



Rowan's Original Gateway.

**Spencer Historic Preservation Commission
Regular Meeting Agenda
Monday, January 23, 2023, 7:00 P.M.**

- Call the Meeting to Order Leslie Ann Talbott, Chair
- Introduction & Pledge of Allegiance..... Volunteer from the Board
- Formal Roll Call..... Leslie Ann Talbott, Chair
 - [Determination of a Quorum (4 Regular Business)]
- Approval of Agenda
 - Adoption of Agenda for January 23, 2023, Regular Meeting.

New Business:

1. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-001– 602 South Yadkin Avenue – Coco Properties LLC / Mac Evans (owner/applicant)
Rowan County Parcel ID: 032 066**

Proposed Project:

- Replace or encapsulate (cover) existing siding with new vinyl horizontal clapboard siding.

Applicable Historic District Standards:

- Section 2.1 (Wood), Standards 2.1.1-2.1.13 (Historic District Standards, pp. 23-24).
- Section 2.6 (Exterior Walls, Trim, & Foundations), Standards 2.6.1-2.6.14 (pp. 32-33)

2. Consider recommending to the Board of Aldermen adoption of Resolution # 23-02 Amending Spencer's Historic District Standards to add Tree Replacement & Tree Pruning Policies

3. Update on Status of Old County Store Rehabilitation Project

4. Establish 2023 Annual Goals

- **Public Comment**
- **Comments from Staff**
- **Comments from Board Members**
- **Announcements**
 - Next meeting is Monday, February 20, 2023, at 7:00 P.M.
- **Adjourn**

Meeting Agenda & Instructions for Remote Zoom Participation

INSTRUCTIONS FOR ZOOM PARTICIPATION:

All interested persons are invited to participate in the public hearing at Town Hall. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website or contact the Town Planner.

Zoom Participation:

Remote Meetings: If you choose to participate in the meeting remotely by Zoom, please use the link below. If you choose to participate remotely, you are advised to contact the Town Planner prior to the meeting:

Join Zoom Meeting:

<https://us02web.zoom.us/j/87232609059?pwd=QjIyL1dma0hMSFVMMnpuYWdVMmZ3UT09>

Or call 301 715 8592

Meeting ID: 872 3260 9059, Passcode: 226177

One tap mobile

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**Planning & Zoning Administration:
Certificate of Appropriateness (COA) Staff Report**

HEARING DATE: October 23, 2023

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-23-001

APPLICANT: Mac Evans (Coco Properties LLC) (owner/applicant)

ADDRESS: 602 South Yadkin Avenue (Spencer Local Historic District)

PARCEL ID: 032 066

PROJECT TYPE: *Siding Replacement (or encapsulation)*

EXISTING LAND USE: Historic Residential

EXISTING ZONING: RMST (Residential Main Street Transition) | Corporate Limits

REPORT PREPARED BY: Kyle Harris, Town Planner

Per Town Code Sec. 32.43, no exterior portion of any building or other structure located in Spencer's Historic District shall be erected, altered, restored, moved, or demolished until after an application for a Certificate of Appropriateness (COA) has been submitted to and approved by the Historic Preservation Commission.

Applicant Proposal:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-001 – 602 South Yadkin Avenue (Rowan County Parcel ID: 032 066)
Mac Evans (Coco Properties LLC) (owner/applicant)**

Proposed Project:

- Replace or encapsulate (cover) existing siding with new vinyl horizontal clapboard siding.
- Specifically, the existing siding is a non-original “composite” or “engineered” wood panel siding product designed to imitate the appearance of horizontal clapboard siding. The applicant proposes to remove and replace, or alternatively, to encapsulate, the existing siding with new vinyl siding to imitate the appearance of horizontal clapboard siding.

Exhibits:

- A. Staff Photographs (Site Visit 1/19/23)
- B. Product Specifications (TBD – not submitted as of 1/19/23)
- C. Subject Property Map

Staff Discussion:

The commentary below represents the staff's opinion and is offered to provide the Commission some general guidance and points for discussion. The HPC is not bound to this opinion.

