

**Guilford County Historic Preservation Commission
Public Meeting
November 15, 2022
6:00 p.m.
McAdoo Room, 3rd Floor, Truist/BB&T Building
201 W. Market St., Greensboro, NC**

A. Call to Order

Chair Briggs called the meeting to order at 6:00 p.m.

B. Roll Call

Kaye Graybeal called the roll for those in attendance: Benjamin Briggs, Jane Payne, David Horth, Abigaile Pittman, David Millsaps

Absent: Terry Hammond, Megan Summers, Dawn Chaney, Sean Dowell

C. Agenda Amendments

Ms. Graybeal stated that a vote to approve the schedule for HPC meetings and submittal dates for 2023 needs to be added to the Agenda under "Other Business". Chair Briggs moved approval of this change to the Agenda, seconded by Comm. Payne. The Commission voted unanimously (5-0) in favor of the motion. (Ayes: Briggs, Horth, Millsaps, Payne, Pittman. Nays: None.)

D. Approval of October 9, 2022 Minutes (APPROVED)

Chair Briggs pointed out one small change to the October minutes on page 5, number (6) should read, "Replacement of historic windows"—not "high" windows. Comm. Payne moved to approve the minutes of the October 9, 2022, as corrected, seconded by Comm. Millsaps. The Commission voted unanimously (5-0) in favor of the motion. (Ayes: Briggs, Horth, Millsaps, Payne, Pittman. Nays: None.)

E. Old Business:

Evidentiary Hearing Item:

- 1) After-the-fact Certificate of Appropriateness application for tree removal for Cannon Court Apartments, 828 N. Elm Street (Postponed from October 2022, HPC Meeting.)
(DENIED)

Ms. Graybeal stated that the applicant is the Homeowner's Association for the Cannon Court Condos. There was an oak at the corner of N. Elm Street and East Hendrix Street and this tree was removed due to its being considered by the applicant to be a hazard. A tall leaning pine tree was removed as well. Based on information provided by the applicant to staff, one of the largest limbs of the oak hung over electrical lines and nearly reached across the entire roadway. For the tall leaning pine, the applicant had removed limbs to lighten the side that faced Elm Street to help prevent it from coming down into the roadway. Over the past 8 years they have had several arborists to assess these trees and determine that either tree could come down with a strong wind. The applicant provided photographs from 2019-2020 of some of the trees, and one showed a large limb that had fallen on the front fence and sidewalk.

Background information on this project (from staff report):

1. The 1926 building and its site are contributing resources in the local Fisher Park Local and National Register historic districts.
2. Mature trees and landscaping are considered contributing resources on Landmark properties and their removal should be reviewed thoroughly by the HPC and/or staff.
3. Based on information provided by the applicant, the oak tree removed from south end of the front yard was 42 inches in diameter (at $>4\frac{1}{2}$ feet above the ground) and approximately 50 feet high. The oak tree was a hardwood canopy tree that contributed significantly to the landscape and was likely established during the period of significance (pre-1950).
4. Based on information provided by the applicant, the loblolly pine removed from the north end of the front yard was 36 inches in diameter (at $4\frac{1}{2}$ feet above the ground) and approximately 60 feet high.
5. The height of the loblolly pine indicates that it was approximately 30 years old and was not present during the period of significance ending in 1941.
6. Based on information provided by the applicant, the trees were removed due to concern of their falling over onto the building or the street.
7. As benchmark for a replacement tree for the removed oak tree, the County's Unified Development Ordinance specifies that for required landscaping, canopy trees must be a minimum of eight (8) feet high and two (2) inches in caliper, measured six (6) inches above grade, when planted. When mature, a canopy tree should be at least forty (40) feet high and have a crown width of thirty (30) feet or greater.
8. The City Arborist states that native canopy trees such as American Beech, Princeton/Liberty Elm, Catalpa, Pecan, Live Oak, Cedar, Hemlock are the most appropriate replacement trees for the location of this historic property.
9. Commission Approval required: Healthy, at 6" or more in diameter at $4\frac{1}{2}$ feet above the ground with replacement tree species selected in consultation with County staff.

Staff Approval required: Diseased, damaged, or causing structural damage for those at 6" or more in diameter at $4\frac{1}{2}$ feet above the ground (with staff review and statement by certified arborist as needed).

1. The below excerpts from the Designation report signify the importance of retaining mature trees as a contributing resource for Cannon Court and historic properties within urban neighborhoods such as Fisher Park. (Please see attached Statement of Significance excerpt from the Landmark Designation Report for resource footnotes):
 - "Cannon Court Apartments, converted to Condominiums in 1985, have weathered the times because of its convenient location, attractive design, and well landscaped grounds."
 - "Beautification through generous plantings and tree-lined streets contributed to public health and the park-

like feel” [of early park and streetcar neighborhoods].

