

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

The Historic Preservation Commission met in regular session in the Buggy Conference Room, 115 Chatham Street, Sanford, NC, on Monday, November 28, 2022, at 6:00 PM.

ROLL CALL

Members Present: Jason Cline
 Nate Dobbs
 Brian Mitchell
 Jim Erb
 Delorian Wicker

Staff Present: Liz Whitmore, Historic Preservation Planner II
 Angela Baker, Clerk to the Board
 Mark Hackett, Planning Technician (Interpreter)
 Kevin Hornik, Attorney

Having noted the presence of a quorum, Chair Cline called the meeting to order.

APPROVAL OF AGENDA

Board member Dobbs made the motion to approve the agenda to include the organizational meeting, seconded by Board member Erb seconded the motion. The motion carried unanimously.

APPROVAL OF MINUTES

Board member Erb made a motion to approve the minutes from October 24, 2022. Board member Dobbs seconded the motion. The motion carried unanimously.

NEW BUSINESS

- A. COA-22-83 – Owner Jeffrey Brown (131 Wicker Street) and applicants David and Jennifer Heimbecker wish to paint the unpainted front brick façade and any other existing brick walls after the lower front façade is removed and interior walls become exterior walls, Alabaster (a cream color).

Administer the Oath: Chair Cline called all participants speaking in favor of, or against the COA as well as staff, to come forward to be sworn in for testimony. Applicants David Heimbecker and wife, Jennifer; and Dr. Paul Heimbecker and Staff Liz Whitmore appeared and took the oath.

Conflicts of Interest: None.

The Staff Report was entered into the Record.

Staff Presentation: Staff Whitmore stated that the Historic Preservation Commission received a Certificate of Appropriateness COA-22-83, was advertised in accordance with the General Statutes on November 16, 2022, and November 23, 2022; posted on November 16, 2022; and letters were mailed to property owners within 100 feet on November 16, 2022.

Subject:

IV. Principles and Design Review Criteria Introduction pages 3-4 of the Agenda Packet.

Exhibit A, front façade of 133 Wicker Street, page 10 – Photo taken by Staff on 11/16/2022.

Masonry

1. The regular inspection and maintenance of masonry, with an eye toward the effects of weathering, is preferable to repair and replacement.
Comment: Not applicable.
2. When repair or replacement is necessary, the new material shall conform to the original in texture, material, and overall appearance.
Comment: Not applicable.
3. Only originally painted masonry shall be repainted. Avoid the painting of previous unpainted masonry surfaces.
Comment: The applicant wishes to paint the existing unpainted brick, Alabaster (a cream color), Exhibit B, page 10. The applicant provided photos of other buildings in downtown that have painted front facades (Exhibits A-G, pages 10-17, 14-ote Exhibits F1-F3, pages 14-16 are the same building). All of these buildings' facades were painted prior to the downtown district being designated as a historic district. Since these buildings were painted prior to the downtown district becoming a National District and then designated as a local district these previously painted buildings are allowed to be painted and they may be approved at staff level to do so.
4. Avoid masonry maintenance methods that are destructive to the original material.
Comment: Not applicable.

Staff Comments and Analysis:

It should be noted that the signage and lightening, represented in the exhibits, are NOT are part of the application. 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 Discussion

Board member Mitchell asked if the building is a contributing building.
Staff Whitmore said yes.

Vice Chair Dobbs asked if all the buildings were contributing on that side of the block.
Staff Whitmore said yes.

Chair Cline asked if this was part of a previous COA and if so, why was it removed?
Staff Whitmore said yes; and the applicant, Jeffery Brown, thought it would be better to take it out at that time.

Applicant's Testimony

David Heimbecker, business owner.

Mr. Heimbecker stated that he wanted his business to represent a brand of the elegance. He thought the building being painted an alabaster color would compliment the blonde brick of the adjacent building.
He stated that on Exhibit A & B, page 10, that the soldier course above the awning needed to be regouted and repaired. He said that the paint would seal the brick and cut down on the replacement of brick; and possibly not being able to match the brick.
He said that the brick was leaking above the awning and causing damage to the brick.

Board member Erb asked if the awning was going to be replaced, and if so couldn't the brick be replaced at that time.
Mr. Heimbecker stated yes, but thought that if the brick was sealed that it would preserve the brick.

Vice Chair Dobbs stated that Sanford is known for its brick and keeping with the integrity of the District.

Paul Heimbecker, investor in coffee shop.

He stated that his office at 127 N. Steele Street is painted. He said that they would rely on the expertise of McNeill paint to choose a paint that would prolong the brick.

Vice Chair Dobbs asked if the painting of the brick was a need; or just a desire to paint the brick.
David Heimbecker said that it was really both. He felt that the paint would act a sealant on the brick to protect; and it would give the building the desired look they wanted for the business.

Vice Chair Dobbs asked if the building would be painted one color.

David Heimbecker said yes, alabaster color.

Chair Cline asked when the other buildings were painted.

