

Members Present

Scot Craigie – Vice-Chairman
Scarlett Boutchyard
Kathy Burdi
Elizabeth Stallings
Cheri Vaughn
VACANT

Members Not Present

Colleen Knight - Chairwoman

Others Present

Mike Dail, Director, Director Community and Cultural Services
Domini Cunningham, Historic Preservation Planner
Dawn Maye, Administrative Support Specialist

DUE TO COVID-19 MEETING WAS CONDUCTED VIA Zoom.

I. Opening of the meeting

1. Vice-Chairman, Scot Craigie will preside over the meeting due to the absents of Chairwoman, Colleen Knight.

II. Invocation

1. A moment of silence was taken.

III. Roll Call

1. A silent roll call was taken by staff. Chairwoman, Colleen Knight was not present

IV. Old Business

1. A request has been made by John & Sherry Mosley, Owners of 243 E Main Street, for a Certificate of Appropriateness to enclose their yard with a PVC picket fence along Harvey Street and on the west side of the Myer's House.
 - o Staff, gave information concerning this agenda item. The case was presented at the September 1, 2020 meeting. A motion to deny this portion of the application concerning the PVC fence was made. The vote on the motion was tied 3 in favor and 3 opposed. This meant that motion did not pass and did not fail. A motion has to be in the affirmative for the case to be concluded. This application was made in August, 2020 and in the Historic Preservation Design Guidelines, the Commission has ninety (90) days to act on an application. This means that the Commission has to make a decision by November 4, 2020. You will need to keep this in mind when considering this application.
 - o John and Sherry Mosley were sworn in.
 - o Mr. John Mosley, would like to keep the fencing that was already installed and continue the PVC fencing on the west side of the Myre's house and about two-thirds up from Main

Street, but would not go all the way to Main Street. We received the other approvals for the driveway and would like to finish with the fencing. Ms. Mosley, at the last meeting we had shared pictures of other homes within the Historic District that have PVC fencing installed. The fencing that we picked is identical to the original fence. The PVC fencing is more cost effective than wood and a wooden fence would have to be constantly repainted. Ms. Mosley continued speaking about the other homes in the Historic District.

- Mr. Mosley, we have not applied for any type of grant, we are doing this with our own money. In the future we want to restore the Myer's house in a cost effective manner.
- Vice-Chairman, Scot Craigie, asked if the Commission had any questions?
- Scarlett Boutchyard, you mentioned the Myer's house that you were going to restore once you have the cottage completed. Do you propose to use vinyl materials for windows, siding and in other areas? Ms. Mosley, for the windows, yes, because they are cost effective. If you go to the downtown area there have been a lot of vinyl windows installed. Ms. Mosley continued to speak concerning homes and buildings in the District.
- Staff interjected to remind the Commission and the applicants that the application is for the PVC fence only and an application for windows has not been submitted at this time.
- Mr. Mosley, we anticipate on doing this but, it is down the road and there may be something else that comes on the market that we would like better.
- Scarlett Boutchyard, responded to staff. The purpose for the question was to make sure that if we approve materials that are currently not in our design guidelines, it may set precedent. Mr. and Mrs. Mosley rebutted Ms. Boutchyard comment. Vice-Chairman, Scot Craigie, reminded all, that this topic was not up for discussion.
- Cheri Vaughn, were are the other PVC fences located within the Historic District? Ms. Mosley, that was turned in when the application was submitted. Ms. Vaughn, asked staff if the photos could be shared? Staff loaded the pictures to be viewed during the Zoom meeting. Ms. Vaughn, asked if these homes are within the Historic District. Mr. Craigie, there are twelve (12) homes within the Historic District. Staff, some of the fences are within the Historic District, but these fences were installed without approval from the Historic Preservation Commission. Ms. Vaughn, then we have not set a precedent. Ms. Boutchyard, sounds like those people are in violation and a discussion will be needed at a later time.
- Ms. Vaughn, you (John & Sherry Mosley) knew that this was outside of the Guidelines and you installed the fence knowing the regulations? Ms. Mosley, we did this because of other vinyl fences around the Historic District. The conversation continued stating information that had been submitted.
- Kathi Burdi, would we, as a Commission, be responsible to go back to the other homeowners if we ask Mr. Mosley to remove his fence? Ms. Vaughn, Staff will follow up with the homeowners. Staff, that is correct, we will be in contact with the property owners of the properties that have been identified as not congruent with the Design Guidelines.
- Vice-Chairman, Scot Craigie, is there a statute of limitations regarding homeowners who are violating the Guidelines? Staff, will have research for the exact timeframe and the methods of looking at the homes in question. Ms. Boutchyard, there is a process in place were once the Historic Preservation Planner is notified then they have to give notice to the homeowners and then there is a timeframe. Staff, it is a basic standard Violation Notice and reaching out to the property owners.
- Vice-Chairman, Scot Craigie, asked for any questions from the Commission. Ms. Burdi, have any neighbors (Mr. & Ms. Mosley) adjacent to your property complained about the

vinyl fence. Ms. Mosley, no, only positive responses and we spoke to our neighbors before constructing the fence.

