

**CITY OF ELIZABETH CITY
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
THURSDAY, JULY 11, 2019
4:30 PM**

MEMBERS PRESENT

Rick Boyd - Chairman
Ed Fearing - Vice Chairman (Late)
Georgene Falcon (Absent)
Blair Jackson
Doris Johnson (Absent)
David Luke
Rachel Stallings

Also present were Matthew Schelly, Community Development Director; Kellen Long, Planner; Yvette Chamblee, Secretary to the Commission; and members of the audience.

Chairman Boyd called the meeting to order at approximately 4:32pm with a roll call and stated there was a quorum.

Chairman Boyd called for a motion to amend the Thursday, July 11, 2019 agenda as presented. Ms. Stallings made a motion to **AMEND** the Thursday, July 11, 2019 agenda to allow HPC 02-19 to be heard by Mr. George Jackson. Mr. Luke seconded the motion. **ALL IN FAVOR: BOYD, JACKSON, LUKE, AND STALLINGS. NONE OPPOSED. MOTION CARRIED.**

Chairman Boyd called for a motion to approve the Thursday, June 13, 2019 minutes. Ms. Stallings made a motion to **APPROVE** the Thursday, June 13, 2019 minutes. Mr. Luke seconded the motion. **ALL IN FAVOR: BOYD, JACKSON, LUKE, AND STALLINGS. NONE OPPOSED. MOTION CARRIED.**

Ms. Chamblee, secretary to the Commission, read the **STATEMENT OF DISCLOSURE** as follows:

Elizabeth City Code of Ethics provides that public officials and employees be independent, impartial, and responsible to the public; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals and in keeping with the ethical standards of conduct for city public officials and its employees; disclosure of interest in legislative action must be stated for public record, as per City of Elizabeth City Code of Ordinances Section 32.04. Any official act or action before the Historic Preservation Commission shall be publicly disclose

on the record of the Commission the nature and extent of such interest and the Commissioner shall withdraw from any consideration of the matter if excused by the Commission pursuant to G.S. 160A-75.

Chairman Boyd read the following **STATEMENT FROM THE CHAIRMAN**:

Prior to today's meeting, notification was sent to neighbors living within 100' of the properties in question. Commission members received a copy of each application and were to visit the site. North Carolina law provides that persons have an opportunity to address an application; thus the Commission conducts a public hearing on the application. During the hearing the Commission receives evidence to determine that proposed changes are not incongruous with the special character of the historic district or the historic property. They review this evidence against guidelines listed in the City's ordinance before issuing a Certificate of Appropriateness. Each application is heard the same way. The judicial format of the hearing requires that they be impartial. Any written Staff comments are evidence presented just as any other evidence. If any Commission member has had reason to discuss the specific details of the application; they ask to be excused from hearing the application.

Because of the quasi-judicial format of the hearings, the Commission hears evidence and judges whether the change is not incongruous. The Commission is required by North Carolina law to swear in persons who speak before the Commission and offer evidence.

Application HP 09-19, filed by Michael and Joey Clarkson, for the property located at 510 West Main Street. The applicants are requesting approval to change the existing metal roof on the front porch, right side porch, and out-house on the north side of the home with shingles. The existing shingles on the main portion of the home will also be replaced for maintenance purposes. The entire home will be re-shingled with the same color and style as what is already existing on the home.

Ms. Kellen Long and Mr. Michael Clarkson came forth and were sworn.

Ms. Kellen Long presented her Staff Analysis report as follows:

The case before you this afternoon is HP 09-19 filed by Michael and Joey Clarkson for the property located at 510 West Main Street. The property currently maintains the original residential zoning district classification designated at the time the Unified Development Ordinance and official zoning map was adopted by the City of Elizabeth City in 1972. 510 West Main Street is listed on the National Register of Historic Places-Inventory Nomination Form as the James H. Aylett House. According to Julian E. Aylett on the nomination form, this two story Queen Anne style home was erected in 1891 for his parents James Husham Aylett and Clade White Aylett. It is apparent that the home was remodeled between 1914 and 1923 to the present day porch carried by paneled brick pillars with lateral scrolls. The

vinyl siding on the home was added in 1980. A copy of the historic property description by Ruth Little was added as an addendum to the staff analysis.

