



## **Town of Beaufort, NC**

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### **Town of Beaufort Historic Preservation Regular Meeting 6:00 PM Tuesday, December 7, 2021 - Held via Zoom due to the COVID-19 Pandemic Minutes**

#### **Call to Order**

Chair Terwilliger called the December 7, 2021 Historic Preservation Committee regular meeting to order at 6:00pm.

#### **Roll Call**

Town Attorney Quattlebaum took roll call and the following members were present for the meeting: Chair Robert Terwilliger, John Stephens, Vice-Chair Joyce McCune, John Flowers, Bradley Cummings, and Laura Chadwick Sicklin. Chair Terwilliger declared a quorum with six members present.

Also present for the meeting were Jeremy Ganey, Kyle Garner, Commissioner Marianne Hollinshed, and Board Secretary Laurel Anderson.

#### **Agenda Approval**

Chair Terwilliger asked if there were any changes to the Agenda. He pointed out that the title of the submitted agenda listed the Planning Board rather than the Historic Preservation Board and it was agreed that the title would be updated before final submission. The Chair asked for a motion and member Flowers made the motion to approve with Member Cummins seconding. Town Attorney Quattlebaum took a roll call vote that was unanimous.

#### **Minutes Approval**

Chair Terwilliger asked for any changes to the Minutes and member Cummins said the minutes from the October 5, 2021 were incorrect as only five members were present. Chair Terwilliger asked for a motion to approve the minutes with the stipulation that the change to five members would be made. Member Flowers made the motion with the stipulation statement and member Stephens seconded. Town Attorney Quattlebaum took a roll call vote to approve the minutes that was unanimous.

#### **Administration of Oaths**

Chair Terwilliger 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. Chair Terwilliger asked that the Oath or Affirmation be administered at this time.

Chair Terwilliger then administered the Oath to staff members, Jeremy Ganey and Kyle Garner.

## **New Business**

### **1. Case 21-39, 312 Ann Street – Garage Addition**

Chair Terwilliger opened the hearing and asked if anyone was there to speak on this item. Sandra Grotheer stated that she was along with her two builders, Jason Broome and George Aiken. Chair Terwilliger swore Ms. Grotheer and Mr. Broome in by affirmation.

Chair Terwilliger asked Mr. Garner to give a brief overview of the request. Mr. Garner stated that this request is a COA that was originally approved in February of 2021 for 360 square feet and Ms. Grotheer has re-submitted her application to expand to 480 square feet.

Chair Terwilliger asked the board for any questions or comments.

Member Sicklin asked if the three crepe myrtles to be moved would be replanted, and Ms. Grotheer stated that they had already been replanted.

Member McCune stated that she had no questions.

Member Cummins then asked about siding and materials and if the wood grain had already been approved as the guidelines specified a smooth grain. Ms. Grotheer said that the wood grain had already been approved with her earlier application. Chair Terwilliger said that the new guidelines state that both wood and smooth grains will be options. Member Cummins then asked about the composite decking on page 42 and Ms. Grotheer replied that the reference to decking was from the original application. Member Cummins stated that the size and scale of the tertiary structure looked fine with him.

Member Stephens asked for clarification of material samples on page 42 of the COA application. Ms. Grotheer stated that the samples were for the house only.

Member Flowers asked if the original garage had a skylight and Ms. Grotheer stated that there was an existing carport, not a garage, and the skylight was actually a solar tube. Member Flowers then asked the board their opinions about the proposed skylight. Mr. Stephens said that the right elevation shown was typically not allowed.

Hearing no further questions Chair Terwilliger stated that he himself had no objections and the larger addition had the same materials which had already been approved. He said that the skylight issue could be fixed with a flush mount or low profile skylight. Mr. Broome spoke and said that the skylight would be a low profile style and that it would be barely visible from the street.