- The conversation continued comparing Moss Landing to the historic homes of Washington and the products that are being used. Mr. & Ms. Mosley told the Commission that they would apply for demolition if the fence was not approved. Mr. & Ms. Mosley asked the commission if they wanted to sacrifice the Myer's house for a vinyl fence. The Commission responded that they were not sacrificing the Myer's house. Vice-Chairman, Scot Craigie, stopped the conversation.
- Vice-Chairman, Scot Craigie, asked for any additional comments or questions from the Commission. There were no comments or questions.
- Vice-Chairman, Scot Craigie, asked staff if there were anyone from the public who would like to speak for or against the request. Staff responded by saying Kasey Stone.
 1. Kasey Stone: 218 Fleming Street, Washington, NC 27889
Ms. Stone was sworn in.
Ms. Stone will be closing on a home at 238 E Main Street, which is across from Mr. & Ms. Mosley's home. She gave some background concern her knowledge of the Historic District. She does not feel that vinyl products are appropriate for the District.
 2. Betty Jane Green: Ms. Green was not able to connect to the zoom meeting.
 3. Gibbs Moody: 323 E Second Street, Washington, NC 27889
Mr. Moody was sworn in.
Mr. Moody read from the Design Guidelines 4.6.2 and specifically "equivalent materials". He described the climate in Washington and the affects the climate has on wood. Mr. Moody named additional materials that are allowed in the Design Guidelines other than wood. Mr. Moody did not state if he was for or against the request.
 4. Shane Boutchyard: 314 E Second Street, Washington, NC 27889
Mr. Boutchyard was sworn in.
Mr. Boutchyard stated, he understands owning a historic house can be costly. He then described methods that he has used to reduce the cost of improvements and at the same time staying within the Historic Design Guidelines.
 5. Don Stroud: 127 E Second Street, Washington, NC 27889
Mr. Stroud was sworn in.
Mr. Stroud wanted the letter was presented at the September, Historic Commission Meeting, and to be presented at the current meeting. Mr. Stroud, President of the Washington Historic Foundation, wrote this letter. He explained, as many of the homeowners in the Historic District have explained, his home was purchased for the intent of restoration. Mr. Stroud, continued to describe the Historic Commission at the time when his home was purchased. He asked that the Commission not to base their decision on opinion, instead on the facts and the Historic Design Guidelines.
- Ms. Mosley stopped the public testimony to rebut Mr. Stroud's comments. Ms. Mosley asked Mr. Stroud, that since he had vinyl siding on his house, why should he be an exception to the rule? Mr. Stroud try to answer the question with interruption from Ms. Mosley.
- Staff stopped the conversation stating, that Mr. Stroud's house is not on the agenda and is not up for discussion. Mr. Mosley, challenged staff stating that it was an issue due to Mr.

Stroud referred to his home in his testimony. Mr. and Ms. Mosley continued with the conversation concerning vinyl siding. Ms. Boutchyard, Ms. Mosley you do not have the information concerning the time of the installation and if the Guidelines were in effect.

- Staff, stopped the conversation to introduce the City of Washington Attorney, Franz Holscher. Staff asked Mr. Holscher, if the Commission was allowed to discuss this issue concerning Mr. Don Stroud's home.
- Mr. Franz Holscher, stated that he was asked to attend by the City of Washington. Mr. Holscher is the city's attorney and the Historic Preservation Commission has not asked him to represent the Commission. At this time Mr. Holscher is not in the capacity to represent the Commission. Mr. Holscher is not a witness and is not offering evidence. Mr. Stroud's house and other violations within the District do not pertain to this request. Mr. Holscher stated, if the vinyl fence was approved formally and the ruling was challenged, the challenge would be successful. Mr. Holscher, referring to Mr. Gibbs Moody, who read the first sentence of Section 4.6.2 of the Historic Preservation Design Guidelines, did not read the second sentence, which states the following: "welded wire, vinyl and chain link fences are not allowed." This is very clear, and if the Commission approves this application and someone challenges the ruling, the challenge would be successful. Then this would get appealed to the Board of Adjustment, and this has happened in the past 10 to 15 years. When the Board of Adjustment rules, the ruling can go up to Superior Court and everyone will need a lawyer. He is trying say that the Guidelines are a factual document and if you veer away from the Guidelines and someone challenges the ruling, it would be hard to defend that challenge. Then the City would be paying for the Commission's actions. Mr. Holscher continues to explain, if the Guidelines are revised, the City Council would need to approve or disapprove the revision.
- Vice Chairman, Scot Craigie, spoke regarding Mr. Stroud's comment about Commission Members upholding the Guidelines. He stated, he believes all of the Commission Members are here to uphold the Guidelines. But, he has only been on the Commission for one (1) year, he does not know what was decided in the past, only what he can see around the area. Mr. Craigie, suggested that the Commission put this request on hold until someone wants to review the Guidelines concerning new modern materials. That is what his vote was for last month, not about changing the Guidelines, but why and what has happened in the past. Mr. Craigie continued asking the questions of why these violations have not been addressed and what are the next step.

6. Scott Campbell: 213 N Market Street, Washington, NC 27889

Mr. Campbell was sworn in.