Siding Replacement:

- The existing siding is a combination of “composite” or “engineered” wood panel siding made to imitate the appearance of clapboard, along with various *ad hoc* patching over the years using metal/aluminum panels and some vertical composite wood panels on the front. Overall, the existing siding is not uniform and is a true “patchwork” of composite components. In many places, different siding panels visually contrast with different elements nearby, create a visually disharmonious appearance. Please review Staff Photographs in Exhibit A.
- The majority of the existing “engineered” siding uses the “faux woodgrain” texture which is not historically or architecturally appropriate.
- Staff investigated the property to determine if the original wood siding was still underneath. From all appearances, the original wood siding appears to have been removed and is no longer present anywhere on the home.
- The applicant proposes to “encapsulate” the existing patchwork siding with new vinyl siding in the horizontal clapboard style. To “encapsulate” means to install directly over-top, without removing the existing siding. The proposed vinyl would match the vinyl on the nearby new constructions on South Yadkin Avenue (Rob Nance, Roseman Construction).
- Please note that “encapsulating” the existing siding poses a risk of pulling the wall plane too far forward, thereby compromising the appearance of the window openings. If the wall plane is pulled too far forward, the window openings will appear recessed. Although the applicant states he can use J-channel to “tie in” the new vinyl siding to the window frames, it is not clear if this is possible.
- An alternate approach would be to completely remove the existing patchwork siding and replacing it completely with new siding. This would mitigate the issue with the wall plane. It would still be important to “tie in” the new siding with the window frames in an appropriate and traditional manner.
- The Commission should determine if vinyl siding is an appropriate replacement material, or if another synthetic material such as fiber cement siding might be more appropriate.

Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Section 2.1. Wood

- Standard 2.1.10. It is not appropriate to replace or cover historic wooden siding, trim, or window sashes with contemporary substitute materials.
- Standard 2.1.12. Certain synthetic materials such as cementitious siding can be reviewed on a case-by-case basis, provided:
 - They are used only when the original material is no longer available or feasible;
 - They are installed in a traditional manner that includes the installation of corner boards, architectural trim around windows and doors, etc.
 - They match the original in width of exposure, thickness, profile, texture, grain, color, and overall outer appearance.
 - Their texture must be a smooth, non-grained (e.g. faux woodgrain) finish.
- Standard 2.1.13. When a Certificate of Appropriateness (COA) is being sought for the use of synthetic materials, the applicant should include with the application a sample of the new material as well as the material being replaced.

Section 2.6. Exterior Walls, Trim, & Foundations

- Standard 2.6.6. If replacement of an entire historic exterior wall or feature is necessary because of deterioration, replace it in kind, matching the original in design, dimension, detail, texture, color, and material. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.6.7. If a historic exterior wall or feature is completely missing, replace it with a new wall or feature based on accurate documentation of the original or a new design compatible with the historic character of the building and the district.
- Standard 2.6.10. It is not appropriate to cover historic wall material, including wooden siding, wooden shingles, stucco brick, and stonework, with coatings or contemporary substitute materials.
- Standard 2.6.14. If, during a rehabilitation project, non-original siding such as aluminum siding is removed and reveals previously unknown original siding beneath (such as cedar shake shingle), the original material must be retained and preserved. It is not appropriate to cover original cedar shake siding in gables with siding to match the rest of the building if the original design of the building used multiple types of siding.

Staff Suggested Findings:

FINDINGS OF FACT

Planning staff finds that the following proposal is **TBD** with the character of the District:

▪ **TBD**

...Because:

1) **TBD**

MOTION (TBD)

Staff Recommendation:

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, planning staff recommends that the Commission **TBD** a COA for the proposal heretofore described at 602 South Yadkin Avenue (Tax Parcel ID # 032 066), located in the Spencer Local Historic District, **subject to the following conditions:**

1) **TBD**

Contact:

Kyle Harris, Town Planner

Email: kharris@spencernc.gov.

