



**HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
DECEMBER 16TH, 2021
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:00 PM**

Members Present:

Eric Von Salzen, Chair
Tom Schroeder, Vice-Chair
Terry Lurtz
Anne Lucey
Richard Vincent
John Taylor
David Herring

Members Absent:

Staff Present:

Alex Cameron, Lead Planner
Alexandria Rye, Senior Planner
Shannon Konstantinou, Clerk to the Board

Approximately 9 members of the public in attendance.

I. Call to Order

Mr. Von Salzen called the Regular Meeting to order at 03:59 PM and explained the purpose of this meeting for the Historic Preservation Commission.

II. Approval of Minutes

A. 11-18-2021 Regular Meeting Minutes

Mr. Taylor moved to approve the revised minutes of the November 18, 2021 Regular Meeting. Seconded by Mr. Lurtz. Approved by a vote of 7-0.

Mr. Lurtz moved to recess the Regular Meeting and open the Public Hearing. Seconded by Mr. Taylor. Approved by a vote of 7-0.

III. 2022 Regular Meeting Calendar

Mr. Taylor moved to approve the 2022 Regular Meeting Calendar. Seconded by Mr. Schroeder. Approved by a vote of 7-0.

IV. Ethics Policy and Conflicts of Interest Review

The Commission stated the signed Employee Acknowledgement will be submitted to be filed with the Village Clerk.

V. Public Hearing

All Commission members stated they had visited all sites and did not have any ex parte communication.

Mr. Von Salzen explained the procedures of a quasi-judicial Public Hearing.

Ms. Alexandria Rye, Senior Planner, was sworn into the public hearing and testified as follows.

A. COA-2021-00195 (5 McCaskill Road)

Jeffery Tyner is requesting a Certificate of Appropriateness within the Pinehurst Historic District for multiple exterior modification at 5 McCaskill Road E. The request includes the following; removal of multiple trees, installation of brick patio and outdoor fireplace, and additional landscaping. The property can be further identified in the Moore County Tax Registry by Moore County PIN Number 855207773790.

Mr. Jeffery Tyner was sworn into the public hearing.

Ms. Rye discussed the proposed work and submitted into evidence the Staff Report, the Staff Presentation, Application, Applicant's Material, Photos / Site Plans, and Findings of Fact. Mr. Von Salzen accepted the material submitted by Ms. Rye into evidence.

Ms. Lucey asked for verification of the number of trees to be removed. Mr. Tyner stated there were 13 trees above a 12" diameter to be removed from the site and 2 or 3 small Hollies that will be removed in the area of the proposed fire place.

Mr. Von Salzen asked whether there was any submitted material supporting the proposed patio and fire pit work. Ms. Rye verified no materials had been submitted in support of the patio and fire pit work.

Mr. Von Salzen asked what the additional landscaping mentioned in the application referred to, other than the removal of trees. Ms. Rye reviewed the proposed landscape index submitted as evidence. Mr. Tyner stated 4 trees will be relocated (2 – large Camellias and 2 – Hollies) and 105 new trees and shrubs will be planted. Mr. Tyner stated there are no large species trees proposed, the trees proposed will be ornamental. Ms. Rye again reviewed the proposed landscape index submitted as evidence and the Commission discussed the types of trees and shrubs proposed.

Mr. Taylor questioned the statement in the application that the removal of trees is due to sightline improvement yet none of the trees marked for removal (outside of the

Right-of-Way) appear to be close to McCaskill Road. Ms. Rye verified Mr. Taylor's statement.

Mr. Vincent asked whether the proposed work is required or is voluntary on behalf of the applicant. Ms. Rye stated the proposed work is voluntary not required and reviewed the responsibility of the Historic Preservation Commission when approving landscape work and tree removal.

Mr. Tyner stated the biggest reason for removing trees along the left side of the property is due to a significant grade change resulting in a drainage issue and moisture problem on this side of the property.

Mr. Taylor stated no information other than a description was given regarding the proposed fireplace and patio work. Mr. Tyner stated the intent is to construct a fireplace matching that of a house located on the corner of Dundee and Short Roads and the fact that the fireplace would not be visible from either McCaskill or McKenzie Roads. The Commission discussed whether continuation of the case to a later time when materials had been submitted supporting the fireplace work would be the best way to proceed. The discussion of the case continued.

