

The Smithfield Board of Historic and Architectural Review held its regular meeting on Tuesday, March 20th, 2018. The meeting was called to order at 6:30 p.m. Members present were Mr. Trey Gwaltney, Chairman; Mr. Chris Torre, Vice Chairman; Mr. Russell Hill, Mr. David Goodrich, Mr. Gary Hess, Ms. Julia Hillegass, and Mr. Ronny Prevatte. The staff members present were Mr. Joseph R. Reish, Planning Technician, and Mr. William H. Riddick III, Town Attorney. There were four (4) citizens present. The media was not represented.

Chairman Gwaltney – I would like to welcome everyone to the March meeting of the Board of Historic and Architectural Review. The first item on our agenda is the Planning Technician's Report.

Planning Technician – Thank you, Mr. Chairman. At 232 Cary Street, an administrative approval was given to replace the front porch with the same materials, colors, and styles. Also, I neglected to put on this report that a sign permit was written for 210 Main Street for a State Farm Insurance agent. It is going to be a very small sign with directional arrows. It is the same place that had the roof replaced a couple of months ago.

Chairman Gwaltney – Is it on a window or a hanging sign?

Planning Technician – It is going to be mounted to the brick on the building. It will be a wall sign.

Chairman Gwaltney – Next on the agenda is the Upcoming Meetings and Activities. The list is provided for you to review. The next item on the agenda is Public Comments. We have no one signed up for public comments. Next is Board Member Comments.

Mr. Goodrich – At the last meeting you directed me to get a sub-committee together and bring something to the board tonight. I did not have time to get it done. But we are getting dates together tonight. Hopefully we will bring something to the board at the next meeting.

Chairman Gwaltney – I think that sounds great. Next on the agenda is a Fence – 117, 119, 121 North Church Street-Contributing (119) and Non-Contributing (117 & 121)- Natasha Huff, Smithfield Winery, applicant. Can we have a staff report?

Planning Technician – It is going to be a fence on the rear property line from where the existing gate stops, back toward the old Smithfield Inn. It is going to be a wooden fence, painted white, and the style to match the existing gate on Thomas

Street. The fence panels will be joined together with brick columns. It is not going to have your traditional fence post style. It is going to be a brick column to match what is there now.

Chairman Gwaltney – Is there anyone to speak on this application?

Ms. Natasha Huff – I live at 150 Riverview Avenue. The property that we are talking about is our business at 117, 119, 121 North Church Street. There is an existing fence that is a brick half fence on our property. We would like to expand up from that.

Chairman Gwaltney – Are you removing the picket fence that is there?

Ms. Huff – The picket fence is actually our next door neighbor's. It is not on our property. We would be willing to help her remove that if she needed us to.

Chairman Gwaltney – Your proposal is to build your fence directly next to the fence that is there.

Ms. Huff – Actually on top of it.

Mr. Hill – It is on the retaining wall.

Chairman Gwaltney – It is not on top of the fence.

Ms. Huff – I believe on the last page you can see that the fence is right behind it about six inches off the brick fence.

Chairman Gwaltney – So your fence is going to be right next to her fence.

Ms. Huff – Yes.

Chairman Gwaltney – Are you going to build it on the ledge? If you were standing in her yard you would look at her fence and then see the new fence right behind it. They are right next to each other.

Ms. Huff – She is excited about the new fence. I showed her the plans. We are both in agreement.

Chairman Gwaltney – Is the plan at this point between you and your neighbor to leave both fences there when it is all done?

Ms. Huff – I have not asked her that. Our contractor said he could take it down with her approval then it would be just be our fence kind of separating the two properties. I am open to taking it down. If she is open to us taking it down then we can.

Ms. Hillegass – I think it would look better if the other fence was removed.

Chairman Gwaltney – I guess I was under the impression that was going to happen. With this explanation I can see that is not necessarily what is being proposed tonight.

Mr. Goodrich – If the fence is not removed from your side of the property, will the proposed fence be tall enough to conceal the fence behind it?

Ms. Huff – Yes.