Phone: 704-633-2231 ext. 20

Exhibit A: Staff Photographs (Site Visit 1/19/23)



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Exhibit A: Staff Photographs (Site Visit 1/19/23)

Exhibit C: Subject Property Map





January 13, 2023

NOTICE TO ADJACENT PROPERTY OWNER

**SPENCER HISTORIC PRESERVATION COMMISSION (HPC)
NOTICE OF PUBLIC MEETING & EVIDENTIARY HEARING**

This Notice is to inform you that you own property within one-hundred and fifty (150) feet of a property which is the subject of a Certificate of Appropriateness (COA) application. The Spencer Historic Preservation Commission (HPC) has scheduled a public quasi-judicial evidentiary hearing for **Monday, January 23, 2023, at 7:00 P.M.** The meeting will be held at Spencer Town Hall located at 460 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is for the Commission to consider a Certificate of Appropriateness (COA) application for a project, described below, which is in the Spencer Historic District:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-001– 602 South Yadkin Avenue – Coco Properties LLC / Mac Evans (owner/applicant)
Rowan County Parcel ID: 032 066**

Proposed Project:

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Applicable Historic District Standards:

- Section 2.1 (Wood), Standards 2.1.1-2.1.13 (Historic District Standards, pp. 23-24).
- Section 2.6 (Exterior Walls, Trim, & Foundations), Standards 2.6.1-2.6.14 (pp. 32-33)

All interested persons are invited to participate in the public hearing at Town Hall. Applicants and other individuals who participate in the evidentiary hearings at this meeting will be required to sign-up and provide copies of all documents, exhibits, and any other materials they wish to present at the hearing, no later than 12:00 P.M. on Monday, January 23, 2023. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov as soon as possible. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website at www.spencernc.gov/preservation or contact the Town Planner.



Rowan's Original Gateway.

Planning & Zoning Administration

SUBJECT: Staff Presentation on Proposed Amendment to Historic District Standards
A Resolution to Add Tree Replacement & Pruning Policies

CASE PLANNER: Kyle Harris, Town Planner

EXHIBITS: Exhibit A: Existing Tree Removal Policy (Standards, Section 5.1)
Exhibit B: Proposed Resolution # 23-02 (Amending Standards)
Exhibit C: Proposed Tree Replacement Policy (Proposed Section 5.2)
Exhibit D: Proposed Tree Pruning Policy (Proposed Section 5.3)

SUMMARY:

- At present, the HPC is authorized to regulate the removal of mature trees (Historic District Standards, Section 5.1. Tree Removal Policy, p. 61). The existing Tree Removal Policy (Exhibit A) authorizes the HPC to “prevent the unnecessary removal of healthy, mature trees” in order to preserve the “significant landscape or natural” setting of the historic district. This is an excellent and necessary policy to prevent the arbitrary removal of mature trees and to conserve the tree canopy.
- The Policy does allow the removal of mature trees when certain conditions are met. Specifically, “the Town will not prevent the removal for public safety of an unhealthy, diseased, or severely damaged tree, or any other tree creating an unsafe or dangerous condition”. Such determination must be made by “a certified professional arborist, a public safety official, or a Town official authorized to make such determinations by the Town Manager”.
- However, when a mature tree is removed for cause, there is currently no requirement that the tree must be replaced with a new tree. The proposed Resolution # 23-02 (Exhibit B) would establish that requirement. The proposed “Tree Replacement Policy” (Exhibit C) would require that any mature tree removed for cause *must* be replaced with a new tree of the same species or with a similar appearance. The proposed policy would also specify various additional standards, such as a requirement that the replacement tree must be locally adapted in nature, and must achieve a certain size at maturity, etc. Please refer to proposed Resolution 23-02 (Exhibit B) for full details.
- Finally, the proposed amendment would add a “Tree Pruning Policy” (Exhibit D) to regulate appropriate pruning techniques to promote the health and natural growth of trees in the historic district.

Note: Please note that the amendments will require approval by the Board of Aldermen because the changes “establish new regulations or expand the scope of existing regulations”, acts which require local legislative approval per Resolution 22-012.