The Commission, Mr. Tyner, and Staff viewed and discussed the location of the trees proposed to be removed as shown: in Exhibit A-3.2 in relation to the red and blue dots as shown in Exhibit A-5 demonstrating the location of trees to be removed within the Right of Way and on the Applicant's property. The Commission and Mr. Tyner discussed the location of the trees to be removed and the intent for removal being improvement of the sightline when exiting the property. Mr. Tyner verified the fact that one of the trees marked in blue and shown as being part of the Right-of-Way is in fact part of the property. The Commission discussed the importance of understanding exactly where the proposed trees for removal are located in order to take into consideration the impact on the canopy surrounding the property.

Mr. Taylor asked whether the three trees encroaching on the house could be trimmed back instead of removed entirely. Mr. Tyner stated the trees to be removed near the driveway area are only 21' from the dwelling making entrance to the garage difficult and the Oaks to be removed on the other side of the dwelling are only 19' from the house and the roots are already close to the dwelling.

Mr. Herring reviewed photos of the site showing some of the proposed trees for removal (Exhibit A-6) and asked Mr. Tyner to locate the trees discussed on the landscape plan. Mr. Herring further asked Mr. Tyner to provide an alternative to removing the three proposed trees near the left front of the property so as not to impact the existing canopy. Mr. Tyner reviewed the location and distance to the dwelling of the three trees in question and reiterated the need to remove the trees

being to correct drainage issues and to prevent damage to the dwelling from the roots or limbs of the trees.

Mr. Schroeder asked Mr. Tyner to verify whether all red dots on the proposed landscape plan are 12" or greater trees. Mr. Tyner stated not all of the red dots are 12" or greater, some are Dogwoods and Hollies. Mr. Schroeder stated the Commission is only able to consider the canopy impact for trees 12" or greater. The Commission suggested, if the case is continued, for Mr. Tyner to submit a proposed landscape plan only depicting trees that are 12" or greater and clarified with Mr. Tyner that no work can start until COA approval is given.

Ms. Rye reviewed the proposed landscape plan with the Commission and discussed the size and location the trees depicted by red dots.

Ms. Rye displayed a photo submitted by Mr. Vincent, the owner of the property referenced by Mr. Tyner, depicting the look and size of the proposed fireplace.

Mr. Von Salzen asked whether any member of the public wished to present evidence whether in support of or in opposition to the Application. None wished to speak.

The Commission and Mr. Tyner debated continuing the case to a later meeting, continuing to a later time during the current meeting, or partially approving the application, which would require a resubmittal of an application for the portion of work not approved as part of this application. The Commission debated whether sufficient evidence had been submitted to support a motion on the proposed work. Mr. Tyner verified the proposed fireplace work would be exactly as shown in the photo from firebox to firebox, approximately 14' wide, without the additional side pizza oven.

Mr. Herring moved that the Historic Preservation Commission approve with conditions a Certificate of Appropriateness (COA-2021-00195) and find the proposed Major Work at 5 McCaskill Road is consistent with Historic District Standards and is deemed congruous with the Pinehurst Historic District based on the testimony given, the material submitted and the findings of fact. Conditions applied are: Exclude the removal of all but two trees; one is the Pine tree located on the right hand curb cut that was not marked and one is the tree about a foot to the left of the proposed fireplace when viewed from the street. Seconded by Mr. Taylor.

The Commission asked Mr. Tyner whether approval of the motion made would be more or less beneficial to him. Mr. Tyner stated approval of the motion made would be less beneficial as it would cost more than receiving approval of the application as proposed.

Mr. Herring withdrew the motion.

Mr. Tyner submitted into evidence a hand marked landscape plan labeled Exhibit A-7 for review by the Commission, which shows in greater detail the trees to be removed. The Commission reviewed Exhibit A-7 with Mr. Tyner and Ms. Rye explained that the Exhibit A-7 has marked in red highlighter the proposed trees to be removed with a 12" or greater diameter at breast height.