- “The design chosen by C.C. Pierce for Cannon Court Apartments and its grounds demonstrated the sensitive consideration of both positions and their needs prior to the start of the project.”
- “Along the facade, which faces Elm Street, Pierce planned a nearly 30 ft. set-back and commissioned a landscape architect to design the front and courtyard grounds. It's position on the site was meant to allow for sufficient beautification and to keep the three-story building from dominating views of the North Elm streetscape.”
- “The maintenance of its elevated lot, central courtyard, and the attention to landscaping demonstrate an awareness of the Fisher Park and City Beautiful image.

The Secretary of the Interior's Standards for Rehabilitation:

The standard(s) most applicable to this project are highlighted, although any may apply.

The Standards (Department of Interior regulations, 36 CFR 67) pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

Cheryl Pratt, 910 Magnolia Street, was affirmed and stated that she is a member of Fisher Park Board of Directors. They were notified of the tree work being done at Cannon Court and that there was no COA. They called the City and County to see if there was a COA while the tree work, by Bill's Tree Service, was going on and they were hoping to stop it. That did not occur and the tree was taken down. She has reviewed the “before” pictures of the tree and the Oak tree was not a dangerous tree and did not appear to be diseased. They would like to see any of the arborists' assessments because they were not attached to anything she has received. She looked at all the slides and on page 22, with the large limb that had fallen is not from the Oak tree, but is instead, from a Maple tree. They hate to lose 42” trees and they are losing them all over the neighborhood. They would like to see a large canopy tree put back in where this Oak tree was removed.

Patrick Humario, 828 N. Elm Street, was affirmed and stated that he agrees with the points made by Ms. Pratt. These trees did not pose any danger to the neighborhood or the street. The property has lost several other trees in the past few years so there really is a loss of canopy trees in this area.

Ayla Amon 828 N. Elm Street was affirmed and stated that she also agrees with the other speakers. There has been a lot of deforestation in the Fisher Park neighborhood recently and she would like to see that taking trees down is not automatic and those responsible should be fined, or at the very least made to replace the trees that were taken down.

There being no other speakers, the Public Hearing was closed.

DISCUSSION:

Chair Briggs asked how the City Historic District Commission stands on this type of application. Kaye Graybeal responded that staff did coordinate with the City and they felt that the landmark nomination superseded their review so they would not need to review the application. They have guidelines that state if a tree is posing any danger to the public or a building, either from invasive roots or from potential of falling, they approve its being removed. They also would require replacement with another tree or trees as a condition of approval. Through the County's Landmark Program, this property is singled out from the Historic District and elevated to a higher level of review. The City arborist's concern was that when you put in the larger caliper trees, initially, it is very difficult to get them established. Ms. Graybeal referred to the information provided in the Commission members' packages. The Commission would have to review the type and location of any replacement trees.

Comm. Pittman stated that she is really concerned about the loss of healthy trees in this neighborhood. She also pointed out that the tree limb in the picture was from a Maple tree, so that is a concern that they took down the wrong tree. Several Commissioners agreed that tree removal in the Historic District is a problem that needs to be addressed and possible fines be levied to those that take down trees without authorization.

There being no further discussion, Comm. Millsaps moved to deny the after-the-fact application for a COA, for 828 N. Elm Street, because there is not enough evidence that shows that the tree was diseased or a danger to the neighborhood and no assessment of the tree from the tree company was provided showing that the tree was in bad health, as stated in the Staff Report. The applicant shall be required to come to the Commission with a proposal for replacing the tree to be approved by the Commission, seconded by Comm. Pittman. The Commission voted unanimously (5-0) in favor of the motion. (Ayes: Briggs, Horth, Millsaps, Payne, Pittman. Nays: None.) Therefore, the application was **denied**.

F. New Business:

None

G. Non-Public Hearing Item(s):

None

H. Other Business

(1) Update on Poplar Hall Landmark designation

(2) Approval of 2023 HPC Meeting Schedule

There was discussion by the Commission on a preference to hold meetings in the Carolyn Q. Coleman Room (formerly “Blue Room”) since the Truist Building has been locked several times despite requests to leave it unlocked for HPC public meetings. Additionally, Chair Briggs said that holding the meetings inside a Historic Landmark such as the County Courthouse is more appropriate for the HPC.

The Commission reviewed the 2023 HPC Meeting Schedule which was provided in their meeting package and noted a preference for the meetings to be held in the Carolyn Q. Coleman Room if available. Seeing no conflicts, Vice-Chair Payne made a motion to approve the 2023 HPC Meeting Schedule as submitted and Comm. Horth seconded the motion. The motion passed unanimously 5-0. (Ayes: Briggs, Horth, Millsaps, Payne, Pittman. Nays: None.)

I. Adjournment

There being no further business before the Commission, the meeting adjourned at 6:55 p.m.

Next Scheduled Meeting – December 20, 2022