Mr. Campbell supports the comments from Mr. Franz Holscher. It is his understanding that one of the largest complaints from the town and the Commission Members is that there are no consistencies or there are limited consistencies or not consistent across the board. Mr. Campbell stated, the most consistent thing in the Guidelines is the phrase "no vinyl." If the Commission decides to vote for vinyl you will be violating the Guidelines and you would be setting a precedent that would cost the City, investors and residents significant amounts of money. Mr. Campbell, feels strongly as an investor and a resident that this fence should not be allowed. He does not disagree with the location, but the materials are not allowed.

7. Linda Hess: 625 E Main Street, Washington, NC 27889

Ms. Hess was sworn in.

Ms. Hess, everyone has made good points. Due to the Moss Landing property that was sold and is not currently in the Historic District, maybe the Guidelines need to be reviewed. On the South side of Main Street there are additional rules

concerning fencing. For example, if she (Ms. Hess) wanted to install a new fence the approved materials would be different from, if the fence was installed at the new Moss Landing site. Ms. Hess believes that a bigger picture needs to be looked at for the entire downtown.

8. Mr. Gibbs Moody came forward to rebut.

Mr. Moody, wanted to follow up on the comments from Don Stroud. Even though he did not read the second sentence of the Guidelines, concerning welded wire or chain link fence being prohibited. The point was the interpretation of the language of the product and as the previous speak suggested, he thinks that there needs to be some revisions to the Guidelines to accommodate the changes in materials and to be consistent. People have mentioned, in this meeting, very different commentary concerning what is or is not allowed. He continues, stating products that have been approved by the Commission that are not wood products. It is his opinion that these products can help with the beauty of the town and with upkeep for the owners. Mr. Moody, is in favor for lots of revisions to the Guidelines.

9. Mr. Don Stroud came forward to rebut.

Mr. Stroud answered the question from Mr. and Ms. Mosley concerning the installation of vinyl siding on his home. He explained the approval process. Mr. Stroud stated, he followed all of the rules and regulations for approval and he was Grandfathered in to be able to install the vinyl siding. Also, architectural elements were able to be saved and are all wood.

- o Staff, commented to Mr. Stroud, he was describing his property and not discussing the item that was up for debate.

10. Becky Furr: 311 Water Street, Washington, NC 27889

Ms. Furr was sworn in.

Ms. Furr, wanted to add to the comments previously stated. About a year ago at the Town Meeting, the topic of out dated materials and reviewing the Guidelines. Ms. Hess ask Staff to check to confirm (if it has not been started) to get the Commission together and review the Guidelines and put in place potential new materials. But, the changes have to be approved. Washington did not make up their own Guidelines, these Guidelines came from the State and the North Carolina Historic Preservation Office. The Guidelines should be reviewed and should be submitted for new suggestions, but we have to go through the process to get them approved before we start changing the Guidelines. I own property in Moss Landing and the new construction has very strict Guidelines that the owners have to follow. Are they different than the older homes in the Historic District? Yes, they are, but we are not allowed to replace without approval. Our rules are a little different because the homes are newer construction. Our rules will not allow PVC, but there are parts of some homes that are made from PVC, but has been approved by the City. A neighbor just recently came before the Commission and requested PVC shutters and they were denied. They were not allowed PVC but could install wood shutters. People who are trying to invest in the area and are trying to follow the rules, will find out that the Mosley's were allowed to install vinyl fence and vinyl windows, this will become complete chaos, and you might lose some investors. Ms. Hess would encourage the Commission to follow through with reviewing the Guidelines and making changes. Then go back and revisit to see if we allow other materials. But, at this time the Guidelines are clear concerning vinyl fencing.

11. Scott Campbell came forward.

Mr. Campbell, Ms. Furr summed up everything in her testimony. The Commission said they would uphold the Guidelines and the Guidelines simply states no vinyl

fencing. Mr. Campbell is willing to help review of the Guidelines and has previously been on some subcommittees. This does not need to be taken lightly and hopes Commission Members don't that this task lightly.

12. Shane Boutchyard came forward to rebut.

Mr. Boutchyard, would like to reiterate the fact that we have these Guidelines in place, there are materials today that may be more aesthetic. But there are also materials that have been altered through ground contact and through other methods that are guaranteed for years. It is east to go with plastic, but our home has wood that has been here for one hundred and fifteen (115) years. How can anyone say that one hundred and fifteen (115) year old wood is not acceptable to be used for replacement. These homes have been through hurricanes, storms and other life events and are still standing. There are not many modern homes with modern materials that can upstand hurricanes or storms. The fact is this should not even be an issue. The Guidelines state what is allowed and what is not allowed. If you abide by Guidelines and use the acceptable materials and if you use any other materials, you are not abiding by the Guidelines. This will put all of us at risk in the Historic District for, tax credits and grants. As a homeowner that is a scary thought, to think I put money into an investment and pay city taxes and abide by the Guidelines and now someone could just change the Guidelines. This is unacceptable.