Mr. Herring moved that the Historic Preservation Commission approve with conditions a Certificate of Appropriateness (COA-2021-00195) and find the proposed Major Work at 5 McCaskill Road is consistent with Historic District Standards and is deemed congruous with the Pinehurst Historic District based on the testimony given, the material submitted and the findings of fact. Conditions applied are: On the newly produced A-7 landscape plan, to the left of the house where there is a drainage issue, the four enumerated trees in yellow may be removed, to the south of that there are three enumerated trees in red X's that must remain if the diameter is 12" or greater, the one Pine tree restricting access to the garage may be removed, of the two trees encroaching on the house only the smaller may be removed, only one tree near the fireplace may be removed. Seconded by Ms. Lucey.

Ms. Lucey asked Mr. Herring for clarification on the proposed trees for removal that are being disallowed. Mr. Herring stated the three red X's to the front left of the house, the planned northern most red X to the right of the HVAC units, and all of the Pines save one near the fireplace. Mr. Schroeder clarified that every exhibit submitted as part of the application remains. Mr. Von Salzen stated all exhibits remain and it has been clarified from Mr. Herring's motion what trees will be allowed to be removed. Mr. Tyner further reiterated the need to remove the trees encroaching on the dwelling due to potential damage to the dwelling from roots or limbs.

Mr. Herring withdrew the motion.

The Commission and Mr. Tyner discussed finding a way to save trees while still moving forward with approval of the COA.

Mr. Taylor moved that the Historic Preservation Commission approve with conditions a Certificate of Appropriateness (COA-2021-00195) and find the proposed Major Work at 5 McCaskill Road is consistent with Historic District Standards and is deemed congruous with the Pinehurst Historic District based on the testimony given, the material submitted and the findings of fact. Conditions applied are: Only the trees labeled on Exhibit A-7 be removed. Seconded by Mr. Lurtz. Approved by a vote of 6-1. Mr. Herring voted "Nay".

Mr. Von Salzen recessed the Public Hearing at 05:12 PM for a 10 minute break. The Public Hearing reconvened at 05:18 PM.

B. COA-2021-00203 (220 Saville Row)

Myles & Heather Larsen are requesting a Certificate of Appropriateness within the Pinehurst Historic District for the construction of a new residential dwelling at 220 Saville Row. The property can be further identified in the Moore County Tax Registry by Moore County PIN Number #855200365133.

Mr. David Larsen and Mr. Kevin Bartlett were sworn into the public hearing.

Ms. Rye discussed the proposed work and submitted into evidence the Staff Report, the Staff Presentation, Application, Applicant's Material, Photos / Site Plans, and Findings of Fact. Mr. Von Salzen accepted the material submitted by Ms. Rye into evidence.

Mr. Larsen thanked the Commission for their service to the community of Pinehurst and gave a personal statement. The Commission, Mr. Larsen, Mr. Bartlett, and Staff discussed the proposed work.

Mr. Herring asked the Commission to review Exhibit A-2 and asked for a count of trees being removed, which is 34 trees being removed and 20 trees remaining. Mr. Bartlett stated the existing homes in the surrounding neighborhood all have a larger grass lawn and fewer trees in the front of the property. Mr. Larsen stated the intention behind removing trees outside the building footprint is to provide room for his son to play soccer and to install a pool at a later time.

Mr. Herring asked whether the brick would be painted a solid color. Mr. Larsen verified the brick would be painted a solid color.

Mr. Herring asked for clarification on the material to be used for the proposed fire pit. Mr. Larsen verified the material proposed is concrete block.

Mr. Herring asked for clarification on the type of window being proposed for use on the second row up on the right. Mr. Larsen verified the arch proposed is for the door not the window.

Mr. Taylor asked for clarification on the lack of windows on the second level, south side of the dwelling facing the back yard. Mr. Bartlett verified the dormer windows on the second level will only be used on the front elevation for aesthetics.

Mr. Von Salzen asked whether any member of the public wished to present evidence whether in support of or in opposition to the Application. None wished to speak.

The Commission discussed 34 trees being removed and only 20 remaining and debated readdressing the tree removal when the application for the swimming pool is actually submitted. It was determined the tree removal would be considered as part of the current application.

The Commission discussed the use of concrete block, which is part of the “not allowed” list in the Standards section 7.C.3.C. Mr. Larsen and Mr. Bartlett agreed the application would be amended to exclude the concrete block and substitute brick to match the brick used on the dwelling.

