

DATE: April 13, 2022

SUBJECT:
Certificate of Appropriateness Request: H-03-22
Applicant: Thomas Duquette & Aimee Cain (joint request)
Location of Subject Property: 148 & 154 Union Street S
PINs: 5620-79-9327 & 5620-96-7858
Staff Report Prepared by: Brad Lagano, Senior Planner

BACKGROUND

- The first subject property at 148 Union Street S is designated as a “Contributing” structure in the South Union Street Historic District (ca. 1921-27) (Exhibit A).
- “Large, two-story frame residence with Colonial Revival and bungalow style details; deep setback, landscaped driveway, and the vertical emphasis of the house’s design combine to give the residence a most impressive appearance. House is composed of hip-roofed and gable-roofed wings set at right angles; the gable-roof wing makes up the norther (right) portion of the house and projects forward of the hip-roofed block. Three-bay front porch upheld by Doric columns. Beneath the porch is the entrance, which is framed by elaborate portal of heavy columns Porte-cochere upheld by Doric columns adjoins south (left) end of hip-roofed section. A hip-roofed garage that appears to be contemporary with the house stands at the rear of the property” (Exhibit A).
- The second subject property at 154 Union Street S is designated as a “Pivotal” structure in the South Union Street Historic District (ca. pre-1866 or 1866-1882) (Exhibit A).
- “Two-story brick Italianate residence, possibly erected before the Civil War and certainly the oldest structure in the district. Although the house underwent considerable change during the mid-twentieth century, it retains many original features. House follows two-story, single-pile, gable-roofed form typical of piedmont farmhouses throughout the nineteenth century. Surviving Italianate exterior features include bracketed cornice, sawn bargeboards at the gable ends, a handsome slanted bay window on the house’s south side, two interior chimneys that rise from either side of the center hall, and the shallow segmental arches framing the 6/6 sash windows. Twentieth century additions include the colonial style entrance and portico and a sunroom adjoining the north (right) side of the house. The interior retains many original details, but has also undergone a degree of Colonial style remodeling” (Exhibit A).
- Applicants’ jointly requested modification: remove one (1) willow oak tree on the property line and replace with one (1) similar shade tree in the same general vicinity (Exhibit B).

DISCUSSION

On January 28, 2022, Thomas H. Duquette applied for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 to remove one (1) willow oak tree located on a shared property line and replace with one (1) similar shade tree in the same general vicinity with the stump removed below ground level (Exhibit B).

On March 9, 2022, the Certificate of Appropriateness Application was amended to include the adjacent property owner, Aimee E. Cain, as a joint applicant due to the fact the subject tree is located on the shared property line (Exhibit B).

H-03-22

The applicants are jointly requesting to remove a 110' tall willow oak with an 80' spread, 37" DBH, and a Risk Rating of 4 (Exhibit D). When standing on Union Street S facing both houses, the subject tree is located along the shared property line running between the two (2) driveways (Exhibit E).

According to the Tree Risk Assessment Form (Exhibit D), the subject tree was inspected and evaluated by Bill Leake, City Arborist, on January 26, 2022. Bill notes the subject tree has no above normal structural risk issues to the trunk and crown. The exposed roots have been subject to years of vehicle and lawnmower damage. Any attempts to repair either driveway will require significant root cutting and damage.

The applicants note the tree presents an ongoing challenge due to the roots growing underneath and breaking apart the concrete driveways, primarily on the 148 Union Street S property, as well as the limbs rubbing against the structure and growing over the roof on the 154 Union Street S property. The applicants also note the tree presents a potential hazard due to falling limbs as demonstrated by previous automobile damage incurred (Exhibits E and F).

Due to the Risk Rating score of four (4), the removal of healthy trees/limbs requires Historic Preservation Commission review and approval.

If removal is approved, the applicants would like to replant one (1) similar shade tree in the general vicinity of the tree removed, but away from the driveway areas to prevent a repeat situation in the future. The stump will be removed below ground level as it is visible from the street.