- Staff, asked if there were any addition people from the public that would like to speak on the subject of vinyl fence. No one from the public came forward.
- Staff, informed Mr. and Ms. Mosley this time will be for them to rebut on any comments that have been presented.
- Mr. Mosley, it is his impression that the Guidelines are for people who do what Mr. Boutchyard said, people who get Grants and Tax Credits. Mr. and Ms. Mosley are not putting in an application for a Grant or any Tax Credits. This project is being completed with their own money. If we were applying for a Grant we would abide by whatever the Grant required.
- Ms. Mosley, everything needs to be reviewed to be more progressive, while at the same time keeping the historic look. I think that the Stroud house is beautiful. Ms. Mosley knows that there is a house further down on Second Street, they have replaced every piece of wood siding. You can get rebuttals on both sides and we can sit here and talk about this request for days. We are trying very hard to keep the historic nature, but at the same time, making it easier for upkeep as we get older. But at the same time I want to use more progressive products that will give the same look. Ms. Mosley agrees with Don Stroud. She is not installing vinyl siding on the main house if that was to be the plan, but would maintain the corners to make them look the way Mr. Stroud has on his home. Ms. Mosley, thinks there are many different options that can be done to make it easier on the homeowner and more cost effective.
- Mr. Mosley, we are not putting in for grant money. That is when your Commission would come in to advise on the direction to go with the renovations.
- Ms. Boutchyard, corrected Mr. Mosley's last comment, the Guidelines are for the entire Historic District. Because we recognized as a designated Historic District, it means that homeowners and business owners that are purchasing and investing in the district can qualify. But, it does not mean that the Guidelines are to be applied only to owners that are trying to qualify. Because if we (The City of Washington) lose that designation we (The City of Washington) will never get it back and then no one will be able to qualify for any grants or tax credits. That is what is at risk.

- Ms. Mosley, with that being said, when I took pictures of the homes, I am being told that only twelve (12) of the homes on the list were in the Historic District. Except when I took a picture of the home I made sure that every home had a brown street sign, that indicates the Historic District, so you (the Commission) don't even include everyone that is supposedly in the Historic District.
- Ms. Boutchyard, our Historic District was laid out and approved by the State Historic Commission. There are reasons why some of the homes no longer qualify and some streets do not qualify. One of the reasons is that the homes have been altered from the original materials or from original structure. Ms. Mosley, that is not true, you go down North Market Street, they are not in the Historic District and they are beautiful homes,
- Staff, stops the debate and for comments to directed to request concerning vinyl fence.
- Vice-Chairman, Scot Craigie, does anyone have any additional comments. There were no comments.
- Vice-Chairman, Scot Craigie, brought the discussion back to the table.
- Scarlett Boutchyard, asking Staff, are we supposed to re-vote or do we need to make a new motion? Staff, Scot will need to summarize the application and a new motion will need to be made. A motion to deny was made at the last meeting. That motion did not pass and it did not fail. A new motion will need to be made. The motion will only pass in the affirmative.
- Kathi Burdi, is there no discussion between committee members. Staff, this is up to the Commission at this time.
- There was some confusion on the process. The process for a motion was explained to the Commission members.
- Scarlett Boutchyard, we have options for action and the application as a whole is to construct a fence. We (the Commission) has already discussed the location and placement. There seems to be only one issue, the material. We could approve the fence but, request that the fence be constructed out of one of the approved materials.
- Kathi Burdi, as a new member I would like something clarified. I know that we have the Guidelines and it was my understanding that the purpose of having this committee is to discuss exceptions to the Guidelines. If these are hard rules such as no vinyl, no chain link, etc. then there should not be any need for discussion the request should not be approved. Ms. Boutchyard, as a quasi-judicial commission we are here to uphold the Guidelines, not to make exceptions. Ms. Burdi, then why do we have to be here if the Guidelines are a hard rule and she does not understand why it would take 6 or 8 of us to uphold the Guidelines. In a homeowner association there are rules that you sign off on and if you violate them, then the President of the home owner's association says you violated a rule and will tell you what action will be taken. It seems that we make exceptions and discuss those exceptions. For example, a financial need to allow something that varies for the Guidelines. She would like clarification. The other, what is the procedure if there are one or two other fences that are in violation. Ms. Burdi, knows of people watching tonight and will be coming forward saying, "this happened and nobody did anything and I want it changed or removed. There is a lot of attention on this request and Ms. Burdi needs to know how to respond to the public.
- Vice-Chairman, Scot Craigie, we have here what I have mentioned earlier, people see things happening without anyone asking. Mr. Craigie, understands that this is not part of the discussion at this time, but it needs to be part of a discussion. This has been

brought up to Staff and this has not been resolved. Mr. Craigie asks what is the purpose of the Staff, the City Staff should be doing something more to answer the question of why has this happened.