Chair Terwilliger then asked for motion for a finding of fact and Member Stephens made the following motion, having reviewed the record and having considered all evidence submitted and oral testimony for case #21-39, move that the Commission conclude that the pending application meets the following design standards under the Design Guidelines for the Beaufort Historic District and Landmarks; Guidelines, 7.1.3, 7.1.4, 7.2.1, 7.2.2, 7.2.3, 7.2.4, 7.3.1, 7.3.2, 7.3.3, 7.4.1, 7.4.2, 7.5.1, 7.6.1, 7.6.2, 7.6.3, 8.3.1, 8.3.6, 8.4.1, 8.4.2, 8.4.3.

Board Member McCune made the second. Attorney Quattlebaum took a roll call vote that was unanimous for approval of the Findings of Fact.

Chair Terwilliger then made a motion for approval of the COA based on that the proposed project is not incongruous with the special character of the historic district as a whole and that a Certificate of Appropriateness for case #21-39 be issued for the proposed work with the following conditions: that the total square footage of be corrected as 480 and not 408 as specified in the package and that the requestor had agreed to install a low profile skylight/solar tube.

Member Stephens seconded the motion. Attorney Quattlebaum took a roll call vote that was unanimous for approval of the COA.

Chair Terwilliger stated that the matter had been approved and he closed case 21-39.

**2. Case 21-40, 308 Ann Street – New Construction of 4582 sq. ft. Single Family Dwelling with a Detached 447 sq. ft. Garage**

Chair Terwilliger introduced case 21-40 and asked who was present to give testimony.

Mr. Garner stated that the architect, Sarah Afflerbach and the applicant Scott Davidson would be giving testimony, and asked if there were anyone else to give testimony. Mr. Davidson stated that Jason Broome would be also giving testimony.

Chair Terwilliger then swore in Ms. Afflerbach and affirmed Mr. Davidson.

Chair Terwilliger asked Mr. Garner to give an overview of the project. Mr. Garner stated that the lot had been owned by the First Baptist Church and Mr. Davidson proposed to build a new 4582 sq. ft. single family home with a 447 sq. ft. garage. Mr. Davidson stated that he had tried to create a home which would meld with the community.

Chair Terwilliger then opened the hearing up for questions from the board.

Member Sicklin stated that she originally had questions regarding the brick color and shutters, but had driven around the historic district and had seen the requested color and shutters on other homes in the district. She also questioned the plan notes which showed a T.13 railing. Ms. Afflerbach stated that the plans were incorrect to show an aluminum railing and that it should show a wood railing. Mr. Broome agreed that this was a mistake in the plan notes.

Member McCune asked if the doors shown on the front elevation of the house were a tall window or French doors and if they would be mahogany like the front door. Mr. Davidson stated that they were French doors and that they would be mahogany. Member McCune then asked if the window grilles in the cottage were 4 over 1 rather than 4 over 4 and Ms. Afflerbach clarified that the windows are 4 over 1 but that could be changed if needed.

Member Cummins asked if the metal roof would be hand-seamed and Mr. Broome clarified that the seams would be hand-turned.

Member Stephens asked if the pavers would be the same color as the brick on the house and expressed concern that enough pavers of the correct color could be found. Ms. Afflerbach said that she was confident that the paver color could be sourced to match the same color as the house. Chair Terwilliger said that as an option to move forward with the COA, the paver colors could be approved at a later time.

Member Flowers asked why the shingles, paint colors, and windows were different on the cottage and house, and Mr. Davidson explained that he was trying to give more character to the cottage to fit in with the area. Member Flowers then requested clarification on the window

grilles and window tint. Mr. Broome explained that the windows would have ¾” grilles and Mr. Davidson said that the tint would be as clear as possible.

Chair Terwilliger then asked if permeability requirements were met with the large size of the house and amount of pavers, and Ms. Afflerbach responded that the permeability was at 42%.

Member Cummins asked for more specific details on the railings.