ATTACHMENTS

- Exhibit A: National Register of Historic Places Inventory
- Exhibit B: Certificate of Appropriateness Application
- Exhibit C: Subject Properties Map
- Exhibit D: Tree Risk Assessment Form
- Exhibit E: City Arborist Tree Photograph
- Exhibit F: Photographs of Tree Hazards and Damage

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS

Approval Requirement Needs Table

- *Removal of healthy trees or pruning of limbs over six (6) inches in diameter in any location on the property requires Commission hearing and approval.*
- *Tree topping – removal of one-third of green surface of canopy, or leaving stubs larger than three (3) inches in diameter requires Commission hearing and approval.*

Chapter 5 – Section 8: Landscaping and Trees

- *One of the most visible features of the Districts is the landscaping and the associated tree canopy. Activities which negatively impact any aspect of the landscape should be avoided, such as the removal of healthy trees and mature shrubs.*
- *Tree health may be decided upon by the acquisition of a Tree Hazard Evaluation Form issued by the City Arborist or a report submitted by a certified arborist. Healthy trees are trees that have a hazard rating of four (4) or lower. Removal of healthy trees over the size of six (6) inches in*

diameter (measured four (4) feet above ground) or pruning of healthy tree limbs over six (6) inches in diameter requires Historic Preservation Commission review and approval.

- *All trees that are removed should be replaced with a tree of similar species in an appropriate location unless no suitable location exists on the subject site. Trees removed within street view must also have the stumps removed below ground level.*

- *Design Standards: Landscaping and Trees*
 2. *Trees which are removed shall be replaced by a species which, upon maturity, is similar in scale to the removed specimen. For example, canopy trees shall be replaced with canopy trees, and understory trees with understory trees.*

RECOMMENDATION

1. The Historic Preservation Commission should consider the circumstances of this application for a Certificate of Appropriateness relative to the North and South Union Street Historic Districts Handbook and Guidelines and act accordingly.
2. If approved, applicant(s) should be informed of the following:
 - City staff and Commission will make periodic on-site visits to ensure the project is completed as approved.
 - Completed project will be photographed to update the historic properties survey.

United States Department of the Interior
National Park Service

National Register of Historic Places
Inventory—Nomination Form

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Inventory List - South Union Street
Historic District, Concord

#7

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45. Doctor's Office
164 S. Union St.
1921-1927 (SM)
F

Two-story, frame, double-pile house with bungalow style details compromised by the enclosure of the wrap-around porch. Surviving details include broad eaves with exposed rafters, hip-roofed ventilator dormer centered over second story of facade, and a few tapered porch posts.

46. D. L. Bost House
158 S. Union St.
ca. 1905 (IO)
P

Highly distinctive, two-story frame house blending Queen Anne and Colonial Revival styles. House designed by Charlotte architectural firm of Hook and Sawyer. House's dominant Queen Anne feature is the semi-circular second story facade, which is crowned by a witch's cap roof pierced by two hip-roofed ventilator dormers with flared eaves. At the center of this rounded section is a window consisting of three stained glass panels trimmed with a bow-like ornament. The one-story, full-facade porch is the principal Colonial Revival feature of the exterior; its Doric columns rise from a brick base to a dentil frieze. Colonial Revival details predominate inside the house.

The house was built for D. L. Bost, a partner in the grocery firm of Dove and Bost. Upon Bost's death the house passed to his son, E. Gray Bost, who served as treasurer of Cannon Mills Company.

47. John O. Wallace : House
154 S. Union St.
poss. pre 1866, or 1866-1882
P

Two-story brick Italianate residence, possibly erected before the Civil War and certainly the oldest structure in the district. Although the house underwent considerable change during the mid-twentieth century, it retains many original features. House follows two-story, single-pile, gable-roofed form typical of piedmont farmhouses throughout the nineteenth century. Surviving Italianate exterior features include bracketed cornice, sawn bargeboards at the gable ends, a handsome slanted bay window on the house's south side, two interior chimneys that rise from either side of the center hall, and the shallow segmental arches framing the 6/6 sash windows. Twentieth century additions

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include the Colonial style entrance and portico and a sunroom adjoining the north (right) side of the house. The interior retains many original details but has also undergone a degree of Colonial style remodeling.

Local tradition maintains that county official John Osborne Wallace (1807-1873) erected the house shortly before the Civil War. It is known that Wallace sold a house on this site to Benjamin F. Fraley in 1866, but the architectural features of the house make it equally likely that the present house was a product of the early post-bellum period. Fraley sold a house on the site to A. J. Fry in 1874. Elam King (1831-1913) later owned the house. King was an organizer of the Concord National Bank in the late 1880s and one of its first directors.