- Staff, asking Mr. Craigie, if he is asking Staff directly? Mr. Craigie, responds, just making a comment, because this is not part of this issue.
- Vice-Chairman, Scot Craigie, asked for any additional comments.
- Cheri Vaughn, as we are considering this request we need to consider the Guidelines and to answer your question. The Guidelines are here for use to follow we are supposed to address each request separately. There are exceptions to the rules. For example, if a structure needs to be torn down due to a safety issue, but the Guidelines may say that you cannot demolish the structure, but if it is due to safety issues you are allowed. There are exceptions and we have to look at each case individually. We don't know why this was done, we were not on the Commission, there would have to be some research completed. But in this case it is very clear that the Guidelines say that PVC fencing is not allowed.
- Kathi Burdi, ask again what are we going to do with existing violations. Ms. Vaughn, that would be up to staff to complete a follow up. Ms. Burdi, are we being fair to Mr. and Ms. Mosley to make them to remove their fence and do we have a plan and or a process to follow up on existing violations. Staff, those are handled by Notice of Violations and are communicated with each individual home owner. When this happens, it is completed behind closed doors. There are a number of properties that I have received a notification for an issue and I have to notify the property owner. Some violations are resolved quickly and some will take time. Ms. Burdi, will the Commission be notified of your actions. Staff, the Commission is typically not notified of those actions. Communication is to the person who requested to be notified and this is handled separate from the meetings. This is to preserve the relationship with the property owners within the Historic District.
- Elizabeth Stallings, there have been many points communicated for consideration on this request. But, I have not heard any new evidence tonight from the Mosley's that is any different from the last meeting. This discussion has become circular on the same thing that we voted on at the last meeting. Feels like we have exhausted this discussion.
- Vice-Chairman, Scot Craigie, asked if anyone has any more comments. There were no comments.
- Vice-Chairman, Scot Craigie, asked for a motion.
- ❖ Scarlett Boutchyard made the following motion: I move that the Historic Preservation Commission grant a Certificate of Appropriateness to John and Sherry Mosley, to enclose their yard with an approved material as per the Guideline fence along Harvey Street and the West side of the Myer's house, located at 243 E Main Street. The motion is based on the following Findings of Facts: the application is congruous with the *Historic Preservation Commission Design Guidelines* specifically, **Chapter 4.6 – Fences and Walls**.
- Ms. Boutchyard asked the Vice-Chairman, Scot Craigie, if he was going to ask for a second.
- Elizabeth Stallings, are we going to specify what type of materials they can use. Ms. Boutchyard, a material that is specifically approved in the Guidelines. I cannot tell them that it has to wood, they may decide to do an all iron fence. Cheri Vaughn, right,

but do we want to say that it should not be PVC, chain link or welded wire? Ms. Boutchyard, believes that it already specified in the Guidelines, but can change if you would like. But, if they choose any other material that is not specifically approved, then there would be an issue. The placement of the fence and to enclose the yard is permissible. Ms. Stallings, but it would we need to be specified the material to be used, how would we know what material they would use. Ms. Boutchyard, ask Staff, if they don't deviate from the materials in the Guidelines and already have approval for placement of the fence, they would not have to back before the Commission. Staff, that is correct, if you would not mind since the motion has not been seconded could you restate the motion for clarity.

- ❖ Scarlett Boutchyard made the following motion: I move that the Historic Preservation Commission grant a Certificate of Appropriateness to John and Sherry Mosley, to enclose their yard with a picket fence made of materials currently approved with the Guidelines not to be PVC along Harvey Street and the West side of the Myer's house, on the property located at 243 E Main Street. The motion is based on the following Findings of Facts: the application is congruous with the *Historic Preservation Commission Design Guidelines* specifically, **Chapter 4.6 – Fences and Walls**. Cheri Vaughn, seconded the motion. All voted, 5 in favor and 0 opposed. The request was approved. Below is a record of vote.

➤ Record of vote:

YES	NO	COMMISSION MEMBER	MOTION
		Colleen Knight (Not Present)	
X		Scot Craigie	
X		Cheri Vaughn	2 nd the motion
X		Kathy Burdi	
X		Scarlett Boutchyard	Made the Motion
X		Elizabeth Stallings	
		VACANT	

V. Certificate of Appropriateness

A. Major Works

1. A request has been made by Joan & Ronny Cottle, owners of 209 E Main Street, for a Certificate of Appropriateness to build a 12'x17' deck off the back of the house.
 - Vice-Chairman, Scot Craigie asked Joan and Ronny Cottle, unmute there mike.
 - Joan and Ronny Cottle was sworn in.
 - Ronny Cottle, thanked the Commission for volunteering their time and for everything that you (the Commission) have done for the City of Washington. Mr. Cottle, we are looking to construct a wooden 12'-0" x 17'-0" deck off the rear of the house. Mr. Cottle thanked Staff for sending the regulations for constructing a deck. The deck will not be attached, will be the same width as the existing house height would be level to the rear door and would not extend into the common driveway. In the packet are pictures showing a rendering of the proposed deck and the current condition of the rear of the house. Mr. and Mrs. Cottle have owned the home since May 20th and have been working to improve the condition of the house. It is there goal to bring the house back to its original condition. The deck would go from side to side and out 12'-0".

- Vice-Chairman, Scot Craigie, asked the Commission if they had any questions. There were no questions.
- Vice-Chairman, Scot Craigie, asked if anyone from the public had any comment. There were no questions. Since there were no questions the request was brought back to the table.
- Scarlett Boutchyard, the request is straight forward and looks great.
- Vice-Chairman, Scot Craigie, asked for a motion.
- ❖ Elizabeth Stallings made the following motion: I move that the Historic Preservation Commission grant a Certificate of Appropriateness to, Joan and Ronny Cottle, to make the above changes on the property located at 234 E Second Street 209 E Main Street. This motion is based on the following findings of fact: the application is congruous with the *Historic Preservation Commission Design Guidelines*, specifically **Chapter 5.3 – Additions and Chapter 5.4 - Decks**. Cheri Vaughn seconded the motion. All voted, 5 in favor and 0. The request was approved. Please see the below Record of Vote.