Mr. Goodrich – My biggest concern would be vegetation growing up in that little space in between the fences.

Chairman Gwaltney – I am not sure about the rest of the board but I think it would look kind of odd if the two fences were left there.

Ms. Hillegass – It would.

Mr. Hess – Our approval or denial should not be based on whether the neighbor is willing to take her fence down or not.

Chairman Gwaltney – That is why I am looking to see actually what they have proposed. I think if we feel that putting another fence right next to the one that is there doesn't look appropriate we need to voice that concern. We can vote on them building it with nothing else there. If the other fence is there then we can vote to let them build it if the other fence is taken down or allow both of them to stay there.

Mr. Hess – If we approve the design of the fence can we deny them the opportunity to put that fence legally on their property line if the other fence is not taken down? I do not think we can do that.

Chairman Gwaltney – If we didn't feel it was the best thing we can suggest something as an alternative like asking them to remove the other fence. I don't want to put words in the applicant's mouth but I think there has been a conversation about possibly removing the fence but not a decision on that.

Town Attorney – I don't think you should deny it.

Chairman Gwaltney – I am not saying deny it. I am saying we should address the fact it is not commonly proposed when building a fence.

Mr. Hess – I think if we approve the design of the fence we cannot approve it legally with the caveat that the other fence needs to be removed.

Chairman Gwaltney – I think we have the authority and the responsibility to suggest if it conflicts with something else on an adjacent property. I mean her design of the new fence is fine from her side because she hides everything that is already there but it may not look right from the other side. I am not speaking on behalf of the other property owner but for anyone who rides down the street and says why is that old fence right against the new fence and all that vegetation growing up behind it.

Ms. Hillegass – Then that is an enforcing issue with the adjoining property owner.

Mr. Hess – That is right.

Ms. Hillegass – This is not a conditional use permit, we cannot put conditions on it.

Town Attorney – I think you can approve it or disapprove it based on your guidelines. Then after you have made that decision you can empathetically suggest what you would like to see.

Chairman Gwaltney – I agree with that. The applicant has already stated that she recognizes it could be a concern and has talked to the property owner about it. A couple of people have voiced their opinion that we don't think it is the best look of what should be there. I think it is part of our responsibility to say we can approve it or not approve it but here are our thoughts on it. That is what I am trying to get across.

Town Attorney – She is trying to make things better and you can't say we are not going to let you make things better because the lady next door wants to keep her fence that was there to begin with.

Chairman Gwaltney – I didn't say because the lady next door wanted it.

Town Attorney – That is effectively what you are suggesting. It rises and falls on its merits after you decide whether you like or not. You like it from the standpoint that it complies with your guidelines or not. Then you can say we have a friendly suggestion that we would ask you to heed if you will.

Ms. Huff – I have a really good relationship with my next door neighbor. I would have no problem discussing with her after the fact while we are doing the construction if she would be interest in that. Maybe putting some sort of caveat in that we would not have to wait another month to remove her fence. I don't know if you have to have a permit to remove the wooden fence.

Mr. Hill – No.

Ms. Huff – That way if we are just doing construction all at once and she is open to it and I have a letter from her saying that we can just do it all in one quick clean up.

Chairman Gwaltney – If you are doing the construction then that means we have approved it without anything to do with her fence. So if she keeps it up for another month or ten years that does not have anything to do with what we have to do tonight.

Mr. Hill – How close is the wooden fence to the new fence?

Ms. Huff – It is probably six to seven inches. It does not go the full length of the property. It is short on either end.

Mr. Hill – So basically for them to build the brick wall they would have to take the fence down. They cannot put that side of the brick up unless they take the fence down. There is no way to get six inches in there unless the fence is down.

Mr. Pitt – They would have to remain on the Weiss's side of the property. They cannot encroach on the other piece of property.

Mr. Hill – If they going to strike the brick from the backside they cannot do it in six inches of wooden space.

Ms. Huff – At my parent's house, they have a six and half foot wooden fence and behind that they have a cobble stone fence. If you took down the wooden fence it would only allow a three and half foot fence. They built it right up against the wooden fence without having to take it down. I know in those sections they are not conflicting in the spacing with the nine brick columns. I am sure we can figure something out that would not cause it to be horrific on either side.

