

**Minutes of the
New Bern Historic Preservation Commission
January 16, 2019 – 5:30 P.M.**

1 The New Bern Historic Preservation Commission (HPC) held regular meeting on Wednesday,
2 January 16, 2019, in the second-floor courtroom of City Hall, 300 Pollock Street

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4 **Members Present:** David Griffith, Chair Karen McNair
5 Joseph Klotz James O. Woods
6 Ruth Cox
7

8 **Members Excused (E)/ Absent (A):** James Bisbee (A), Christian Evans (A), Joseph Anderson
9 (A), George Brake (A)

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11 **Staff Present:** Morgan Potts, AICP, City Planner

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13 **Others Present:** Jennifer Campbell, Recording Secretary
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16 **OPENING OF MEETING WITH ROLL CALL**

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18 The meeting was opened by Chair David Griffith and roll call was taken by Staff Member
19 Morgan Potts. A quorum was present.
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22 **APPROVAL OF MINUTES OF PREVIOUS MEETING(S)**

23
24 Prior minutes were not presented. Chair Griffith explained the HPC and the quasi – judicial
25 hearing process. Staff swore in witnesses. The following is the oath that all witnesses take
26 when presenting in front of the board:
27

28 “Do you solemnly swear or affirm that the testimony you are about to give this evening will
29 be true to the best of your knowledge”
30

31 **OLD BUSINESS**

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33 **A.702 E. Front St.--** Request to include a foundation increase and installation of a screened
34 porch with a roof in the tertiary areas of visual concern (AVC).
35

36 **Staff Comment**

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38 Staff Member Potts stated that this item was a continuance from the previous meeting. At
39 the time they were waiting for information from the City Historic Preservation Office. Mrs.
40 Potts stated they do not have guidelines yet for this, but the Historic Preservation office
41 provided their recommendations, which were attached to the staff recommendations.
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Applicant Comment

Sarah Afflerbach spoke on behalf of the homeowner. Mrs. Afflerbach began by identifying the property as a flooded home on East Front Street. She stated that the entire back porch was lifted with a lot of porch damage and two feet of water inside the house. Mrs. Afflerbach requested on behalf of the homeowner that they would lift the house. She has invited the Historic preservation office down to the property to take a look and the homeowners have already spoken with Staff Member Potts regarding the property, and the homeowners have written a letter stating that the changes Mrs. Afflerbach proposes will not be incongruous.

The changes that are proposed to be made include raising the house, which currently sits two feet above grade. The owner would like to raise it by four feet, which will raise the house to six feet above grade in totality. This height will mirror other homes in this area. Mrs. Afflerbach also proposed that they would replace the current open back porch with a screened-in back porch.

Materials to be used in the project would include painted wood, a hand turned metal roof, screening, decking, pickets, and railings that match what already exists. This project would include stairs out to the back yard and a side view to the neighbor facing north on East Front Street. Mrs. Afflerbach also mentioned that the stairs to the sidewalk fall short of the walk so there will be enough room to raise the house and include the stairs comfortably. Also noted was the process of re-doing the brick weave and the owner planting next to the sidewalk, so there will not be such a visual impact to the neighborhood.

Chair Griffith opened the floor for public comment

Public Comment

There was no public comment at this time.

Staff Recommendations

Staff Potts submitted the following Historic District Guidelines as appropriate to this application:

Foundations

4.1.1 - *Adhere to Guidelines for retention of historic fabric when altering foundation components.*

4.1.2 - *When infilling between brick piers, recess brick curtain walls 1 to 2 inches to visually delineate piers.*

4.1.3 - *Use traditional materials when constructing foundations. Concrete block should receive a veneer of stucco, brick or other appropriate masonry material.*

89 **4.1.4** - *Locate foundation features such as vents and access doors in areas that will not detract*
90 *from the architectural character of the building. Coordinate with other architectural features*
91 *when possible, such as aligning vents and access doors with windows above or centering them*
92 *between piers.*