➤ Record of vote:

YES	NO	COMMISSION MEMBER	MOTION
		Colleen Knight (Not Present)	
X		Scot Craigie	
X		Cheri Vaughn	2 nd the motion
X		Kathy Burdi	
X		Scarlett Boutchyard	
X		Elizabeth Stallings	Made the Motion
		VACANT	

2. A request has been made by Andrew DePrimio, owner of 234 E 2nd Street, for a Certificate of Appropriateness for the following:
 - a. Designate assigned parking area at the rear of the property for 5 vehicles.
 - b. Resurface the existing driveway and parking area with gravel.
 - Vice-Chairman, Scot Craigie, asked for Andrew DePrimio to unmute his mike.
 - Mr. Andrew DePrimio was sworn in.
 - Mr. DePrimio, wanted to thank the Commission for all the work that you have done for the Historic District. The Baker house is a triplex and the parking is currently located at the rear of the house and there is no designated parking. Mr. DePrimio purchased the house in August and there were cars parked randomly in the yard and there were vehicles that were not in working condition. Mr. DePrimio is requesting to make a very clean designated assign parking located at the rear of the property. By using a low impact gravel driveway and a gravel fill parking area which will make the property look much cleaner. There will not be any cars in view from the street.
 - Vice-Chairman, Scot Craigie, do you currently have a gravel driveway? Mr. DePrimio, yes, it does appear that the original driveway was made out of gravel. The parking in the rear would be a new area.
 - Scarlett Boutchyard, there is a lot of brush at the rear, are you maintaining the trees? Mr. DePrimio, a lot of the vegetation has been already being trimmed and the rest will

be cleaned and made more presentable. The pictures show what the property looks like currently and we are trying to make this more uniform and have a designated parking area for vehicles.

- Vice-Chairman, Scot Craigie, asked for any additional questions or comments from the Commission. There were no additional questions.
- Vice-Chairman, Scot Craigie, asked if anyone from the public would like to speak. The following asked to speak along with their comments:

1. Scott Campbell: 213 N Market Street, Washington, NC 27889

Scott Campbell was sworn in.

Mr. Campbell, believes that this is a good plan and urges the Commission to go ahead and approved. This is due for several reasons: 1) they have presented a very well defined description and the City will give the guidance concerning drainage in regards to the City guidelines, 2) this will more cars off of the street.

2. Andy Olsen: 245 E Second Street, Washington, NC 27889

Andy Olsen was sworn in.

Mr. Olsen, is completely in favor of this request and has one question. There are five parking spots, but there are three apartments, are you allowing one vehicle per apartment?

Mr. DePrimio responded. After review of the city code for multiple unit parking, due to the number of bedrooms that number would come to 5.5 or 6 parking sections.

The triplex contains a two - one bedroom and one – two bedroom apartments. Mr. DePrimio’s thought was one parking space per bedroom and would be a total of four bedrooms and added an extra space if a tenant had an extra vehicle.

- Vice-Chairman, Scot Craigie, asked if there were any additional comments. There were no additional comments. The request was brought back to the table for discussion. There was no additional discussion.
- Vice-Chairman, Scot Craigie, asked for a motion.
 - ❖ Scarlett Boutchyard made the following motion: I move that the Historic Preservation Commission grant a Certificate of Appropriateness to, Joan and Ronny Cottle, to make the above changes on the property located at 234 E Second Street. This motion is based on the following findings of fact: the application is congruous with the *Historic Preservation Commission Design Guidelines*, specifically **Chapter 4.3 Parking, Driveways and Sidewalks**. Kathi Burdi seconded the motion. All voted, 5 in favor and 0. The request was approved. Please the Record of Vote below.

➤ Record of vote:

YES	NO	COMMISSION MEMBER	MOTION
		Colleen Knight (Not Present)	
X		Scot Craigie	
X		Cheri Vaughn	
X		Kathi Burdi	2 nd the motion
X		Scarlett Boutchyard	
X		Elizabeth Stallings	Made the Motion
		VACANT	

VI. Minor Works

1. No Commission action required.

VII. Other Business

1. Demolition by Neglect Sub-Committee Report

- Scarlett Boutchyard, hoped everyone had a chance to review the report and the actual ordinance, prevention and enforcement portion, that was enclosed in your agenda. The committee is made up of the following individuals: Scott Campbell, Rebeca Furr and Scarlett Boutchyard.
- For clarification of the ordinance Staff and the City Attorney were both consulted, to see what was in place and what has been done in the past. The findings are, there is an ordinance in place to prevent Demolition by Neglect. Ms. Boutchyard, asked if anyone had any questions. No one had any questions.
- Ms. Boutchyard continued, the sub-committee wanted to make sure that there was some action being taken to help put some pressure on the homeowners that are letting their properties deteriorate. Our findings showed that this is a good working ordinance.
- We are proposing to engaging another Agent/Designee to assist Staff and the Commission in organizing/tasking/implementing the Ordinance. This is a process, first the Historic Preservation Planner would receive notice of violation, we would propose a time period of when he would inspect the property to confirm the violation. Then a letter would be sent to the homeowner to advise he/she on what item(s) that need to be addressed. There are more steps of the process and to place this additional work on Staff would not be right. Staff, can appoint an Agent/Designee to assist Staff. We are asking the Commission if this would be an option? Asked for comments? There were no comments. Ms. Boutchyard, asked Scott Campbell to speak.
- Scott Campbell, in this section, anyone can bring an issue to the City. Preservation Members and/or residence can go the City and ask them to look at any house. In this case having someone assist the current Agent/Designee, which would be staff. This assistant would handle additional paperwork to help speed up the process.
- Kathi Burdi, would a structural engineer be involved or someone who is licensed? Ms. Boutchyard, no one would be entering the homes. This is for the exterior of the home only. Some of the homes may obviously have structural issues that can be seen from the exterior. Any structural issue would be placed on the homeowner for them to obtain an inspection. Mr. Campbell, that would be a level that this ordinance does not cover. What Ms. Burdi is describing would be in another city ordinance regarding safety. This ordinance that is in question is more of an observational situation. Ms. Boutchyard, the issues that are within the limits of the ordinance are more visual. This would include the following: rotting wood, steps that are missing, handrails that are missing, etc.
- Scot Campbell, the ordinance covers all of those issues. This is a City Law. There are steps that the homeowner can follow them or not. The city has the right to go through a very stringent process that can even be foreclosure.
- Scarlett Boutchyard, within the packet contains a checklist that the Agent/Designee or appointee would use for violations. This checklist would give the homeowner a list of all items that are being reviewed.