Staff Whitmore said that before the Historic Registry was created; the buildings are grandfathered in. Staff Whitmore also stated that no COA has been approved permitting an unpainted brick façade to be painted over. All COA's approving the painting of brick involved repainting previously painted brick.

Jennifer Heimbecker, business owner.

Mrs. Heimbecker stated that they have a love for preserving old buildings. She stated that the interior of the building would keep with natural brick; and the outside painted would create a welcome feeling. She said that it was their desire to have a place people could come and meet; to relax; fellowship; and get away from social media.

Closing Discussion

Chair Cline stated that in his opinion the painting of the brick, would not allow the brick to breathe properly.

Board member Wicker stated that he liked change; and he thought the building would look good painted.

Vice Chair Dobbs stated that Sanford was the Brick Capital and the brick should not be painted. He said that it could potentially make the building a non-contributing building. He also said that the brick is important to the character of the historic district.

Board member Mitchell stated that the guidelines state to try and avoid painting unpainted brick; and it is preferred to repair and replace brick.

Board member Erb stated that he felt that the brick on the outside of the building should be left unpainted; and the inside brick should be painted.

Attorney Hornik directed the Board that the Board's decision should be based on whether or not the proposed changes are or are not incongruous with the special character of the historic district and that the local guidelines may be used to help determine the special character of the district and whether the proposed work is or is not incongruous with it; and that the special character of the district should take into account the neighboring properties and the other properties within the district.

Finding of Fact Motion

Board member Mitchell made a motion that the Historic Preservation Commission find as fact that the proposed project COA-22-83, that the painting of the unpainted front façade and the wall on the right hand side that will be exposed, and any other walls that are exposed to the outside, once the lower front façade is removed an Alabaster cream color when completed is

incongruous with the character of the Historic District because painting of the building is a non-reversible change, is generally not in harmony with the criteria in the design guidelines, and is inconsistent with the special character of the neighboring properties and the historic district as a whole which favor unpainted brick. Seconded by Board member Erb. The motion carried 4-1, with Board member Wicker casting the dissenting vote.

Final Motion

Board member Mitchell made a motion based on the preceding findings of fact, that the Historic Preservation Commission not grant a Certificate of Appropriateness, COA-22-83, to owner Jeffrey Brown and applicants David and Jennifer Heimbecker for 131 Wicker Street as submitted. Motion was seconded by Board member Erb. The motion carried 4-1, with Board member Wicker casting the dissenting vote.

- A. COA-22-78 – Mateo Gill Nava owner of 524 Summit Drive who wishes to remove the slate roof and replace with an asphalt shingled roof.

Administer the Oath: Chair Cline called all participants speaking in favor of, or against the COA as well as staff, to come forward to be sworn in for testimony. Applicant Mateo Gill Nava and Staff Liz Whitmore appeared and took the oath.

Conflicts of Interest: None.

Staff Presentation: Staff Whitmore stated that the Historic Preservation Commission received a Certificate of Appropriateness COA-22-78, who wishes to remove the slate roon and replace with an asphalt shingled roof. It was advertised in accordance with the General Statues on November 16, 2022, and November 23, 2022; posted on November 16, 2022; and letters were mailed to property owners within 100 feet on November 16, 2022.

The Staff Report was entered into the Record.

Exhibit A, Front Façade, page 9.

March 22, 2021 the Historic Preservation Commission approved COA 21-11, Exhibits I and J, pages 17 and 18.

GUIDELINES

5. Roofs. The roof form and pitch are among the major distinguishing characteristics of the different styles of architecture. The care and maintenance of the roof is one of the most important practices in preserving a historic building. A leaky roof can accelerate deterioration of historic features at a rapid rate.

- a. It is appropriate to preserve, protect and retain original roof forms, pitches, rafter details, molding, trim, and soffit boards if technically possible. Dormer may be approved if it can be shown to be appropriate for the house.
Comment: COA 21-11 approved the removal of part of the house and new additions. (Exhibits I and J, pages 17 and 128. In doing so the original roof on those parts of the house was removed. The main house still retains the majority of the original slate roof. (Exhibits B-H, pages 10 thru 16).
- b. It is appropriate to preserve, protect and retain historic roofing materials such as clay tiles, slate, standing seam metal, wood shingles or embossed metal shingles when technically feasible.
Comment: The applicant intends to remove the existing slate roof and replace it with asphalt shingled roof (Exhibit K, Sample of shingle).
- c. It is appropriate to retain the roof pitch and original features, such as dormers, turrets, balustrades, bargeboards, quarter round, cornices, brackets, weather vanes, or lighting rods when feasible.
Comment: It appears that the roof pitch is to remain the same and per the apposed Major COA 21-11 (Exhibit I, page 19) the pitch of additions will complement the roof pitch of the original house.
- d. Does not apply.
- e. When repairing of historic material is necessary it needs to blend with existing material in size, shape, color, pattern, and texture. Use like kind material where possible and historically appropriate substitute material if the historic material is not technically feasible.
Comment: The applicant is proposing to remove the original slate roof and replace with an asphalt shingled roof. (Exhibits A-H, pages 9-16 and Exhibit K, asphalt shingle).
- f. When replacing specialty roofing materials, such as "mission tiles", stamped tin, asbestos shingles, or patterned slate with composition shingles is strong discouraged as the roof is an important defining feature of the structure.
Comment: The applicant is proposing to remove the original slate roof and replace it with asphalt shingles. Exhibits A-H, pages 9-16 and Exhibit K, asphalt shingle.
- g. – k. Does not apply.