Mr. Pitt – There is enough room on this side to reach over to do it. It would be my assumption the neighbor would like to take their fence down.

Ms. Huff – She is a master gardener. She is excited about putting some vines up along the wall.

Mr. Goodrich – Did I understand you to say earlier that if she agreed that in the construction of your wall that the other fence could be removed?

Ms. Huff – I would be open to it. She said she would be open to it. But it was a verbal communication. I could get something in writing separate from this.

Mr. Goodrich – We cannot really make the contingency in terms of approval but it sounds like this is your neighbor's best opportunity to get rid of a old fence and have the view of nicer looking fence.

Ms. Huff – Thank you.

Mr. Goodrich – That is probably a good point to make in your discussion with her but that has nothing to do with our approval or disapproval. It sounds like a great opportunity for her.

Ms. Huff – Thank you.

Mr. Goodrich – I would like to make a motion to approve the application as presented.

Ms. Hillegass – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve the application as presented. All those in favor signify by saying aye, opposed say nay.

On call for the vote, seven members were present. Chairman Gwaltney voted aye, Mr. Goodrich voted aye, Mr. Hess voted aye, Mr. Hill voted aye, Ms. Hillegass voted aye, Mr. Prevatte voted aye, and Vice Chair Torre voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – Next on the agenda is a Fence and Garden Shed – 338 South Church Street – Landmark – David W. Goodrich, applicant. Can we have a staff report?

Planning Technician – Mr. Goodrich lives at 338 South Church Street. He would like to replace the existing wooden fence in his front yard with a white, three and half foot picket style fence. You can see that style of existing fence is not really the style for that house. He would like to put a 10X6 garden shed in the back yard. It will be barely be visible from the street. It will have the composite slate shingles to match his house and Hardie board siding, Hardie trim, or some kind of composite trim. It will have an antique louver style door. It may not be wood. You will not be able to see the shed from the road very well. You will be able to get a glimpse of it so we thought it would be best to bring it before you tonight. Around the foundation he would like to put wooden lattice.

Chairman Gwaltney – Is there anyone to speak on this application?

Mr. David Goodrich – I live at 338 South Church Street. The fence that is currently there is a Chippendale fence. It was added to the property long before I brought it. In my estimation it does not fit the style of the house. The house was built around “1760” to “1780”. I don’t believe the Chippendale fence would be appropriate at that time and in my estimation it is not appropriate at this time. To maintain a Chippendale fence is horrendous. They are hard to paint. The slats come out. I would like to put up a picket fence just like the picture in your packet. I will be using the same post and rails. I will be removing the Chippendale pieces in the middle then I will be applying the pickets. It will be stained white. I would like to use the custom gate that is there. The gate was built to go with the Chippendale fence. It is a very sturdy gate. I would like the option of either painting it white or leaving it the color that it is now. The color that it is now matches the front door. I don’t want to paint the fence the color of the

front door that would be horrendous. If you approve it tonight I would like the option to either paint the gate white or the color of the current gate.

Chairman Gwaltney – Should we do this in two motions? We will talk about the fence then talk about the shed. Does that work for the board?

Mr. Hill – Sounds good to me.

Chairman Gwaltney – Are there any questions or comments about the fence?

Mr. Hill – Do you plan to paint the post white and leaving the fence or leaving them the same color as the gate then paint the pickets white?

Mr. Goodrich – No. I am going to do them in white. Mr. Prevatte told me how to do that and still use the stain. I will be priming the post and then using the white stain on it just like I would on the pickets.

Chairman Gwaltney – It is either going to be all white or it is going to be all white except the gate panels.

Mr. Goodrich – Right. That may not look good when I get it up if so then I will paint it white if you give that option.

Ms. Hillegass – I would like to make a motion to approve the fence with the color options as discussed.

Mr. Hess – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve the application for the picket fence in white and with the option to have the gate in white or the color that matches the current gate. All those in favor signify by saying aye, opposed say nay.