93
94 **Additions**
95 **3.3.1** - *Locate additions in a Secondary or Tertiary AVC to minimize the impact on primary,*
96 *character defining elevations. Limit the footprint of additions to maintain private open spaces.*
97 **3.3.2** - *Use roof forms and pitches that are similar to those found on the primary structure.*
98 *Delineate the addition from the plane of the primary structure by creating slight offsets and*
99 *corners.*

100
101 **3.3.3** - *Incorporate materials and details derived from the primary structure. Extend the*
102 *architectural hierarchy of the primary structure to the addition. Architectural embellishments*
103 *and detailing are often simplified on less visible Secondary and Tertiary AVC elevation.*

104
105 Staff will defer to the State Historic Preservation Office and Department of Interior for
106 guidance relating to elevations. A letter regarding deferment is included in the commission
107 packet.

108
109 **Statement of Reason**, based on information contained in application in staff's judgement
110 are

- 111
112 1. The proposed project is located within the primary, secondary, tertiary AVC's.
113
114 2. The proposed project is not incongruous with guidelines;
115

116 **Staff recommends the commission approve the application for major exterior**
117 **alterations at this time, citing the guidelines with two conditions.**

118
119 **Condition One:** The brick infill between the piers be recessed per the State Historic
120 Preservation Office guidance.

121
122 **Condition Two:** Vegetation be planted around the foundation to minimize visual impact.
123

124 Both conditions were referenced in a letter included in the commission packet.
125

126 **Board Discussion**
127

128 Chair Griffith stated that he did not have a copy of the homeowner's letter and requested
129 highlights from the letter be read. Mrs. Potts reread the letter submitted. Mr. Griffith
130 mentioned that the elevation on the application was 6 feet while the letter stated 5 feet. He
131 asked if it was because a change was made subsequent to the boards' review. Staff Potts
132 stated it was possible that an old copy was sent, but when she spoke with Amber Stimpson
133 of the SHPO, Mrs. Potts informed her that the base flood elevation of East Front Street as it
134 currently states is about 8 feet. When it changes to the new maps the base flood elevation

135 will go to 9 feet. New Bern has a two- foot free board on top of that, which totals 11. Mrs.
136 Potts stated that the office is cognizant of the base flood elevations, so it may just be a typo.
137 Mrs. Afflerbach also spoke with the State Historic Preservation Office and didn't realize when
138 she received the letter that the discrepancy in elevation was there. She clarified why they
139 chose 6 feet above grade.

140
141 Mr. Griffith stated that regardless of a typo the board would use their own judgement of what
142 we see in the application. He said the foot discrepancy can be part of the conversation but
143 for his personal viewpoint, he does not see it as an issue as long as the board's concern is
144 eventually what the property will look like; not the numbers Mr. Griffith also voiced
145 appreciation about the brick lattice as it meets the Commission guidelines, but also because
146 it qualifies as flood vents.

147
148 Chair Griffith then asked for clarification in regards to the rebuild of the back porch.
149 Specifically, he asked if the porch would be rebuilt to its' original state with screening added
150 or is it being rebuilt with slight differences? Mrs. Afflerbach stated that it is the same rough
151 dimensions, but included will be a column and a roof. It had a railing and stairs down to the
152 back yard. Mrs. Afflerbach presented photos post hurricane. Chair Griffith clarified that it
153 was a deck with railing and did not have columns and roof.

154
155 Commissioner Ruth Cox requested clarification regarding the location of the steps
156 descending to the sidewalk. Mrs. Afflerbach stated that this sidewalk was positioned along
157 on east Front Street. Chair Griffith stated that there were two different sets of steps and the
158 front steps were only an issue because the house is elevating four feet and therefore the steps
159 are going to grow. There was further discussion was had on both sets of stairs and their
160 locations. Mrs. Afflerbach specified that the rear stairs will be going out into the yard and
161 the front steps would be going out to the sidewalk on East Front Street.

