



Town of Beaufort, NC

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Town of Beaufort Historic Preservation Commission Regular Meeting 6:00 PM Tuesday, January 4, 2022 - Held via Zoom due to the COVID-19 Pandemic Minutes

Call to Order

Vice-Chair Joyce McCune called the January 4, 2022 Beaufort Historic Preservation Commission regular meeting to order at 6:00 pm.

Roll Call

Town Attorney Quattlebaum took roll call and the following members were present for the meeting: Vice-Chair Joyce McCune, John Flowers, Ian Huckabee, Laura Chadwick Sicklin, and John Stephens. Ms. Quattlebaum declared a quorum with five members present.

Also present for the meeting were Commissioner John Hagle, past Commissioner Ann Carter, Kyle Garner, Jeremy Ganey and Laurel Anderson.

Agenda Approval

Vice-Chair McCune asked if there were any changes to the Agenda and hearing none, she asked for a motion.

Member Flowers made the motion to approve the Agenda and Member Stephens made the second. Ms. Quattlebaum took a roll call vote that was unanimous.

Voting yea: Vice-Chair McCune, Member Flowers, Member Huckabee, Member Sicklin, Member Stephens

Minutes Approval

Vice-Chair McCune asked if there were any changes to the December 7, 2021 Meeting Minutes. Member Flowers pointed out that paragraph four contained an incomplete sentence and Member Huckabee stated that the minutes incorrectly showed that he was present at the prior meeting.

The Vice-Chair asked for a motion to table the minutes until the minutes had been corrected.

Member Flowers made the motion to table the Minutes and Member Huckabee made the second. Ms. Quattlebaum took a roll call vote that was unanimous.

Voting yea: Vice-Chair McCune, Member Flowers, Member Huckabee, Member Sicklin, Member Stephens

Administration of Oaths

Vice-Chair McCune then read the Quasi-Judicial statement as follows; this hearing is a quasi-judicial evidentiary hearing. That means it is like a court hearing. State law sets specific procedures and rules concerning how this board must make its decision. The board must base its decision upon competent, relevant and substantial evidence in the record. A quasi-judicial decision is not a popularity contest. It is a decision constrained by the standards in the ordinance and based on the facts presented. All applications for Certificates of Appropriateness must be consistent with the Design Guidelines for the Beaufort Historic District and Landmarks; however, regardless of compliance with these Design Guidelines, the HPC will not approve a COA that is not congruous with the special nature of the Beaufort Historic District as a whole. If you will be speaking as a witness, please focus on the facts and standards, not personal preference or opinion. Participation is limited. This meeting is open to the public. Everyone is welcome to watch. Parties with standing have rights to participate fully. Parties may present evidence, call witnesses and make legal arguments. Parties are limited to the applicant, the local government and individuals who can show they will suffer special damages. Other individuals may serve as witnesses when called by the board. For certain topics, this board may hear opinion testimony from expert witnesses. Individuals providing expert opinion must be qualified as experts and provide the factual evidence upon which they base their opinion. Witnesses must swear or affirm their testimony. Vice-Chair McCune asked that the Oath or Affirmation be administered at this time.

Secretary Anderson administered the Oath to Kyle Garner and Jeremy Ganey.

New Business

1. Case #22-01, 300 Front Street - Signage

Vice-Chair McCune introduced case 22-01 and Ms. Anderson administered the affirmation to applicants Elizabeth Kopf and Dustin Lewis. Mr. Garner then gave an overview of the request.

Mr. Lewis pointed out that the pictures of the sign from the agenda packet were cut off.

Mr. Stephens asked if the sign would be illuminated, and Ms. Kopf stated that the sign would be illuminated using the existing sign frame. He then asked how high the sign would hang and the dimensions. Mr. Lewis stated that the sign would be 16-17 feet off the ground and the bottom of the sign would be too high for passersby to touch.

Mr. Flowers had no questions except for the dimensions of the sign which were reiterated by the applicants.

Vice-Chair McCune then asked for a motion for a Finding of Fact.

Member Stephens made the motion for the Findings of Fact and Member Flowers made the second. Ms. Quattlebaum took a roll call vote that was unanimous.

Voting yea: Vice-Chair McCune, Member Flowers, Member Huckabee, Member Sicklin, Member Stephens

Vice-Chair McCune then asked for a motion for a Certificate of Appropriateness for Case 22-01.

Member Stephens made the motion for the Certificate of Appropriateness and Member Flowers made the second. Ms. Quattlebaum took a roll call vote that was unanimous.