STAFF’S RECOMMENDED ACTION:

- I am requesting that the HPC consider recommending adoption of Resolution 23-02 (see draft motion below). I would like to present the Resolution to the Board of Aldermen for approval at their next meeting on February 14. The new standards would become effective immediately.

Spencer Historic Preservation Commission

Motion to Recommend Approval

(*Approve* Resolution 23-02: Tree Replacement & Tree Pruning Standards)

“I move to recommend to the Board of Aldermen the adoption of the proposed Resolution 23-02, as contained in the agenda materials. After considering the policies and other materials presented by staff, the *Historic Preservation Commission* determines that the proposed Amendments will further the goals of the Town of Spencer, which include the conservation and preservation of the Spencer Historic District, including its significant landscape and natural features. The *Commission* concurrently determines that the tree canopy is a significant landscape and natural feature of the district, and that the proposed tree replacement and pruning policies will further the conservation and preservation goals.”

This the _____ day of _____ 2023.

(Signature)

Leslie Ann Talbott

Spencer Historic Preservation Commission

Date

(Signature)

Kyle Harris

Town Planner (HPC Staff Liaison)

Date

Section 5.1. Tree Removal Policy

Pursuant to Town of Spencer Resolution 22-12 & NCGS §160D-947(A), the Spencer Historic Preservation Commission is authorized to prevent the unnecessary removal of healthy, mature trees within the historic district. NCGS §160D-947(A) authorizes preservation commissions to prevent the removal of significant landscape or natural features within the historic district, and mature trees qualify as such features. A “mature” tree is defined as any tree that is greater than 18” DBH (diameter at breast height), which is 4.5’ above ground level.

Provided, however, that the Town will not prevent the removal for public safety of an unhealthy, diseased, or severely damaged tree, or any other tree creating an unsafe or dangerous condition, as determined by a certified professional arborist, a public safety official, or a Town official authorized to make such determinations by the Town Manager.

Note: Any property owner wishing to remove a mature tree should first verify the health and condition of the tree by consulting a certified professional arborist. Even if the tree shows visual evidence of disease or structural damage, Town staff are not necessarily trained to make such determinations. In some cases, trees can be stabilized through specific treatments. When consulting an arborist, please request a written (typed) report summarizing the health and condition of the tree, including an opinion on whether the tree creates an unsafe or dangerous condition. The report, including high quality digital photographs of the tree, should then be submitted to Town staff for review. Town staff will determine if sufficient evidence has been presented to justify the removal of the tree pursuant to the Town’s Tree Removal Policy.

RESOLUTION FOR THE TOWN OF SPENCER, NORTH CAROLINA

A RESOLUTION TO AMEND SPENCER’S HISTORIC DISTRICT STANDARDS
TO ADD STANDARDS FOR TREE REPLACEMENT & TREE PRUNING

RESOLUTION 23-02

WHEREAS, NCGS §160D-947(A) authorizes local preservation commissions to prevent the removal of significant landscape or natural features within historic districts; and

WHEREAS, on July 12, 2022, the Spencer Board of Aldermen adopted Resolution 22-012, finding that “mature trees” qualify as significant landscape features in Spencer’s Historic District. The Spencer Historic Preservation Commission is thereby authorized to prevent the removal of healthy, mature trees within the historic district. Provided, however, that no regulation may be established to prevent the removal for public safety of an unhealthy, diseased, or severely damaged tree, or any other tree creating an unsafe or dangerous condition, as determined by a certified professional arborist, a public safety official, or a Town official authorized to make such determinations by the Town Manager; and

WHEREAS, on January 23, 2023, the Spencer Historic Preservation Commission determined that any tree lawfully removed within the historic district should be replaced with a new tree of the same species or with a similar appearance, and that any tree pruning project should be regulated to promote the health and natural growth of the tree, in order to conserve the district’s significant landscape and natural features, which includes its tree canopy; and

WHEREAS, the Spencer Board of Aldermen determines that the proposed Tree Replacement Policy and Tree Pruning Policy will help to preserve, maintain, and improve Spencer’s historic properties and will thereby further the goals of the Town of Spencer to protect existing neighborhoods and to improve the overall quality of life of Spencer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Spencer, North Carolina, that:

Section 1. The Spencer Historic District Standards adopted in July 2022 are hereby amended as set forth herein.