162
163 Commissioner Cox stated that in the current application there was no mention of plantings
164 around the house. She asked if Mrs. Afflerbach would need to come back for that. Mrs.
165 Afflerbach consented that she would. She mentioned that there were plantings around the
166 property originally, but the homeowner will have to develop a different plan and bring it
167 before the Commission.

168
169 Commissioner Cox also asked if the roof over the front porch and the roof over the back
170 porch will be of the same materials. Mrs. Afflerbach stated that the front porch is a hand
171 turned metal, while the back will be a galvalume hand seamed metal, just not a standing
172 seam. Mrs. Afflerbach stated that the reason for the difference in metal is because the front
173 porch metal is no longer produced.

174
175 **Motion**

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177 **Commissioner Karen McNair moved to find the application for a Certificate of**
178 **Appropriateness for 702 E. Front Street to be no incongruous with New Bern's Code of**
179 **Ordinance sections 15.411 - 15.429 and New Bern's Historic District Guidelines based**
180 **on the following specific guidelines and findings of fact**

181

182 **Foundations**

183 4.1.1, 4.1.2, 4.1.3, 4.1.4

184

185 **Additions**

186 3.3.1, 3.3.2, 3.3.3

187

188 **Findings of Fact**, based on the information contained in the application are:

189

190 1. The proposed project is located within the primary, secondary, tertiary AVC's.

191

192 2. The proposed project is not incongruous with guidelines;

193

194 **Conditions:**

195 1. Add the letter from the State Historic Preservation Office and the Department of
196 Interior for the guidance of elevations.

197 2. Brick piers should for the foundations should match historically.

198 3. Vegetation plan to be added and approved by Staff Potts as a minor work.

199

200 **The motion was seconded by Commissioner Joseph Klotz. Commissioner Klotz**
201 **requested to make an amendment that Guideline 4.1.5 for Roofing would be added.**
202 **Addition is accepted by the motion maker.**

203

204 **The motion to approve the Certificate of Appropriateness with the addition passed**
205 **unanimously.**

206

207 **Commissioner Cox moved to issue the Certificate of Appropriateness. The motion was**
208 **seconded by Commissioner McNair. The motion passed unanimously.**

209

210

211 **NEW BUSINESS:**

212

213 **A.618 E. Front St.** - - Request to include the installation of a screened porch, rear deck, and
214 stairs to the tertiary AVC.

215

216 **Applicant Comment**

217

218 Sarah Afflerbach presented her installation which included the construction of a screened in
219 porch to a side of the property that is not visible from the front and a rear deck with steps
220 descending down to the homeowner's parking spots and back yard. She stipulated that the
221 back part of the house consisted of a series of add-ons and the screened-in porch would
222 attach to the fascia of one of the add-on projects. Mrs. Afflerbach also stated at that the end
223 of construction the roof on the back of the house, which is currently a flat roof, will be
224 replaced by a membrane roof with a slight slope. On the back side of the house Mrs.
225 Afflerbach proposed including a series of French doors to access as much light as possible.

226 The materials they would be using for the project were painted wood, concrete parge, trellis
227 material, and decking, which all matches the current materials on the house.

228

229 **Public Comment**

230

231 There was no public comment at this time.

232

233 **Staff Recommendation**

234

235 Staff Potts requested that the address on the application be changed to 618 E. Front Street
236 instead of 72 E. Front St., which was a typo on the application. Mrs. Potts also asked if Mrs.
237 Afflerbach had spoken to the homeowners regarding a rear window that was not part of this
238 COA. Mrs. Afflerbach did speak to the owners and changes will be made.

