



# TOWN OF CHAPEL HILL

## Historic District Commission

### Meeting Minutes

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

Chair Sean Murphy  
Vice-Chair Duncan Lascelles  
Deputy Vice-Chair Polly van de Velde  
Brian Daniels

Josh Gurlitz  
Nancy McCormick  
Anne Perl De Pal  
David Schwartz

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**Tuesday, July 12, 2022** **6:30 PM** **Virtual Meeting**

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#### Language Access Statement

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如需口头或  
书面翻译服  
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လၢတၢ်ကတိကျိးထံ မ့တမၢ် လၢတၢ်ကွဲးကျိးထံအတၢ်မၤစၢၤအဂီၢ် ၶ် ကိးဘၣ် (၉၆၉)-၉၆၉-၅၁၀၅

#### Virtual Meeting Notification

Board members will attend and participate in this meeting remotely, through internet access, and will not physically attend. The Town will not provide a physical location for viewing the meeting.

The public is invited to attend the Zoom webinar directly online or by phone.

Register for this webinar:

[https://us02web.zoom.us/webinar/register/WN\\_5jthlISrQmOAdxSio8IVA](https://us02web.zoom.us/webinar/register/WN_5jthlISrQmOAdxSio8IVA). After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 895 3742 2116

#### Opening

##### *Roll Call*

Anya Grahn, Liaison to Commission, Charnika Harrell, Liaison to Commission,  
Kevin Hornik, Counsel to Commission

**Present** 7 - Chair Sean Murphy, Vice-Chair Duncan Lascelles,  
Deputy Vice-Chair Polly van de Velde, Brian Daniels ,  
Josh Gurlitz, Nancy McCormick, and Anne Perl De Pal

**Excused** 1 - David Schwartz

*Secretary reads procedures into the record*

*Commission Chair reads public charge*

### **Approval of Agenda**

A motion was made by Commissioner Van de Velde, seconded by McCormick, to approve the agenda. The motion carried by a unanimous vote.

**Aye:** 7 - Chair Sean Murphy, Vice-Chair Duncan Lascelles, Deputy Vice-Chair Polly van de Velde, Brian Daniels , Josh Gurlitz, Nancy McCormick, and Anne Perl De Pal

**Excused:** 1 - David Schwartz

### **Announcements**

Grahn reminded commissioners that they would not meet in August, and their next meeting would be on September 13. Grahn also mentioned her work with the HDC's outreach committee on a letter of support for the North Carolina Civil Rights Trail nomination of the Hargraves Community Center.

Chair Murphy said he had to leave at 8:30 p.m.

### **Petitions**

#### **Approval of Minutes**

1. June 13, 2022 Action Minutes [\[22-0578\]](#)

A motion was made by Commissioner Van de Velde, seconded by Lascelles, to approve the June 13, 2022 meeting minutes. The motion carried by a unanimous vote.

**Aye:** 7 - Chair Sean Murphy, Vice-Chair Duncan Lascelles, Deputy Vice-Chair Polly van de Velde, Brian Daniels , Josh Gurlitz, Nancy McCormick, and Anne Perl De Pal

**Excused:** 1 - David Schwartz

### **New Business**

2. 304 South Columbia Street [\[22-0579\]](#)

Grahn explained the project included replacing an existing shed, converting a gravel area into parking, replacing a dirt walkway with concrete, and other site improvements.

Sam Reynolds, landscape architect and applicant for the project, explained

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that the application was for improvements and repairs to various hardscape elements at the fraternity. He stated that most of the improvements were landscaping. He presented site plans and renderings as he described the existing conditions and proposed changes. He said the existing shed would be replaced with a steel one and relocated near the dumpster enclosure to allow for more screening. He stated the existing dirt walkway would be replaced with a concrete walkway with steps. He explained that a gravel area near the front of the fraternity would be replaced with brick paving to match the adjacent areas. He also said that a LED post light would be installed in the new brick paved area. Reynolds described the plan to add more parking spaces by converting an existing gravel area to parking by removing the curb and gutter around the gravel area. He also explained that an additional step would be added to the rear patio.