Mr. Herring stated painted brick is, also, “not allowed” according to the Standards. The Commission and Staff reviewed the Standards related to painted brick and debated whether allowing painted brick would be congruous with the Historic District Standards. It was determined painted brick is acceptable for new construction and verified the proposed color of Dove White or White Dove is congruous with the Historic District approved color palette.

Mr. Herring asked for clarification on the window muttons. Mr. Bartlett stated there are no muttons.

Ms. Lucey asked for the square footage of the dwelling. Mr. Larsen and Mr. Bartlett verified the square footage will be 3,950.

Mr. Lurtz moved that the Historic Preservation Commission approve with conditions a Certificate of Appropriateness (COA-2021-00203) and find the proposed Major Work at 220 Saville Row is consistent with Historic District Standards but is deemed congruous with the Pinehurst Historic District based on the testimony given, the material submitted and the findings of fact. Conditions applied are: The application amendment stating material used for the fire pit will be brick (matching the brick used on the dwelling) in place of concrete block. Seconded by Mr. Taylor. Approved by a vote of 6-0.

Mr. Taylor left the meeting at 05:40 PM.

C. COA-2021-00205 (315 Nottinghill Gate)

Edmund and Brooke Haughey are requesting a Certificate of Appropriateness within the Pinehurst Historic District for changes to the construction of a new residential dwelling at 315 Nottinghill Gate. The original approval for the new construction under COA-2021-0139 and was approved by the Commission during the regular meeting in October 2021. The property can be further identified in the Moore County Tax Registry by Moore County PIN Number #855200362064.

Ms. Brooke Haughey and Mr. Ken Bass were sworn into the public hearing.

Ms. Rye discussed the proposed work and submitted into evidence the Staff Report, the Staff Presentation, Application, Applicant's Material, Photos / Site Plans, and Findings of Fact. Mr. Von Salzen accepted the material submitted by Ms. Rye into evidence.

Ms. Lucey asked if any additional trees were being removed. Mr. Bass verified no additional trees were being removed.

Ms. Haughey and Mr. Bass stated a fence is planned and asked for verification whether the fence materials and specifics not being listed on the application prohibits it from being approved. Mr. Von Salzen stated unless material supporting the proposed fence work are submitted during the hearing, the fence cannot be considered as part of the application at this time. The Commission, Ms. Haughey, and Mr. Bass reviewed the location of the proposed fence for future reference. The Commission clarified approval of a fence would be considered Minor Work as long as the style and materials chosen are from the approved list, which Staff would be able to approve without a Public Hearing before the Commission. However, if a style and / or material is not from the approved list the Applicant would have to return for another Public Hearing before the Commission.

Mr. Herring asked for clarification on the fire pit / spa. Ms. Haughey submitted a photo depicting the intended design of the spa area proposed for the back yard and verified the location and size of the proposed spa.

Mr. Von Salzen asked whether any member of the public wished to present evidence whether in support of or in opposition to the Application.

Mr. Larsen, 220 Saville Row, spoke in support of the Applicant and the proposed work.

Ms. Herring moved that the Historic Preservation Commission approve a Certificate of Appropriateness (COA-2021-00205) and find the proposed Major Work at 315 Nottinghill Gate is consistent with Historic District Standards and is deemed congruous with the Pinehurst Historic District based on the testimony given, the material submitted and the findings of fact. Seconded by Mr. Lurtz. Approved by a vote of 6-0.

Mr. Schroeder moved to close the Public Hearing. Seconded by Mr. Vincent. Approved by a vote of 6-0.

VI. Review of Normal Maintenance and Minor Work Items

A. Minor Work COA's Issued 11/10/2021 – 12/10/2021

VII. Next Meeting Date

A. Regular Meeting January 27, 2022

VIII. Comments from Attendees

None

IX. Motion to Adjourn

Mr. Von Salzen made a motion to adjourn the meeting. Seconded by Mr. Schroeder.

Approved by a vote of 6-0 at 6:05 PM.

Respectfully Submitted,



Shannon Konstantinou
Clerk to the Board &
Planning Administrative Specialist
Village of Pinehurst

A videotape of this meeting is available on the Village website at www.vopnc.org.

Vision: The Village of Pinehurst is a charming, vibrant community, which reflects our rich history and traditions. Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors. Values: Service, Initiative, Teamwork, and Improvement.