Voting yea: Vice-Chair McCune, Member Flowers, Member Huckabee, Member Sicklin, Member Stephens

Vice-Chair McCune then declared case 22-01 closed.

2. Case #22-02, 111 Moore Street – Windows & Exterior Lighting

Vice-Chair McCune introduced case 22-02 and Ms. Anderson administered the affirmation to applicant Danny Allen and witness Chris Allen. Mr. Garner then gave an overview of the request. The applicant is requesting a change from previously approved Anderson 400-series windows to Anderson 100-series windows. Mr. Allen was also returning to the Board to give an update and request approval for exterior lighting for 111 Moore St. Mr. Allen gave a brief overview statement and Vice-Chair asked if the Board had any questions.

Ms. Sicklin asked if there were any changes to the window panes in the application and Mr. Allen stated there were no changes.

Mr. Flowers expressed concerns with the Anderson 100-series single hung window regarding the dimensions and the change from a double-hung to a single-hung window style. He stated that in his opinion the Anderson 100-series window should not be approved for use in the historic district.

Mr. Stephens asked Mr. Garner and Mr. Ganey if there were guidelines referring to single or double-hung windows, and Mr. Garner stated that there were no guidelines. Mr. Stephens went on to say that the Commission does not rely on precedents for decisions, but the Commission has traditionally decided that the Anderson 400-series is a more appropriate style for the historic district, and he recommended staying with the Anderson 400-series window and not go toward single-hung windows.

Mr. Huckabee stated that as a builder he had used both Anderson 100-series and 400-series windows and in his opinion the 100-series Fibrex was a stronger and longer lasting material, and the 400-series wood window was clad in vinyl which is inferior to Fibrex.

Vice-Chair McCune asked the applicant about the grille patterns in his application.

Mr. George Aiken asked to speak and Ms. Anderson administered the affirmation. Mr. Aiken then stated that it was his understanding that the 100-series had the same frame as the Anderson A-series and the width was the same in both styles.

Mr. Flowers stated that the original approved plans Mr. Allen submitted showed no grilles, and Mr. Allen said that he was fine with grilles or no grilles. Mr. Garner stated that the application included a sheet on the materials and colors and it specifically said one over one in all locations and did not specify grids. Chair McCune stated that she would like to go back and review the October meeting minutes and that the Board appeared to be at an impasse as there were a lot of questions. Mr. Stephens then said that if Mr. Aiken stated under oath that the Anderson 100-series and 400-series looked essentially the same he would be fine with the 100-series, but the windows must be ordered with grilles installed rather than snap-in grilles.

Vice-Chair McCune then asked for a motion for a Finding of Fact for Case 22-02. Mr. Huckabee requested to screen-share pictures of the Anderson 400-series and 100-series windows for comparison. There was discussion among the Board about the grids and Member Sicklin stated that the applicant did not request grids. Mr. Stephens said that the original presentation in October included no grids and Member Sicklin agreed that the grids in the application had not changed. Mr. Allen said he could go either way. Member Stephens asked Mr. Allen which he preferred, and Mr. Allen said he would choose grids in the top pane. Member Flowers stated that the application said four over one.

Mr. Stephens asked Mr. Allen whether he preferred grids or no grids. Mr. Allen stated that if given the choice he would choose grids in the top pane.

Vice-Chair McCune stated that there were a lot of questions regarding grids or no grids and questions needed to be cleared up before an approval could be issued. Mr. Stephens said that the Commission was now good with grids or no grids and the 100-series windows. He asked the applicant to make a final decision about the grilles and Mr. Allen chose grids. Mr.

Garner stated that the style of grid needed to be decided and Mr. Allen said he preferred four over one grids. Mr. Flowers then stated that the Commission was receiving incomplete applications and now the members were trying to figure out what to do. Mr. Allen stated that his application had been complete and that in fact Mr. Flowers had earlier pointed out the application showed no grids. Mr. Flowers said again that the application showed no grids.

Vice-Chair McCune then asked the Board if they would like to table or make a motion for a Finding of Fact. Member Sicklin made a motion for a Finding of Fact with the stipulation that the windows be configured as four over one. Member Stephens made the second. Attorney Quattlebaum suggested amending the motion to identify all of the guidelines with which the application was congruent. Member Sicklin declined to list and Member Stephens offered to make a motion and list the guidelines. Members Sicklin and Stephens withdrew their original motion and second.

Member Stephens made the motion for the Finding of Fact including all guidelines and included a stipulation that the windows be configured as four over one. Member Huckabee made the second. Ms. Quattlebaum took a roll call vote.

Voting yea: Vice-Chair McCune, Member Huckabee, Member Sicklin, Member Stephens

Voting nay: Member Flowers

Vice-Chair McCune asked for a motion for a Certificate of Appropriateness.