Commissioner Daniels asked if the applicant considered other materials for the shed and locating it behind the profile of the building. Reynolds explained that the proposed material of the shed was intended to differentiate it from the historic district. He also explained the shed would be in a service area near the dumpster enclosure and located where it could be hidden from view by existing trees and shrubs. Daniels asked if the shed would be visible from the street without the proposed plantings, and Reynolds thought it would be hard to see because of the topography of the site.

Daniels asked if Reynolds had considered other materials, like brick or Chapel Hill grit, for the walkway. Reynolds stated there were concrete walkways on the other side of the building, and they thought it best to use an existing material instead of introducing a new one.

Commissioner Van de Velde asked if the light from the new pole would be a nuisance on adjacent properties. Reynolds confirmed that no residential properties would be impacted. Van de Velde recommended using a 27 Kelvin light fixture to better fit with the character of the district.

Commissioner Gurlitz asked about the materials for the existing dumpster enclosure. Reynolds explained that the dumpster is screened by a brick wall with white metal gates.

There was no public comment.

Gurlitz thought the shed could be made of brick or a more consistent material

since the dumpster screening and fraternity house were of brick. He expressed concern with relying on plant screening for a building that would not be congruous. Daniels referred to the Design Standards for site features, and Chair Murphy pointed to the Design Standards for accessory structures.

Commissioner Perl de Pal thought the addition of red brick on the walkway would be more effective than concrete. She stated there was a lot of pavement and she was not sure if the site had reached its impervious limit.

Van de Velde wondered if the addition of a brick wall and the slope would provide enough screening for the new shed in addition to the slope. McCormick thought plant screening was less obtrusive than brick.

Daniels acknowledged that concrete walkways are allowed by the Design Standards, and he would not oppose the proposal. Perl de Pal noted that area where the concrete walkway was proposed was more utilitarian, and she reconsidered her comment about the material of the walkway.

Commissioner Lascelles thought the new location for the shed made it less visible from the street.

A motion was made by Commissioner Lascelles, seconded by Van de Velde, that the application was not incongruous with the special character of the district, to grant the Certificate of Appropriateness (COA), and to authorize the Chair to sign the written decision. Perl de Pal proposed an amendment to the motion to include a condition that a 27 Kelvin light fixture be installed on the proposed pole. Lascelles rejected the amendment. The motion carried by a vote of 5 to 2.

**Aye:** 5 - Chair Sean Murphy, Vice-Chair Duncan Lascelles, Deputy Vice-Chair Polly van de Velde, Brian Daniels , and Nancy McCormick

**Nay:** 2 - Josh Gurlitz, and Anne Perl De Pal

**Excused:** 1 - David Schwartz

**3. 379 Tenney Circle**

[\[22-0580\]](#)

Grahn introduced the item as an amendment to a Certificate of Appropriateness that was granted at the Commission's June meeting. She stated the proposed changes included increasing the size of the dormers on the front façade, extending the rear dormer to the rear wall of the house,

adding patio doors across the rear elevation, and constructing a new deck. She pointed out the applicant also proposed to modify the fenestration pattern on the side elevations

Commissioner Lascelles disclosed that his property abuts the Steiners' property. Commissioner Perl de Pal said she walked by the property every day but did not conduct a site visit.

Beril Steiner explained that their previous approval informed the design modifications in their application to amend the Certificate of Appropriateness (COA).

At 7:24pm, the Steiners had technical difficulties and lost connection. The commission decided to move on to the legal training to give the Steiners time to reconnect.