239

240 Staff Potts submitted the following Historic District Guidelines as appropriate to this
241 application:

242

243 **Foundation**

244 4.1.1 - *Adhere to Guidelines for retention of historic fabric when altering foundation*
245 *components.*

246

247 4.1.2 - *When infilling between brick piers, recess brick curtain walls 1 to 2 inches to visually*
248 *delineate piers.*

249

250 4.1.3 - *Use traditional materials when constructing foundations. Concrete block should receive*
251 *a veneer of stucco, brick or other appropriate masonry material.*

252

253 4.1.4 - *Locate foundation features such as vents and access doors in areas that will not detract*
254 *from the architectural character of the building. Coordinate with other architectural features*
255 *when possible, such as aligning vents and access doors with windows above or centering them*
256 *between piers.*

257

258 **Additions**

259 3.3.1 - *Locate additions in a Secondary or Tertiary AVC to minimize the impact on primary,*
260 *character defining elevations. Limit the footprint of additions to maintain private open spaces.*

261

262 3.3.2 - *Use roof forms and pitches that are similar to those found on the primary structure.*
263 *Delineate the addition from the plane of the primary structure by creating slight offsets and*
264 *corners.*

265

266 3.3.3 - *Incorporate materials and details derived from the primary structure. Extend the*
267 *architectural hierarchy of the primary structure to the addition. Architectural embellishments*
268 *and detailing are often simplified on less visible Secondary and Tertiary AVC elevation*

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270 **Walls, Trim, and Ornamentation**

271 4.2.1 - *Adhere to Guidelines for retention of historic fabric when altering wall components.*

272
273 **Windows, Doors, Openings**
274 4.3.1 – *Adhere to Guidelines for retention of historic fabric when altering window, door and*
275 *opening components.*

276
277 4.3.2 – *Add window and door openings in Secondary or Tertiary AVCs in locations that do not*
278 *diminish the original design. In general, openings shall have vertical orientation or be square.*

279
280 4.3.3 – *Glazing should have true divided light muntins, or three- dimensional grilles affixed to*
281 *both the interior and exterior of the glass. Provide shadow bars between insulated glass panes.*

282
283 **Entrances**

284 4.4.1 – *Adhere to Guidelines for retention of historic fabric when altering entrance components.*

285
286 4.4.2 – *Reconstruct entrances and porches based on documentary evidence of the original*
287 *configuration. Add architectural ornamentation when there is historical evidence of such*
288 *features.*

289
290 **Statements of Reason**, based on the information contained in the application, in Staff's
291 judgement are:

292
293 1. The proposed project is located in the tertiary AVC.

294
295 2. The proposed project is not incongruous with the guidelines

296
297 **Staff recommends the Commission approve the application for major exterior**
298 **alterations at this time citing the aforementioned guidelines.**

299
300 **Board Discussion:** Commissioner McNair asked if the decking was specified as lattice, and
301 Mrs. Afflerbach indicated that it would be wood lattice in the foundation area. Commissioner
302 McNair also asked the type of roof that would be used. Mrs. Afflerbach stated that it would
303 be a membrane roof. Commissioner McNair asked if this detail needed to be added to the
304 COA. Mrs. Afflerbach stated that she placed the roofing information materials, but not in the
305 description of her COA application. Chair Griffith considered this inclusion adequate.
306 Commissioner James O. Wood asked for detail regarding a door identified in the COA, but the
307 clients had decided not to remove it. Mrs. Afflerbach stated that the owners have decided to
308 leave the door on the front of the house and wall over it inside to create a bathroom. This
309 way if anyone in the future would desire to open it up, it can be done so with ease.

310
311 **Motion: Commissioner McNair moved to find the application for a Certificate of**
312 **Appropriateness for 618 E. Front Street to be not incongruous with New Bern's Code**
313 **of Ordinance sections 15.411 – 15.429 and New Bern's Historic District Guidelines**
314 **based on the following specific guidelines and findings of fact:**

315
316 **Foundation**

317 4.1.1, 4.1.2, 4.1.3, 4.1.4

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Additions

3.3.1, 3.3.2, 3.3.3

Walls, Trim, and Ornamentation

4.2.1

Windows, Doors, and Openings

4.3.1, 4.3.2, 4.3.3

Entrances

4.4.1, 4.4.2

Findings of Fact, based on the information contained in the application, are:

1. The proposed project is located in the tertiary AVC.
2. The proposed project is not incongruous with the guidelines.

The motion was seconded by Commissioner Cox. Motion passed unanimously.

