

**TOWN OF SWANSBORO
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING MINUTES
SEPTEMBER 17, 2024**

Call to Order

The meeting of Swansboro Historic Preservation Commission was called to order at 5:30 pm. Commission members in attendance were Jonathan McDaniel, Kim Kingrey, Elaine Justice, Christina Ramsey, Lauren Brown, and alternate member Jerry Seddon. An alternate seat was vacant.

Approval of Minutes

On a motion by Mrs. Ramsey, seconded by Mrs. Kingrey, the March 19, 2024, regular meeting minutes were unanimously approved.

Public Hearings

Certificate of Appropriateness/205 S. Walnut Street (Lot 47)

The following individuals were sworn in and/or addressed the board.

Rebecca Brehmer
Norman B. Phillips

Planner Brehmer reviewed that the owners of 205 S. Walnut Street, Lot 47, requested a Certificate of Appropriateness for construction of a new home on the empty lot. The lot was zoned R6SF.

The Public Hearing was opened at 5:31 pm.

Planner Brehmer shared that in October of 2023, the current owners were granted a COA for demolition of the home previously located at 205 S. Walnut Street due to irreversible damage that occurred during and after Hurricane Florence. The previous home had 2 lots that came with the property, the owners requested to build a new home on Lot 47. As required by the UDO in Section 11 New Construction, the application included a massing study completed by Dunn & Dalton Architects that met all criteria. The proposed home was a 2-story structure with a gable roof and front porch. It would be constructed like other houses on Walnut Street.

Planner Brehmer shared with the commission that an exception was granted to allow for a 12.5 foot setback line for 205 S. Walnut Street by using an average of all houses currently built on Walnut Street.

Mr. McDaniel shared the lot line conflicts were the surveyor's responsibility. Land Surveying in a Historic District was challenging.

Norman B. Phillips, owner of 204 S. Walnut Street, discussed that he was disappointed that he had to demolish the home of 205 S. Walnut Street, but was excited to begin the new construction.

The Public Hearing was closed at 5:39 pm.

On a motion by Mrs. Kingrey, seconded by Mrs. Ramsey, the COA-2024-07 was unanimously approved for the new construction of a home at 205 S. Walnut Street, Lot 47, based on the standards of the Town UDO Appendix III Historic District Design Standards, Section 11: New Construction; Massing Study Site Placement, 1-7, Building Height to Scale 8-11, Materials 12-

14, Details/Texture 15-19, Color 20; Form and Rhythm 21-24, and Section 12, Additions and Contributing Buildings 1-9.

Certificate of Appropriateness/204 S. Walnut Street

The following individuals were sworn in and/or addressed the board.

Rebecca Brehmer
Norman B. Phillips
Susan Teachey
Mary Neal
Amelia Dees-Killette
Charles Teachey

Planner Brehmer reviewed that the owners of 204 S. Walnut Street had also requested a Certificate of Appropriateness for the demolition of the existing block shed located in the backyard as well as construction of a new accessory structure in its place. The property was zoned R6SF, and the home was contributing to the Historic District, but the existing block shed was not.

The Public Hearing was opened at 5:41 pm.

As required by the Town UDO in Section 11 New Construction, the application included a massing study completed by Dunn & Dalton Architects and met all criteria. The reason for the requested demolishing of the existing block shed was that it was non-conforming with setbacks and right on the property line and it also limited the site location of the new accessory structure. The proposed accessory structure was a 2-story structure with an office on top and an open carport below.

Susan Teachey of 218 Yaupon Drive, in Cape Carteret, and owner of 403 Church Street shared that stormwater runoff has already been a problem, causing flooding during storms and hurricanes, which led her to install a sump pump. She worried that adding more buildings, especially with paved or concrete surfaces, could make the flooding worse. She was also concerned that the building's height could create too much shade, affecting the grass in nearby yards. She urged the commission to keep these issues in mind when making their decision.

In response to concerns raised and inquiries from the commission and public Norman B. Phillips explained the project's careful planning to improve drainage. The old block building causing runoff issues would be removed, and the new building would have gutters and downspouts to direct water away. No concrete would be used—only pervious materials to absorb water. Mr. Phillips emphasized their commitment to responsible water management and minimizing the impact on neighbors.