Member Stephens made the motion for the Certificate of Appropriateness including all guidelines. Member Huckabee made the second. Ms. Quattlebaum took a roll call vote.

Voting yea: Vice-Chair McCune, Member Huckabee, Member Sicklin, Member Stephens

Voting nay: Member Flowers

Vice-Chair McCune then declared case 22-02 closed.

3. Case #22-03, 312 Ann Street – Window Change

Vice-Chair McCune introduced case 22-03 and Ms. Anderson administered the affirmation to applicant Sandy Grotheer and witnesses George Aiken and Jason Broome. Mr. Garner then gave an overview of the request. He stated that Jeremy Ganey had noticed the applicant had installed unapproved Anderson 100-series windows. The applicant had decided to request approval for Anderson 100-series windows with four over one grilles.

Sandy Grotheer stated that the change to Anderson 100-series windows was a supply-chain issue and oversight on her and her builder's part and apologized.

Members Sicklin, Huckabee, and Stephens stated that they did not have any issues with the change if the originally approved four over one grille pattern was installed.

Member Flowers asked if the applicant knew that series-400 windows had been approved before ordering the series-100 windows. Jason Broome said that he had ordered the windows and he did know that the series-400 had been approved and they had made the change due to supply chain issues. Member Flowers said the applicant had bought the windows and installed them without coming back to the board for approval. Mr. Broome agreed.

Vice-Chair McCune stated that applicants needed to abide by what the Board had approved, and the Board takes applications seriously and the applicants need to follow through with their applications.

Member Stephens stated that the Commission keeps everyone in compliance to protect everyone's property and all changes need to be submitted for approval.

Vice-Chair McCune asked for a motion for a Finding of Fact.

Member Stephens made the motion for the Finding of Fact including all guidelines and including a stipulation that the windows be configured as four over one. Member Huckabee made the second. Ms. Quattlebaum took a roll call vote.

Voting yea: Vice-Chair McCune, Member Huckabee, Member Sicklin, Member Stephens

Voting nay: Member Flowers

Vice-Chair McCune asked for a motion for a Certificate of Appropriateness.

Member Stephens made the motion for the Certificate of Appropriateness including all guidelines. Member Huckabee made the second. Ms. Quattlebaum took a roll call vote.

Voting yea: Vice-Chair McCune, Member Huckabee, Member Sicklin, Member Stephens

Voting nay: Member Flowers

Vice-Chair McCune then declared case 22-03 closed.

Public Comment

There was no public comment.

Commission / Board Comments

Member Flowers asked for applicants to include full sets of plans for each board member and a 30-day lead time. He also stated that the board was receiving applications that were not complete and asked if the board could review applications and return incomplete ones to applicants.

Vice-Chair McCune agreed with Member Flowers and said the Board was very busy with new building applications and the applications were not detailed and information was missing. She also said the applicants were not including samples and asked Town Staff to ensure applications were complete. She also commended the Board for their hard work.

Staff Comments

Mr. Garner stated that referring to the second item, Case 22-02, the applicant had nothing in their application regarding grid patterns, and if an applicant does not include grid patterns in their application the Town Staff regards that as a full application. He stated that the Board would usually table items if samples were missing or information changed during discussion at the meeting, and that the Board had done this time and time again. Tonight, the applicant had submitted his application and then changed his mind once he came before the Board, and this had been happening quite a bit recently and the Board should consider that issue. Mr. Garner and Mr. Ganey did ask applicants for sample boards but if an applicant did not include them the Town Staff could not force them to do so. He stated that if the Board considered an application to be incomplete or needed more information, they did not have to act on it that night. Mr. Garner further stated that the Board would be receiving information during the next meeting regarding enforcement actions for issues in the town.

Member Stephens asked to amend Member Flowers' request for full sets of plans to only exterior plans, and he brought attention to the fence and shrubbery at the old Spouter location which were over six feet tall. Mr. Garner stated that approval had been given for the shrubbery. Member Stephens commended Mr. Ganey for catching the issue with the windows in the earlier case heard this evening.

Adjourn

Vice-Chair McCune asked for a motion to adjourn the meeting.

Member Flowers made the motion to adjourn and Member Stephens made the second. Ms. Quattlebaum took a roll call vote that was unanimous.

Voting yea: Vice-Chair McCune, Member Flowers, Member Huckabee, Member Sicklin, Member Stephens

Vice-Chair McCune declared the January 4, 2022 meeting adjourned.

Joyce McCune, Chair

Laurel Anderson, Board Secretary