The applicants are requesting approval for the following three items:

- Replace the current metal roof on the front porch with shingles that will match the updated shingles on the main roof of the home in color, shape, texture, and size.
- Replace the current metal roof on the ride-side porch with shingles that will match the updated shingles on the main roof of the home in color, shape, texture, and size.
- Replace the current metal roof on the out-house on the south side of the home with shingles that will match the updated shingles on the main roof of the home in color, shape, texture, and size.

It should be noted that the current portion of the roof that is already shingled is being re-shingled for maintenance purposes with a material that is identical to the existing. Approval is not needed for the replacement of the shingles on the main portion of the home since the replacement will be the same material in color, shape, texture, and size.

It is unclear if the metal roof was original when the porches was added to the structure between 1914 and 1923. It is also unclear what the original roofing material was of the main portion of the home.

A copy of a photo and description of this home found in *On the Shores of the Pasquotank* by Tom Bochco was placed at your respective seats. Due to the quality of the photo and the snow covering the roof, the original roofing material is still unclear. Several briefs were added to the staff analysis, including Brief #4 from the National Park Service pertaining to alternative methods of roofing in historic districts:

This brief states that “the decision to use an alternative material should be weighed carefully against the primary concern to keep the historic character of the building. If the roof is flat and is not visible from any elevation of the building, and if there are advantages to substituting a modern built-up composition roof for what might have been a flat metal roof, then it may make better economic and construction sense to use a modern roofing method. But if the roof is readily visible, the alternative material should match as closely as possible the scale, texture, and coloration of the historic roofing material”.

IF the Commission deems the request appropriate, in whole or in part, Staff recommends the following as conditions of approval:

- All necessary building permits shall be secured prior to commencing work;

- Care be taken to minimize the loss of historic material;

This concluded Ms. Long's presentation.

Mr. Clarkson discussed and described the issues with the roof since Hurricane Isabel and the issues with the gutters. Mr. Clarkson has acquired quotes from Bright's Construction for putting a roof on the house.

Mr. Boyd commented the house needs a roof desperately and the shingles were installed badly.

Ms. Stallings commented it would be nice to have uniformed shingles on the house.

Chairman Boyd called for a motion to approve HPC 09-19. Mr. Luke made a motion to **APPROVE** HPC 09-19 with the following conditions:

- All necessary building permits shall be secured prior to commencing work; and
- Care be taken to minimize the loss of historic material.

Ms. Stallings seconded the motion. **ALL IN FAVOR: BOYD, JACKSON, LUKE, AND STALLINGS. NONE OPPOSED. MOTION CARRIED.**

Chairman Boyd called case HPC 02-19, which included Mr. George Jackson coming forth and being sworn.

Mr. Jackson discussed how the Historic Preservation Commission approved his Certificate of Appropriateness in February 2019. Mr. Jackson commented he needs to modify the February 2019 Certificate of Appropriateness by moving the alcove two feet from the original placement that was approved in the February 2019 Certificate of Appropriateness. Mr. Jackson also commented he needs the Historic Preservation Commission to approve his modification in today's meeting because, he cannot wait until the Thursday, August 8, 2019 Historic Preservation Commission meeting due to having to go back to work during the month of August 2019.

Ms. Long commented she was instructed by Administration to inform Mr. Jackson that his request for a modification to the February 2019 Certificate of Appropriateness would be scheduled for the Thursday, August 8, 2019 Historic Preservation Commission meeting in order to allow advertisement of the case to be placed in the local newspaper and to not necessarily have the adjacent property owners notified of the case.

Mr. Jackson read and referred to the modification subsection of the Certificate of Appropriateness application form. Mr. Jackson's argument to the Historic Preservation Commission was his request for modification of the February 2019 Certificate of

Appropriateness is not a substantial change, does not require notification to surrounding adjacent property owners, and the subsection of the Certificate of Appropriateness application form does not say the modification has to be advertised.