48. M. Luther Marsh House
 148 S. Union St.
 1921-1927 (SM)
 C

Large, two-story frame residence with Colonial Revival and bungalow style details; deep setback, landscaped driveway, and the vertical emphasis of the house's design combine to give the residence a most impressive appearance. House is composed of hip-roofed and gable-roofed wings set at right angles; the gable-roof wing makes up the northern (right) portion of the house and projects forward of the hip-roofed block. Three-bay front porch upheld by Doric columns. Beneath the porch is the entrance, which is framed by elaborate portal of heavy columns. Porte-cochere upheld by Doric columns adjoins south (left) end of hip-roofed section. A hip-roofed garage that appears to be contemporary with the house stands at the rear of the property.

Marsh was a doctor prominent in the city's business affairs. He served at various times as a vice-president of Citizen's Bank and Trust; secretary-treasurer of Porter Drug Company; and secretary-treasurer of Concord Motor Company.

49. Vacant lot (with garage)
 between 142 and 148 S. Union St.
 VL

Vacant lot; a one-story, hip-roofed garage of frame construction, similar in appearance to the garage of the Marsh house, indicates that the lot is a former house site.



High Performance Living

Please note this COA application was amended to include Thomas' adjacent neighbor, Aimee Cain, as a joint applicant since the subject tree is located on the common property line dividing the driveways. Both Thomas and Aimee signed the amended application on the bottom of page 2 on 3/9/22.

Application for Certificate of Appropriateness

AN INCOMPLETE APPLICATION WILL NOT BE PLACED ON THE AGENDA UNTIL ALL OF THE REQUIRED ATTACHMENTS AND/OR ITEMS LISTED ON PAGE 2 ARE SUBMITTED.

APPLICANT INFORMATION

Name: THOMAS DUQUETTE
Address: 148 UNION ST. SOUTH
City: CONCORD State: NC Zip Code: 28025 Telephone: 704-890-5021

OWNER INFORMATION

Name: Thomas Duquette
Address: 148 UNION ST. SOUTH
City: CONCORD State: NC Zip Code: 28025 Telephone: 704-890-5021

SUBJECT PROPERTY

Street Address: 148 UNION ST SOUTH P.I.N. #
Area (acres or square feet): .67 AC Current Zoning: Land Use:

Staff Use Only:
Application Received by: Date: , 20
Fee: \$20.00 Received by: Date: , 20
The application fee is nonrefundable.



NORTH CAROLINA
High Performance Living



Application for
Certificate of Appropriateness

Tree #2 - elm tree RR5 -
staff COA approval
issued 2/1/22.

General Requirements

The Unified Development Ordinance imposes the following rules, regulations and requirements on requests for Certificates of Appropriateness. The applicant must, with reference to the attached plans, demonstrate how the proposed use satisfies these requirements:

- Project or Type of Work to be Done: REMOVE 2 LARGE TREES - #1 AND #2 IN PHOTOS
- Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):
TREE #1 ~~AND~~ OAK TREE AND TREE #2 AN ELM TREE WILL BE REPLACED WITH A SIMILAR TYPE OF TALL TREES I HAVE SEVERAL SUITABLE LOCATIONS TO DO THIS BOTH IN MY FRONT AND BACK YARDS -

Tree #1 - willow oak tree RR4 - needs HPC review and approval

Required Attachments/Submittals

- Scaled site plan, if additions or accessory structures are proposed, on letter, legal or ledger paper. Larger sized copies will be accepted if 16 folded copies are submitted for distribution.
- A photograph of the front of the house.
- Photographs of site, project, or existing structures from a "before" perspective
- Drawings, sketches, renderings, elevations, or photographs necessary to present an illustration of the project from an "after" perspective.
- Samples of windows, doors, brick, siding, etc. must be submitted with application.
- Detailed list of materials that will be used to complete the project.

Applications may be submitted electronically.

Certification

(1) I hereby acknowledge and say that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department. (2) I understand that City staff and/or members of the Historic Preservation Commission may make routine visits to the site to insure that work being done is the same as the work that was approved. (3) I understand that photographs of the completed project will be made to update the City's historic districts inventory database.

1/28/22
Date

Thomas J. Dyer
Signature of Owner/Agent

3/9/22

Planning & Neighborhood Development
35 Cabarrus Ave W • P. O. Box 308 • Concord, NC 28025
Phone (704) 920-5152 • Fax (704) 920-6962 • www.concordnc.gov

3/9/22

AMEE L. OAN

EXHIBIT B

TREE RISK ASSESSMENT FORM

Site/Address: 148 Union St S

Map/Location: Left side property line between driveways.