On call for the vote, seven members were present. Chairman Gwaltney voted aye, Mr. Goodrich abstained, Mr. Hess voted aye, Mr. Hill voted aye, Ms. Hillegass voted aye, Mr. Prevatte voted aye, and Vice Chair Torre voted aye. There was one abstention. There were no votes against the motion. The motion passed.

Chairman Gwaltney – The second part of your application is the garden shed.

Mr. Goodrich – The garden house. It is not going to be a garden shed.

Chairman Gwaltney – One of the smallest houses I think I have ever seen.

Mr. Goodrich – The garden house is going to be built at the end of the driveway. At the end of the driveway there is a curb, a hill of dirt, and an English garden behind that with box woods. The garden house will go at the end of the driveway between the curb and the box woods.

Planning Technician – I would like to add that the proposed location will meet the current zoning ordinances in regards to both setback and the RPA. It is a long ways from the RPA and it only has to be five feet or more for the setback in the side yard.

Mr. Goodrich – The garden house will be insulated. I need to get the garden chemicals and things that could freeze out of the garage. It will possibly be finished on the inside depending on how hard it is for me to build it.

Chairman Gwaltney – Is going to have a basement and attic to put all those things in?

Mr. Goodrich – It is going to have an attic. It will be a storage attic.

Chairman Gwaltney – I think I speak for all of us if I say one word that sums it all up cute.

Ms. Hillegass – It is a lovely garden house.

Chairman Gwaltney – Are there any questions or comments from the board?

Ms. Hillegass – I would like to make a motion to approve the garden house as presented.

Chairman Gwaltney – Will the door and window look back up the driveway?

Mr. Goodrich – Yes. I would like to mention that I have in the proposal to put an antique louver door but that door is not going to be available to me. It will be a solid wooden door.

Mr. Prevatte – How tall will it be?

Mr. Goodrich – From the foundation to the peak it is fourteen feet. I am not really sure what the height of it is.

Mr. Prevatte – So the peak will be fourteen feet.

Mr. Goodrich – Yes.

Chairman Gwaltney – Tell me about the foundation of the garden house.

Mr. Goodrich – It will be post and beam. I will be using six by six posts. There will be six of them. Three on each side and buried to a depth of two feet.

Town Attorney – You have a motion from Ms. Hillegass.

Vice Chairman Torre – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve the application as presented. All those in favor signify by saying aye, opposed say nay.

On call for the vote, seven members were present. Chairman Gwaltney voted aye, Mr. Goodrich abstained, Mr. Hess voted aye, Mr. Hill voted aye, Ms. Hillegass voted aye, Mr. Prevatte voted aye, and Vice Chair Torre voted aye. There was one abstention. There were no votes against the motion. The motion passed.

Chairman Gwaltney – Next on the agenda is Approval of the February 20th, 2018 meeting minutes.

Town Attorney – Mr. Chairman and members of the board, I would recommend approval of the minutes.

Mr. Hill – So moved.

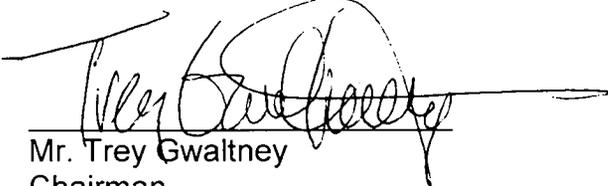
Mr. Hess – Second.

Chairman Gwaltney - A motion has been made and properly seconded to approve as presented. All those in favor signify by saying aye, opposed say nay.

On call for the vote, seven members were present. Chairman Gwaltney voted aye, Mr. Goodrich voted aye, Mr. Hess voted aye, Mr. Hill voted aye, Ms. Hillegass voted aye, Mr. Prevatte voted aye, and Vice Chair Torre voted aye. There were no votes against the motion. The motion passed.

Chairman Gwaltney – Our meeting is adjourned.

The meeting adjourned at 7:03 p.m.


Mr. Trey Gwaltney
Chairman


Mr. Joseph Reish
Planning Technician