Mary Neal of 401 Church Street, shared that she was opposed to the proposed two-story building and felt that it was too big and did not fit the historic area. She was concerned that, since her home was downhill, the project would increase water runoff, worsening existing flooding issues. Despite her efforts to find solutions, she has had no success and asks the commission to consider the impact on lower homes and historic properties.

In response to an inquiry from the board, Planner Brehmer clarified that the Historic and Town Code of Ordinances did not address stormwater runoff or drainage issues. The only thing the Town had control over was the Town streets and some stormwater easements.

Charles Teachey of 403 Church Street shared that he has spent nights pumping water from his yard, where flooding reaches shin-deep during heavy rain. He agreed with the other comments that the runoff flows downhill, affecting nearby properties, and that the new project would make the problem worse.

Amelia Dees-Killette of 510 Broad Street, urged the commission to consider how the new two-story addition, at 20 feet high, would affect the look of the street, especially since it would stand next to one of the last small one-story houses. She noted that past projects have not always fit the area's character and expressed concern that this one might do the same. After reviewing the plans, she found nothing reassuring about how well it would blend in and asked the commission to ensure it maintained the district's integrity.

Planner Brehmer shared that was given a letter by a neighbor and promised that her that she would read it. Before reading the letter, she reminded the commission that it could not be used as evidence in the public hearing or the quasi-judicial process. State statute clearly says that the person must be here in person to be sworn in and to make the statement so. A letter from Helen Solterer of 202 Walnut Street was read to the board.

Mrs. Kingrey reminded the commission that they did not have legal authority to table or deny the COA over stormwater concerns since there were no ordinances that addressed stormwater. She emphasized that decisions must be based on existing regulations, not personal opinions or external pressures. Delaying the project without a valid reason would be unfair to the applicants.

Mr. Phillips addressed the commission again and emphasized that the proposed structure followed historic district guidelines and was designed to enhance, not detract from, the community. He clarified that the new building was an accessory structure, not an addition, and was positioned to minimize runoff impact, with efforts made to divert water responsibly. He stressed his commitment to being a good neighbor, preserving the historic character of the area, and complying with all required regulations.

Board members shared their appreciation for the applicant's effort to manage water properly, keeping it on their property and preventing any issues for neighbors and highlighted the need for new buildings to fit in with older ones.

The Public Hearing was closed at 6:23 pm.

Board members acknowledged that stormwater issues were in all areas of downtown and understood the concerns, but the issues were at the Town level outside of the COA. The commission had to follow the rules and be strict with the UDO.

Planner Brehmer stated that the accessory structure would not be a dwelling, because accessory structures were not allowed to have habitable space. The proposed building was going to only be an office space for the owners.

On a motion by Mrs. Kingrey, seconded by Ms. Brown, COA-2024-08 to demolish the existing block shed located in the backyard of 204 S. Walnut Street was unanimously approved based on

UDO Appendix III Historic District Design Standards, Section 22 Demolition and Section 11 New Construction.

Review of Staff Approvals

Planner Brehmer reviewed the following Staff Approvals:

- 222 Elm Street – Replaced HVAC unit in kind.
- 224 Water Street – Replaced HVAC unit in kind.
- 125 Front Street – Replaced main electric panel in kind.
- 119 Water Street – Installed backflow preventor at the waterfront lot with cover.
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Chairman/Board Thoughts/Staff Comments

Discussion was held regarding the need to clarify the difference between Pickett and Stockade fencing in the design standards with clearer description and example photos as a future agenda item. The landmark status process was also discussed, noting that while a subcommittee identified eligible properties, progress has stalled due to resources and time constraints. Completing the necessary reports would require volunteer effort or hiring a consultant. The commission reviewed the application process and confirmed that property owners could apply independently. Lastly, they discussed quorum rules for subcommittees, ensuring that meetings comply with the open meetings law.

Public Comments

Citizens were offered an opportunity to address the board. No comments were offered.

Adjournment

The meeting adjourned at 6:34 pm.