Staff Comments and Analysis:

It should be noted that the application only applies to the main house where there are currently existing slate shingles. The additions would not be required to have a slate roof., but the asphalt shingles that are used, should be black in color to completement the slate shingles. Should the Commission approve the removal of the existing slate roof, staff recommends that the slates be removed in a manner as to cause as little damage as possible

and the slate be donated or sold to an architectural salvage company or donated to a Habitat Store. Staff will provide the applicant with contact information for these businesses if necessary. If the slate roof is approved to be removed the entire structure shall be roofed with a black asphalt shingle. 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 Discussion

Board member Mitchell asked if the slate shingle was still available.
Staff Whitmore said yes.

Board member Erb stated that the house was not visible from the road and probably would not be able to tell the difference.
Staff Whitmore said yes, indistinguishable.

Board member Dobbs asked what type of shingle would be used.
Staff Whitmore said that it would be an architectural shingles.

Applicant Testimony

An interpreter on behalf of Mateo Gill Nava, owner of 524 Summit Drive. He bought the property in 2019. He stated that there was a leak and the rafters needed to be replaced. He said the dry wall also had to be replaced because it was falling down and had mold in the walls.

He stated that he did not realize that he could by the slates for the roof, and since they were adding onto the home, they thought it would be best to replace with all asphalt shingles.

Chair Cline asked if the leaks were from the slates.
Interpreter said yes, and can't move forward until a decision is decided on the roof.

Chair Cline asked if the Board agreed to the removal of the slate shingles, would he be willing to donate those.
Interpreter said yes.

Board member Dobbs stated that the majority of the houses in the neighborhood have a slate roof.

Board member Wicker clarified that the roof is currently leaking.
Interpreter said yes.

Closing Discussion

Board member Mitchell stated that he liked slate roofs, they are cool, and they last forever. He also understands that he doesn't know the extent of replacing a slate roof.

Board member Erb stated that there are no other houses on that street that have a slate roof.

Chair Cline stated that he goes by that house all the time and did not realize it had a slate roof; you cannot tell from the street.

Staff Whitmore stated that all the homes on the street and in the general area that have asphalt shingles. There are only a couple that have other types of roofs.

Board member Dobbs stated that he would like the roof to be kept slate, but understands that sometimes that is not reasonable. He would like the slate to be donated if possible.

Board member Mitchell stated that a ridge vent should be included in the COA.

Board Attorney Hornik discussed since the Historic description of the home says slate roof; possibly salvaging enough slate off of the house to repair the front gable roof of the home and replace the slate; and the two wings and additions be asphalt shingles and would complement the slate roof. This would respect the specific description of the National Registry, but allowing the applicant to replace the area of the roof that is leaking.

Board member Mitchell said that the description would still need to be updated, because of the new additions to the home and other buildings are still contributing with asphalt roofs.

Staff Whitmore stated that this is not a corner lot, it is a home in the middle of the block.

Finding of Fact Motion

Board member Mitchell made a motion that the Historic Preservation Commission find as fact that the proposed project COA-22-78, 524 Summit Drive, if the removal of the slate shingles and replacement with asphalt shingles are done in accordance with decision by the Historic Preservation Commission, is not incongruous with the character of the district, for the reason that many of the other homes in the neighborhood have asphalt roofs and would 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. Seconded by Board member Dobbs. The motion carried unanimously.

Final Motion

Board member Mitchell made a motion based on the preceding findings of fact, that the Historic Preservation Commission grant a Certificate of Appropriateness to Mateo Nava and approve the proposal as shown in COA 22-78, 534 Summit Drive. Motion was seconded by Board member Erb. The motion carried unanimously.

ANNOUNCEMENTS

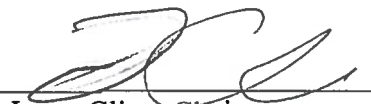
Staff Whitmore gave an update on approved COA's.

ADJOURNMENT

With no further business to come before the Board, the meeting was adjourned on motion of Board member Mitchell, seconded by Board member Erb, and unanimously carried. The meeting was adjourned at 7:45 pm.

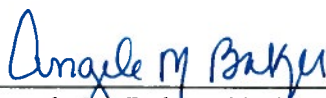
Adopted this 24th day of January, 2023.

BY:



Jason Cline, Chair

ATTEST:



Angela M. Baker, Clerk