At 7:30pm, the Steiners rejoined the meeting and continued their presentation. Mrs. Steiner presented photos of the existing house. She explained that they wanted to create more livable space, increase the amount of light into the house, and expand indoor and outdoor living spaces. She presented a photo of the south (rear) elevation and described the proposed rear dormer extension with new windows. Mrs. Steiner explained that the rear dormer extension would maintain the original roof line and be set in from the eaves. She highlighted the proposed new deck and new patio doors on the south elevation. She also provided photos and elevation drawings of the existing and proposed side elevations, pointing out that the basement door and HVAC unit would be relocated; a new kitchen vent was also required. She explained that the previously approved dormers on the front façade had to be enlarged because they did not meet egress requirements. She also stated that they may need to repoint deteriorating mortar around the bricks on the chimney.

Commissioner Perl de Pal asked the Steiners to provide the historical photos from their presentation at the June meeting. Perl de Pal was concerned about the proportion of the proposed dormers on the front façade and noted that the historic photos showed dormer windows that were smaller in proportion. She pointed out that the examples provided showed dormer windows that were smaller in size to the windows on the floor below. Perl de Pal requested the dimensions of the originally approved dormers and the proposed dormers. Mrs. Steiner said their architect informed them that the original drawing did not meet egress requirements. She also said the drawings from their original

application showed the dormers proportional to the size of the house and did not include dimensions.

Chair Murphy was concerned that the proposed dormers were out of proportion with the rest of the house. He also asked if the bedroom on the second floor extends to the back and if the enlarged rear dormer could be used for egress. Mrs. Steiner confirmed that the bedrooms do not extend to the back of the house. Perl de Pal asked if the windows on the sides of the house could be enlarged for egress. Mrs. Steiner confirmed that the side windows are not located in bedrooms.

Commissioner McCormick asked for before and after photos of the entire house. She was concerned that the proposed modifications would completely change the overall look of the house. Mrs. Steiner explained that they worked hard to not change much, and that the number of openings on the back remained unchanged but the proposed openings were enlarged.

Chair Murphy asked why the proposed changes were not included in their original application. Mrs. Steiner stated that the approval of the dormers on the front façade informed the overall design of the house. She did not find the changes to be incongruous with the historic district but said they were open to the Commission's recommendations.

Commissioner Van de Velde questioned the proportionality of the dormer windows and first floor windows. Lascelles also commented that the windows in the proposed front dormers looked large. He asked the Steiners to provide the dimensions of the original and proposed windows and the code requirement for egress windows. Mr. Steiner provided dimensions for the existing first floor windows. Perl de Pal asked if they could also indicate the size of the lower windows to dormer windows in the historic photos. Mrs. Steiner was unsure if they could provide the exact dimensions for the historic photos.

Perl de Pal said the extended rear dormer looked like a wall dormer and asked if it could be setback to better define the wall and the roof. She also said the Commission typically asked applicants to provide a setback or change in materials to differentiate the new work from the existing.

Lascelles asked about the materials for the proposed railing on the deck. Mrs. Steiner said their architect recommended wood and cable for the railing, but

they were open to other materials.

Grahn added dimensions to the original and proposed plans and reviewed the dimensions with the Commission. The Commission discussed the possible dimensions and acknowledged that this could not be considered testimony. Gurlitz commented that the approved dormers were unbuildable because there was not enough room on the side of the windows to have a stud wall and window opening.

Hornik reminded the commission to focus on the congruity standard.

There was no public comment.

Gurlitz thought the proposed wide board trim on the front dormers was incongruous. He thought extending the siding around the corner was more consistent with the rest of those house. Murphy agreed.

Commissioner Daniels was unsure if the Commission determined if the proposed window openings were the same size or larger. He expressed concern with the differences between the dormers presented at this and the June meeting. He found the enlarged dormers would create an imbalanced façade.

Murphy acknowledged that the Commission had a lot of questions about the proposed modifications. Daniels asked about the egress requirement. Gurlitz said bedrooms needed egress windows, and he found there may be ways to design the second floor so the dormers were not in bedroom. He thought the Steiner's architect could do a study of other configurations.

Hornik said the commission could vote to continue the evidentiary hearing for the entire application.