- Vice-Chairman, Scot Craigie, are you asking anything from the Commission? Ms. Boutchyard, we the Sub-Committee are asking the Commission to bring before the City Council the following:
 1. Make sure that there is a process for this to be enforced.
 2. We are asking that the Planning Director Designee create a template of the violation letters to be presented to the City Council and the City Attorney. Staff may have already started a library of letters that have already been approved by the City Attorney, they are not being mailed.
 3. The Commission would like monthly updates on the properties that have been notified.
 4. The Sub-Committee would like to monthly updates on the progress of the properties after they have been notified.
 5. Ask that the HPC have some responsibilities along with the Planning Department regarding the request.
- Ms. Boutchyard, there are other things that the Commission can do other than come to a meeting and voting if someone can or cannot make a change to their property.
- Vice-Chairman, Scot Craigie, it seems like you are asking the Commission to be more proactive at the beginning of the process. Ms. Boutchyard, this is specifically about the Neglected properties. If the owners have not contacted the City asking for a Minor or Major Work COA, they are probably not going be trying to improve their property. Then the property is going to be at risk to demolition by neglect. Then it can be destroyed then we have lost another contributing structure.
- Elizabeth Stallings, under Action Items, Number 5, lists a specific property. Does that mean the process has started? Ms. Boutchyard, we went through and four properties were named to being.
- Scott Campbell, we are asking the Commission to review the packet. Since you work for the City, we are proposing in number 3 of the Action Items, “send the presentation and recommendations to Council for discussion and action. Ideally the action would be that City Council charges the HPC and the Planning Department to begin aggressively implementing the Ordinance.” This is the first step to get started. Hopefully this would get the City Council interested in the entire process. Then to give the HPC and the Planning Department the power needed to begin the process.
- Cheri Vaugh, asked Staff, do we need to make a motion? Staff, you can request to bring before City Council and Staff would work to that affect.
- Scarlett Boutchyard, that is what we would like to do and would like the Commission to agree. Scot Craigie, it was my understanding that you wanted our input based on the packet. The packet looks good. At this point you need to finalize and then present to City Council. Scott Campbell, at this presentation we wanted to know if the Commission members had any input or questions. Ms. Boutchyard, asked Staff, if we needed to formally ask as the Commission to present before City Council Agenda. Mr. Craigie, has one comment, the list of home did not quite encompass homes on the side streets and the entire Historic District. Not sure if those homes were included. Mr. Campbell, Becky Furr would be a good one to respond to that question.
- Becky Furr, there was a street that was missed and is not the final list of properties. These homes are what we saw driving through in one day. Since, that time changes have

been made and the list needs to be updated. This is just a start and we will go back to include all of the homes in the Historic District.

- Mr. Campbell, the four homes that were chosen, we try to pick a home from each part of the Historic District. Generally, when the owners know that this is happening you will see work being done on the homes. The ultimate goal is to get people to take care of their property.
 - Cheri Vaughn, what about doing a campaign putting together flyers and distributing them to the homeowners. When the past Historic Preservation Planner was here, we talked about for people who cannot afford to do repairs, that there are some groups in town that may be able to help and maybe making that information available on the flyer.
 - Scarlett Boutchyard, through the entire process there is a path for those who are not financially able to make the repairs. Ms. Vaughn, just wondering a way to get the word out to everyone.
 - Mr. Campbell, once this goes to Council and Council approves, then you could get with Staff to put something together for the community. Becky Furr, how about a welcoming package, for when someone purchases a home. Ms. Boutchyard, wanted to wait on this, but thinks that this would be great and believes that there some letters. This maybe a task that the HPC complete.
 - Scarlett Boutchyard, forgot to say anything about the electronic petition from Scott Campbell. This would need to be included in the presentation to the Council. How many property owners signed? Mr. Campbell, put together an email Facebook petition. There were about 75 people that responded to the petition, with a lot of interest inside and outside of the District.
 - Scarlett Boutchyard, if we have a City of Washington tax payer and do not live within the Historic District, they still have just as much input as tax payers that live within the Historic District. Mr. Campbell, this is not limited to just the District. Also, you do not have to live in Washington if you own a business located in Washington.
 - Scott Campbell, as a citizen of Washington ask the Commission or someone that is appointed, present this packet to the City Council.
 - Staff, concerning the e-petition do you (Scott Campbell) the date that it went live and the time period that the information was collected and the date of the responses? Mr. Campbell, I printed out most of them, I can give you a rough start date and a time frame. Staff, if you are going to talk about an e-petition you will need to have the results and how it was conducted.
 - The presentation was concluded.
2. Update from City Council by Council Woman, Virginia Finnerity
- Ms. Finnerity wanted to update everyone. Mike Renn and Virginia Finnerity, were directed to meet with City Manager, Jonathan Russell, to review the Historic Preservation Design Guidelines. Wants to clarify that the process is not about changing the Guidelines, it is simply a review that is done occasionally. We are reviewing the notes for the Town Hall Meeting, to address the concerns from the residence of the Historic District. We will keep you updated and will present out findings to the City Council. There will be additional Town Hall Meetings to get input from the residence.
 - Scarlett Boutchyard, will you be sharing your findings with the Historic Commission in the form of an agenda item. Ms. Finnerity, yes, we want as many people to be involved as possible. Ms. Boutchyard, there will not be any changes at this time? Ms. Finnerity, there