Owner: public: _____ private: unknown: _____ other: _____

Date: 01/26/22____ Inspector: Bill Leake

Date of last inspection:

RISK RATING:

1 **1** **2** **4**
Failure + Size + Target = Risk
Potential of part Rating Rating

If approved for removal, the replacement tree species and location shall be listed on the certificate of appropriateness.

TREE CHARACTERISTICS

Tree #: **1** Species: **Willow Oak (Quercus phellos)**

DBH: **37"** # of trunks: **1** Height: **110'** Spread: **80'**

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed

Crown class: dominant co-dominant intermediate suppressed

Live crown ratio: 95 % Age class: young semi-mature mature over-mature/senescent

Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced flush cuts
 cabled/braced none multiple pruning events Approx. dates:

Special Value: specimen heritage/historic wildlife unusual street tree screen shade indigenous protected by gov. agency

TREE HEALTH

Foliage color. normal chlorotic necrotic Epicormics;

Foliage density: normal sparse Leaf size: normal small

Annual shoot growth: excellent average poor none Twig Dieback: curb/pavement guards

Woundwood : excellent average fair poor

Vigor class: excellent average fair poor

Major pests/diseases: None

Growth obstructions:

stakes wire/ties signs cables

SITE CONDITIONS

Site Character: residence commercial industrial park open space natural woodland/forest

Landscape type: parkway raised bed container mound lawn shrub border wind break

Irrigation: none adequate inadequate excessive trunk wetted

Recent site disturbance? NO construction soil disturbance grade change herbicide treatment

% dripline paved: 60% Pavement lifted: YES

% dripline w/ fill soil: 0%

% dripline grade lowered: 0%

Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume disease center history of fail
 clay expansive slope _____ ° aspect: _____

Conflicts: lights signage line-of-sight view overhead lines underground utilities traffic adjacent veg. _____

Exposure to wind: single tree below canopy above canopy recently exposed windward, canopy edge area prone to windthrow

Prevailing wind direction: SW Occurrence of snow/ice storms never seldom regularly

TARGET

Use Under Tree: building parking traffic pedestrian recreation landscape hardscape small features utility lines

Can target be moved? NO Can use be restricted? NO

Occupancy: occasional use intermittent use frequent use constant use

EXHIBIT D

TREE DEFECTS

ROOT DEFECTS:

Suspect root rot: YES Mushroom/conk/bracket present: NO ID:

Exposed roots: severe moderate low Undermined: severe moderate low

Root pruned: NO distance from trunk Root area affected: ____ Buttress wounded: When: _____

Restricted root area: severe moderate low Potential for root failure: severe moderate low

LEAN: 1 deg. from vertical natural unnatural self-corrected Soil heaving:

Decay in plane of lean: Roots broken: Soil cracking:

Compounding factors: Lean severity: severe moderate low

Concern Areas: Indicate presence of individual structural issues and rate their severity (S = severe, M = moderate, L = low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper				
Bow, sweep				
Codominants/forks			M	
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits				
Hangers				
Girdling				
Wounds/seam	M			
Decay				
Cavity				
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs			L	L
Borers/termites/ants				
Cankers/galls/burls				
Previous failure				

RISK RATING

Tree part most likely to fail in the next six months: Branches

Failure potential: 1 - low; 2 - medium; 3 - high; 4 - severe

Size of part: 0-0"-3" 1-3"-6" 2-6"-18" 3-18"-30" 4->30"

Target rating: 0 - no target 1 - occasional use 2 - intermittent use 3 - frequent use 4 - constant use

Maintenance Recommendations

none remove defective part reduce end weight crown clean

thin raise canopy crown reduce restructure cable/brace

Inspect further root crown decay aerial monitor

Remove tree When replaced, a similar sized tree species would be appropriate in same general location

When replaced, alternate tree replacement locations are available

Effect on adjacent trees: none evaluate

Notification: owner manager governing agency

Date: 01/26/22

COMMENTS

This tree has no above normal structural risk issues to the trunk and crown. The exposed roots been subject to years of vehicle and lawnmower damage. Any attempts to repair either driveway will require significant root cutting and damage.

Bill Leake



EXHIBIT E