Lascelles had few concerns about the rest of the application but wanted to continue the Commissioner discussion. Daniels said the modifications included a wall of windows on the first floor of the south elevation. He recalled previous conversations about the proportion of windows and doors on a structure and asked if there was a relevant standard that needed to be discussed. Gurlitz thought there was an error in how the south elevation was drawn. He pointed to Mrs. Steiner's testimony that the eave would be continuous, but the eave was not shown on the plan. Van de Velde was not

concerned with the south elevation because it would not be visible from the street. She asked for more details on the decking and how it would fit with the house.

Chair Murphy left at 8:35 p.m. Lascelles acted as chair for the remainder of the meeting.

Hornik said it seemed like the commission wanted to continue the entire application so the applicant could address their questions and provide more information. The Commissioners agreed. Van de Velde asked about the 90-day limit because they would not meet again until September. Grahn said the Commission had until September 19 to vote on the application and their next meeting would be on September 13.

Chair Lascelles asked the Steiner if they would be amendable to continuing the application. The Steiners asked if the proposed modifications could be reviewed separately. Commissioners agreed that entire application needed to be continued, and they would review the Steiner's response to their comments together.

Hornik encouraged the Steiners to bring their architect to the next meeting to provide expert testimony.

A motion was made by Commissioner Van de Velde, seconded by Daniels, to continue the application to the September 13, 2022 meeting. The motion carried by a unanimous vote.

**Aye:** 6 - Vice-Chair Duncan Lascelles, Deputy Vice-Chair Polly van de Velde, Brian Daniels , Josh Gurlitz, Nancy McCormick, and Anne Perl De Pal

**Excused:** 2 - Chair Sean Murphy, and David Schwartz

### **Legal Training**

Counsel Hornik explained that he and staff meet with representatives from the State Historic Preservation Office (SHPO) to reconcile differences between the Design Standards and Secretary of the Interior Standards. He stated that SHPO agreed that the Commission's primary responsibility is to carry out the congruity standard. He explained that the Commission is bound to approve a Certificate of Appropriateness (COA) if they find the proposal meets the congruity standard even if it does not meet the Secretary of Interior Standards or the Historic District Design Standards. He further clarified that the commission is bound to deny a COA if they

find a proposal is incongruous with the historic district but meets the Design Standards.

Legal Training paused when the applicants for 379 Tenney Circle rejoined the meeting.

The training continued following the Certificate of Appropriateness (COA) for 379 Tenney Circle.

Commissioner McCormick asked how the Secretary of Interior Standards and local requirements work together in terms of the tax credit. Hornik reiterated that if the Commission finds a proposal to be incongruous with the special character of the district, whether it meets the Secretary of Interior Standards or not, the COA must be denied. Grahn explained the qualifications for the federal and state preservation tax credit and that SHPO applies the Secretary of Interior Standards in their review of applications with the goal of maintaining as much historical integrity.

Commissioner Gurlitz said the Design Standards were based on the Secretary of Interior Standards. He acknowledged that this may be the reason the Commission has had difficulty in applying certain standards. Hornik suggested the Commission discuss what the Design Standards mean in terms of the special character of the district and discuss the special character as it relates to the specific scope of work presented in the application.

*Adjournment*

Next Meeting - September 13, 2022

*Order of Consideration of Agenda Items:*

- 1. Staff Presentation*
- 2. Applicant's Presentation*
- 3. Public Comment*
- 4. Board Discussion*
- 5. Motion*
- 6. Restatement of Motion by Chair*
- 7. Vote*
- 8. Announcement of Vote by Chair*

*Public Charge: The Advisory Body pledges its respect to the public. The Body asks the public to conduct themselves in a respectful, courteous manner, both with the Body and with fellow members of the public. Should any member of the Body or any member of the public fail to*

*observe this charge at any time, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until a genuine commitment to this public charge is observed.*

*Unless otherwise noted, please contact the Planning Department at 919-968-2728; [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org) for more information on the above referenced applications.*

*See the Advisory Boards page <http://www.townofchapelhill.org/boards> for background information on this Board.*