Hearing no further questions, Chair Terwilliger noted that the board had had many questions about the brick and paver colors, windows, and railings, and that the board may stipulate that more details may be requested at a later time.

Chair Terwilliger then asked the public gallery if there were any questions or comments, and Marianna Hollingshed recommended approval of the approval.

Chair Terwilliger then asked for a finding of fact and Member Stephens made the following motion, having reviewed the record and having considered all evidence submitted and oral testimony for case #21-40, move that the Commission conclude that the pending application meets the following design standards under the Design Guidelines for the Beaufort Historic District and Landmarks; Guidelines, 7.1.1, 7.1.2, 7.1.3, 7.1.4, 7.2.1, 7.2.2, 7.2.3, 7.2.4, 7.3.1, 7.3.2, 7.3.3, 7.4.1, 7.4.2, 7.5.1, 7.6.1, 7.6.2, 7.6.3, 7.7.1, 8.5.1, 8.5.2, 8.5.3, 8.5.4, 8.5.7 (with a stipulation that the paver colors be submitted at a later time), 8.3.1, 8.3.6, 8.4.1, 8.4.2, 8.4.3, 8.1.8, 8.1.5, 8.1.7, 8.1.8. Board Member Flowers made the second. Attorney Quattlebaum took a roll call vote that was unanimous for approval of the Findings of Fact.

Chair Terwilliger then made a motion for approval of the COA based on that the proposed project is not incongruous with the special character of the historic district as a whole and that at Certificate of Appropriateness for case #21-40 be issued for the proposed work with the following stipulations: that the paver colors and railing material be submitted at a later time for approval. Member McCune seconded the motion. Attorney Quattlebaum took a roll call vote that was unanimous for approval of the COA with the two stipulations.

Chair Terwilliger stated that the matter had been approved with the two stipulations and he closed case 21-40.

Chair Terwilliger then closed discussion on case 21-40.

### **3. 2022 Beaufort Historic Preservation Commission Meeting and Submittal Calendar**

Chair Terwilliger opened discussion regarding the submitted 2022 meeting and submittal calendar. There being no discussion he asked for a motion to approve, and member Flowers made the motion with member Cummins seconding.

Attorney Quattlebaum took a roll call vote that was unanimous for approval of the 2022 meeting and submittal calendar.

### **Public Comment**

Commissioner Hollinshead asked the builders to ensure all trash is kept in dumpsters on the jobsites in the area.

### **Commission / Board Comments**

Chair Terwilliger opened board comments and gave notice of his resignation from the Historic Preservation Commission and the Board of Adjustment as of December 8, 2021. He will be focusing on the Beaufort Board of Commissioners position. All members stated their thanks and best wishes to the Chair. Mr. Flowers then asked the status of the non-approved windows at 120 Moore St. Mr. Ganey responded that the windows have been ordered and Mr. Flowers responded that he understands the delay in obtaining

materials. Mr. Flowers then asked about the status of the 310 Ann St date brick, and Mr. Garner responded that a certificate of occupancy will not be issued without the date brick.

Member Stephens asked about the temporary fence at the site of the old Spouter Inn restaurant, and what needs to be done to bring the fence into compliance. Mr. Garner said he would answer the question in staff comments.

There were no other comments.

### **Staff Comments**

Mr. Garner stated that the staff will be meeting with Attorney Quattlebaum regarding the fence and other compliance issues, and they will bring their findings to the board at a later date. Mr. Garner also informed the board that the certified local government status (CLG) has been submitted and should be approved. He also asked that the board go back to live meetings as soon as possible.

Mr. Ganey stated that he would be sending an email to the board regarding any upcoming enforcement actions.

Staff had no further comments.

### **Adjourn**

Chair Terwilliger asked for a motion to adjourn the meeting. Member Stephens made the motion and Member Flowers made the second. Attorney Quattlebaum took a roll call vote that was unanimous.

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Robert Terwilliger, Chair

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Laurel Anderson, Board Secretary