will not be any changes unless there needs to be and everyone will be made aware of any changes.

- Vice-Chairman, Scot Craigie, this is the follow up to the Town Meeting? Ms. Finnerity, yes.
 - Scarlett, Boutchyard, thinks that this is great. Would like to ask the City that if any changes are made they are made with the blessing from the State Historic Preservation Office and it meets the current Secretary of Interior Guidelines.
 - Staff, we are a Certified Local Government and that is one of the benefits is to source other experts from SHPO and other communities. If we are looking to make any changes, we are able for them to review and to see if they have any additional comments or changes. Then it would come back to the Commission for a recommendation to go before the City Council and for the Council to officially adopt. Once the process has started it will take three to four months before it is officially adopted.
 - Vice-Chairman, Scot Craigie, ask Ms. Finnerity, is this looking at process and procedures? Ms. Finnerity, yes. Kathi Burdi, it is crucial to include the homeowners.
 - Vice-Chairman, Scot Craigie, asked for additional comments. There were not additional comments.
3. City of Washington Attorney, Franz Holscher,
- Mr. Holscher appreciates that there has been a committee that has been formed. This Historic Commission is basically in charge of the Guidelines. The Committee should talk to the Commission and the Commission should recommend any changes to the Council for approval. Not sure if the City of HPC wanted to hear that. Mr. Holscher has been through revisions and we need to work together. But, ultimately any changes should come from the Commission to the Council as a recommendation.
 - Vice-Chairman, Scot Craigie, this is for Ms. Finnerity. Would you like the Commission put together a list of suggestions that we would like for you to address? Ms. Finnerity, yes. Mr. Holscher, when the Council created the Committee they created a public body, so anyone from the public are free to attend the meetings. The HPC could designate to help the committee to form to take to the HPC then up to the Council. Mr. Holscher believes that they should collaborate. He then asked Ms. Finnerity if she agreed with the statement. Ms. Finnerity, I did not form the committee, I was appointed and really do not have any say. Mr. Holscher, it is a public body, so anyone can go to the meetings and the HPC could create their own committee or a person to collaborate. Ms. Finnerity, it is Mike Renn and I, the two of us, reviewing and not making any decisions, we are going to make a list and then we will meet and announce to the public. Ms. Finnerity wants the HPC to make their owner list and then both committees will come together and then have another Town Meeting.
 - Scarlett Boutchyard, understands that Ms. Finnerity is the liaison to the HPC and you would make your list and present your list to the HPC. Ms. Finnerity, that is what I said.
 - The conversation continued concerning putting together list of items that needed to be reviewed by both the HPC and Council.

VIII. Approval of Minutes – September 1, 2020

1. Correction to minutes.
 - a. Page 14 of 18, Bullet Point 3, Motion, Line 5. following findings of fact: the application is **not** congruous with the *Historic* (added the work not)

- Vice-Chairman, Scot Craigie, asked if there were any additional corrections.
- ❖ Scarlett Boutchyard made a motion to approve the September 1, 2020 minutes. Cheri Vaughn seconded the motion. All voted, 5 in favor and 0 opposed. The Minutes were approved.
- Record of vote:

YES	NO	COMMISSION MEMBER	MOTION
		Colleen Knight (Not Present)	
X		Scot Craigie	
X		Cheri Vaughn	2 nd the motion
X		Kathy Burdi	
X		Scarlett Boutchyard	Made the Motion
X		Elizabeth Stallings	
		VACANT	

IX. Adjourn.

1. There being no other business

- ❖ Kathi Burdi made a motion to adjourn. Scarlett Boutchyard second the motion. All voted, 5 in favor and 0 opposed. The meeting was adjourned.

- Record of vote:

YES	NO	COMMISSION MEMBER	MOTION
		Colleen Knight (Not Present)	
X		Scot Craigie	
X		Cheri Vaughn	
X		Kathy Burdi	Made the Motion
X		Scarlett Boutchyard	2 nd the motion
X		Elizabeth Stallings	
		VACANT	