The Tree Replacement Policy & Tree Pruning Policy as contained in the agenda materials are hereby incorporated into the Historic District Standards and shall regulate the treatment of mature trees within the Spencer Historic District.

Section 2. The Spencer Historic Preservation Commission is hereby authorized to incorporate into the Historic District Standards additional supplementary guidance on the Tree Replacement Policy & Tree Pruning Policy without requiring further review or approval by the Board of Aldermen. Provided, however, that such supplementary guidance must be non-regulatory in nature, and must be limited to such content as project planning tips, photographs, diagrams, links to external

resources, permit application instructions, etc. The purpose of such non-regulatory content is to improve the accessibility and usefulness of the document for owners of historic properties.

Section 3. These amendments shall become effective immediately upon adoption.

Adopted this 14th day of February, 2023.

Jonathan Williams, Mayor

Stacy Craven, Town Clerk

Section 5.2. Tree Replacement Policy

The Town of Spencer is committed to preserving the significant landscape and natural features of the Spencer Historic District. Mature trees and their canopies are an important feature of Spencer's historic neighborhoods. They contribute not only to the special character of the district, but also to the overall quality of life, providing shade and natural beauty to streets and private properties.

As outlined in Section 5.1 (Tree Removal Policy), the Town allows the removal of certain mature trees if they are unhealthy, diseased, severely damaged, or otherwise create an unsafe or dangerous condition. Nevertheless, when a tree in the historic district is removed, whether it is diseased, damaged, or healthy, the district's natural setting is diminished.

Therefore, the Town has established a policy whereby any tree that is *lawfully* removed within the historic district must be replaced with a new tree. The specific requirements are outlined below.

Tree Replacement Standards

1. When a tree is lawfully removed within the historic district, it must be replaced with a new tree of the same species or a different species with a similar appearance and similar overall characteristics.
2. When replacing a tree, the new tree should reach a similar overall height and scale at maturity. For example, it is not appropriate to replace a tree that reached a height of 35 feet at maturity with a new tree that will only reach 15 feet at maturity.
3. When replacing a tree, if the tree that was removed was inappropriately large within the available space or was otherwise characterized by detrimental characteristics, such as a propensity to drop branches, then it is appropriate to choose a new species with healthier and more conducive characteristics.
4. When replacing a tree, the new tree must be planted in the same location or nearby in the same yard. For example, if a tree is removed in the front yard, it must be replaced with a new tree in the front yard. It is not appropriate to replace a tree that was prominently visible from the street with a new tree that is not visible from the street.

Section 5.3. Tree Pruning Policy

The Town of Spencer is committed not only to preserving the existing tree canopy, but also to ensuring the overall health and quality of the canopy. Therefore, the Town has established standards regulating tree pruning projects, encouraging appropriate techniques.

Tree Pruning Standards

1. When pruning a tree, pruning techniques that promote the health and natural growth of the tree are encouraged. It is not appropriate to use unnatural pruning techniques such as topping, stubbing, dehorning, or lopping. It is strongly recommended to follow ANSI standards (A300).
2. Most trees should be allowed to reach their mature size and should be maintained at their mature size. Exceptions may be made if the tree's mature size would pose an unsafe or dangerous condition. For more information, refer to Section 5.1 (Tree Removal Policy).



Before Pruning

Mature trees often need pruning due to crowded foliage, broken and dead branches, and asymmetrical shape.



After Proper Pruning

After pruning, trees should retain a symmetrical appearance and tree-like form. A minimum canopy spread of 20 feet must be maintained.



After Excessive Pruning

Pruning in excess of one fourth (25%) of the required canopy spread is prohibited. Tree-topping (hatracking) is prohibited.

Recommended Pruning Techniques