Ms. Long commented the issue isn't Mr. Jackson's request for modification of the 2019 February Certificate of Appropriateness but, the issue is the Historic Preservation Commission does not meet the requirements of a quorum in order to make a decision on the modification in today's meeting. (Ms. Blair Jackson, who is Mr. George Jackson's wife, is a member of the Historic Preservation Commission and she would have to recuse herself in the hearing of Mr. Jackson's modification. Ms. Jackson recusing herself would leave three Historic Preservation Commissioners to hear the modification and the Historic Preservation Commission needs four members to make a quorum.)

Chairman Boyd called Historic Preservation Commissioner Ed Fearing via cellphone to see how long it would take him to arrive from out of town to today's Historic Preservation Commission meeting. Mr. Fearing commented via speaker cellphone that he was passing through Hertford, North Carolina and he should be to the Historic Preservation Commission meeting in about 20 minutes. Chairman Boyd commented the Commission would be waiting on his arrival.

The Historic Preservation Commission decided to table HPC 02-19 until Historic Preservation Commissioner Ed Fearing is present for today's meeting.

STAFF REPORT

- Ms. Long updated the Commission on the Historic District Survey.

OLD BUSINESS

- Ms. Jackson informed the Historic Preservation Commission about the Elizabeth City Historic Neighborhood Association (ECHNA) projects of supporting the Historic Preservation Commission and presenting a plaque to a commercial and residential improvement project within the Historic District.
- Chairman Boyd discussed the Elizabeth City Historic Neighborhood Association (ECHNA) has purchased a plaque for the recognition of a famous Billiard's Player, Luther "Wimpy" Lassiter.
- Ms. Jackson inquired about an article she saw in the local newspaper about the Shepard Street property.

- Ms. Long updated the Commission that 507 East Main Street had been administratively approved for a Certificate of Appropriateness.
- Ms. Long gave an update on the roof above The Flour Girls Cafe & Bakery located at 102 North Water Street.

Historic Preservation Commissioner Ed Fearing arrived to the Historic Preservation Commission meeting at approximately 5:21pm.

Chairman Boyd called Mr. George Jackson back to the podium to entertain his modification for HPC 02-19.

Mr. Jackson informs Mr. Fearing of his request for a modification to HPC 02-19.

Ms. Blair Jackson recused herself from the HPC 02-19 hearing. (Mr. Fearing attendance provided a quorum for HPC 02-19 to be heard.)

Ms. Long questioned Mr. Jackson about the modification of the alcove remaining the same color as the exterior with the same finish. Mr. Jackson commented the door going in will be painted identical to the door that had been approved.

Ms. Long request the Historic Preservation Commission to add the two previous conditions on the original February 2019 HPC 02-19 Staff Analysis be the conditions on today's modification of HPC 02-19 which are as follows:

- The applicant shall secure all necessary building permits prior to commencing work; and
- Care shall be taken during construction so as not to damage the historic structure.

Chairman Boyd called for a motion to approve the modification of HPC 02-19. Ms. Stallings made a motion to **APPROVE** the HPC 02-19 modification with the following conditions:

- The applicant shall secure all necessary building permits prior to commencing work; and
- Care shall be taken during construction so as not to damage the historic structure.

Mr. Fearing seconded the motion. **ALL IN FAVOR: BOYD, FEARING, LUKE, AND STALLINGS. NONE OPPOSED. MOTION CARRIED.**

No **NEW BUSINESS** given.

Chairman Boyd called for a motion to adjourn. Ms. Jackson made a motion to **ADJOURN** the Thursday, July 11, 2019 Historic Preservation Commission meeting. Ms. Stallings seconded the motion. **ALL IN FAVOR: BOYD, FEARING, JACKSON, LUKE, AND STALLINGS. NONE OPPOSED. MOTION CARRIED.**

Thursday, July 11, 2019 Historic Preservation Commission meeting was adjourned at 5:27pm.

Respectfully submitted,

Yvette M. Chamblee
Secretary for the Historic Preservation Commission