Commissioner McNair moved to issue the Certificate of Appropriateness. Commissioner Woods seconded. The motion passed unanimously.

ADMINISTRATIVE UPDATES AND MINOR WORKS

1514 National Ave. -Tree Removal: No Comment

514 E. Front St. - installation of HVAC unit: No Comment

309 Johnson St. - tree removal: No Comment

202 Johnson St - tree removal: No Comment

219 Middle St. - signage installation: No Comment

HPC Upcoming Vacancies: There is a need for two replacements for this board and vice – chair voting will take place at the next meeting. Staff Potts gave the option of waiting till the February meeting to give others time to nominate or they could choose to have a special hearing at the January 31, 2019 meeting. Chair Griffith chose to have the hearing at the February meeting.

363 Chair Griffith also asked when Joe Anderson would finish with the board. Staff Potts stated
364 that it was effective immediately.

365

366 **GENERAL PUBLIC COMMENTS**

367

368 John Falk of 206 Johnson Street, New Bern, NC 28560 stepped forward to submit a complaint
369 regarding removal of tree in tertiary area. The tree was located on the property line of 206
370 Johnson St. and 202 Johnson St. He stated that the complaint issued was about the way in
371 which the tree was removed and procedures of tree removal were handled.

372

373 Mr. Phaup presented two photos to the board and presented a narrative of the symbolism
374 and lifespan of a magnolia tree while including his family history with the property in
375 question. Shared magnolia on the property line. He then stated that the tree did not suffer
376 significant damage during Hurricane Florence, but he continued that, following Florence, and
377 unbeknownst to him, his neighbor had gone to the HPC and claimed that the tree was entirely
378 hers. Mr. Phaup went on to state that he had a licensed surveyor come out several years
379 previous and showed that A survey that was done showed that 20-30% of the tree's diameter
380 was on Mr. Phaup's property.

381

382 Mr. Phaup then referenced a circled section of one of his pictures in which part of the trunk
383 of tree, which comes through fence and on his property. He stated that what the photo
384 doesn't show is the fence, in which the tree is peaking through, belongs to Mr. Phaup's
385 property. He went on to state that when he built the fence he set the fence 3 inches back from
386 the property line as a curtesy to neighbors and vagaries of old surveys. He stated that the
387 implication of this information is that a sizeable portion of the tree's diameter lies on Mr.
388 Phaup's property.

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390 Mr. Phaup understood that this complaint would not bring the tree back, but requested to
391 submit suggestions for handling a situation like his in the future. The first suggestion that he
392 submitted stated that any claim of sole ownership of a tree on a property line should be
393 verified by neighboring property owner the second request stated that after the verification
394 of the tree's ownership or joint ownership, the joint owner should be notified before the
395 request of removal had been submitted. The final suggestion submitted requested that any
396 results of an inspection by the city, as to the damage of the tree and its' health should have
397 been submitted to the joint owners and time allotted for appeal.

398

399 Chair Griffith thanked him for coming tonight as he finished to speech.

400

401 Chris Wavers of 501 Blackledge Cir., Trent Woods, NC 28562, introduced himself and his
402 Leadership Craven classmate, Michelle Keafer. He shared his appreciation to the board for
403 allowing him and Ms. Keafer to attend the meeting.

404

405 **ADJOURN**

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407 **Commissioner Woods motioned to adjourn the meeting at 6:18 p.m. Commissioner**
408 **Cox seconded the motion. The motion passed unanimously**

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Date Approved: 2/24/19

Attest: Morgan Potts
Morgan Potts, Clerk to the Board

D. GRIFFITH JR.
David Griffith, Chair