easement is closed, then the Stoch's would need a driveway cut. It is the only property in the Historic District that does not have off street parking. There is not room behind the house, and they will be putting back a structure that has been removed. This will provide a driveway to their property and access to their property.

Council Member Gaskins asked what is the plan for the entire alley to Horner Blvd.

Staff Whitmore stated that the alley will be closed and be split between the property owners.

Board member Gordon asked if the requested approval is to put in a driveway.

Staff Whitmore stated yes.

Applicants Testimony

Greg Stoch, 220 N. Gulf Street, Sanford, NC.

Mr. Stoch stated that the Red Maples were planted by them, and they are centered 30 feet center on center. The proposal is to put the driveway between the trees; and it would be 12 feet wide. Each edge of the driveway would be approximately 9 feet from the center of the maple tree to give a span for roots to grow out and down.

Mr. Stoch stated that there has been issues with people parking in the alley and blocking residences. A private driveway would increase the property value of 216; and the entire neighborhood.

Mr. Stoch stated that they are proposing something more Historic using the concrete stamped to look like brick for the paving of the driveway; not the macadam. In the future they would like to take down trees; create a circle driveway; and add columns. That is the long term plan. First, they need a driveway in that section.

Chair Mitchell asked the plan for dealing with the erosion.

Mr. Stoch said that it will be worked out with the Street Department; it has yet to be determined.

Staff Whitmore stated that there was concern about the change of materials last minute. She didn't realize that it was going to be concrete and not macadam. Erosion needs to be addressed before approval of the driveway.

Board Discussion

The Board discussed in length the design; erosion control; and materials that will be used for the driveway. The Street Department / Public Works departments need to be contacted and details worked out for the driveway cut and the materials that need to be used for erosion control.

The Board suggested and the applicant agreed that the second half COA would be continued until the October 19, 2020, meeting.

Motion

Board member Gordon moved that COA and vote only tonight on the curb, driveway cut and apron of the driveway and that the remainder of the COA be tabled until the October meeting. Seconded by Board member Yarborough

Chair Mitchell called for a vote. The motion was carried unanimously.

Board member Gordon moved that the Historic Preservation Commission find as fact that the proposed project COA-20-37, 220 N. Gulf Street, is for the driveway cut, apron only and that other materials in the driveway will be picked up in the October meeting and that the Street Department/ Public Works Department has to communicate with Staff before any work is to begin and the location of the driveway is going to be based on this information on page 8, Exhibit A; and is generally going to be in harmony with the criteria and design guidelines and special character of the neighboring properties and the Historic District as a whole. Seconded by Board member Petty.

Chair Mitchell called for a vote. The motion was carried unanimously.

Final Motion:

Board member Gordon made a motion based on the preceding findings of fact, moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Greg and Joyceln Stoch and approve the proposal as amended in COA-20-37, 220 N. Gulf Street. Seconded by Board member Cline.

Chair Mitchell called for a vote. The motion was carried unanimously.

Public Comments

None

COA's

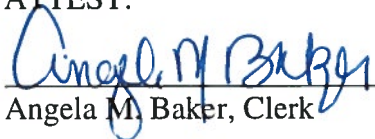
Exhibit A.

Adjournment

With no further business to come before the Board, the meeting was adjourned on motion of Board member Allen, seconded by Board member Stoch, and unanimously carried. The meeting was adjourned at 9:00 pm.

Adopted this 19 day of October, 2020.

BY: 
Brian Mitchell, Chair

ATTEST:

Angela M. Baker, Clerk