



TOWN OF CHAPEL HILL

Historic District Commission

Meeting Minutes

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

Chair David Schwartz
Vice-Chair Duncan Lascelles
Deputy Vice-Chair Sean Murphy
Brian Daniels

Josh Gurlitz
Nancy McCormick
Anne Perl De Pal
Polly Van de Velde

Thursday, June 10, 2021

5:30 PM

Virtual Meeting

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_m0ik8Bg_R3Si7iDklvTSbA . After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 823 7703 8564.

Opening

Roll Call

Anya Grahn, Liaison to Commission, Brian Ferrell, Counsel to Commission

Present 7 - Chair David Schwartz, Vice-Chair Duncan Lascelles,
Deputy Vice-Chair Sean Murphy, Josh Gurlitz, Nancy
McCormick, Anne Perl De Pal , and Polly Van de Velde

Absent 1 - Brian Daniels

Commission Chair reads public charge

Secretary reads procedures into the record

Approval of Agenda

Commission discussed moving the Historic District Design Principles & Standards to the end of the agenda.

A motion was made by McCormick, seconded by Perl De Pal, that Historic District Design Principles & Standards be moved to the end of the agenda. The motion carried by a vote of 6 to 1. Chair Schwartz voted nay because these items have

been repeatedly deferred and suggested that the Commission call a special meeting just to discuss the Historic District Design Principles & Standards and the Rules of Procedure.

Aye: 6 - Vice-Chair Duncan Lascelles, Deputy Vice-Chair Sean Murphy, Josh Gurlitz, Nancy McCormick, Anne Perl De Pal , and Polly Van de Velde

Nay: 1 - Chair David Schwartz

Administrative Approvals

1. Administrative Certificate of Appropriateness (COA) Approvals

[\[21-0491\]](#)

The Commission reviewed staff approvals of minor works.

Announcements

Anita Badrock, Town Ombuds, explained she is meeting with and observing advisory board meetings. She is working with staff and advisory board members to improve processes.

Gurlitz announced that he will need to leave the meeting at 7:30 PM and Duncan Lascelles announced that he will need to leave the meeting at 8:00 PM. Chair Schwartz confirmed that with Lascelles' departure, the Commission will no longer have a quorum. Ferrell suggested to adjourn the meeting at that time.

Petitions

Approval of Minutes

2. May 13, 2021 Meeting Minutes

[\[21-0492\]](#)

McCormick suggested to amend the use of the word "argued" to something more tempered. Gurlitz asked that the phrase "argued over" be deleted and replace with "discussed" and suggested removing the word "soft" before "brick" in the third paragraph of page 4.

A motion was made by McCormick, seconded by Perl De Pal, to approve the May 13, 2021 meeting minutes with suggested changes. The motion carried by a unanimous vote.

Historic District Design Principles & Standards

3. Historic District Design Principles & Standards - Photo Replacement

[\[21-0493\]](#)

The Commission continued this item to the July 13, 2021 meeting.

HDC Discussion: Fieldstone and Brick Walls

McCormick suggested to rearrange the agenda to move this item to the end of the agenda to allow Commissioners to hear, and possibly vote, on agenda items that had representatives from the public. Perl De Pal and Van de Valde stated that these items should be discussed at length. Gurliz expressed concern of not being a part of the discussion and voted nay. The motion passed with a 6 - 1 vote.

Aye: 6 - Chair David Schwartz, Vice-Chair Duncan Lascelles, Deputy Vice-Chair Sean Murphy, Nancy McCormick, Anne Perl De Pal, and Polly Van de Velde

Nay: 1 - Josh Gurlitz

Consent Agenda

4. 733 Gimghoul Road

[\[21-0494\]](#)

Staff Liaison Grahn reminded the Commission that a revised staff report was sent out on June 9, 2021 as the report included in the agenda packet was from the 2019 meeting. She explained that the Commission had approved a standing seam metal roof on the rear dormer of the house and the applicant proposed to instead use a membrane roofing material.

Perl De Pal questioned how the Commission addressed the number of amendments to Certificate of Appropriateness (COA) applications for material changes after an approval. Staff Liaison Grahn discussed that there is not a mechanism to discourage changes, but an approval process to amend COA applications.

A motion was made by Van de Velde, seconded by Lascelles, to approve the consent agenda. The motion passed unanimously.

Old Business

5. 510 Hooper Lane

[\[21-0495\]](#)

Grahn stated that the Commission continued this item from the May meeting and requested that the applicant return with additional information. She explained that the applicant had amended the COA request to limit the scope of work.

Ken Becker, property owner, discussed the site drainage issues and the steps

the applicants took to mitigate water infiltration and damage. He explained their intention was to remediate the problem while maintaining the character of the neighborhood.

Carvalho, the applicant's engineer, introduced himself and explained the design and scope of work as outlined in the updated application. He shared Google Map images from 2008 until present to show the changes that have occurred to the site over time. He presented a site plan and explained the work that had been completed, which included removal of trees, a parking pad and slate walkway. He explained that the slate walkway, parking pad, and brick paver driveway were introduced between 2008-2013.

Carvalho also presented contour maps showing the topography of the site and neighborhood. He explained how the grades of adjacent sites caused stormwater to drain onto this property, causing moisture issues in the house's basement. Dense vegetation covering and growing on the front wall of the house also contributed to the moisture problems. Carvalho stated that the Design Standards advise keeping plantings away from foundations and away from walls to avoid cracks and moisture. He described that, once the site was cleared, the applicants discovered that the basement vents were clogged due to water and soil draining into the vents and provided photos demonstrating the damage.

Carvalho explained his findings that the current project complies with the Standards and Principles. He explained the design, materials, and location of a new retaining wall along the street. He pointed out that the slate walkway had been replaced with brick due to its condition and threats to safety, and the new walkway served as an open channel to move water away from the house. He described his intent to reconstruct the fieldstone wall along Hooper Lane. He proposed a metal railing matching that of the house's stoop along the new brick landscape steps. He also explained the applicants' intent to replace the removed dogwood trees with trees of the same species. He presented renderings showing the street perspective of the site improvements in the front yard.

The Commission clarified the scope of work and changes to the COA application since the last meeting. They discussed the design and materials to be used in reconstructing the wall, and the applicant explained the proposed changes.

The Commission opened up the discussion to the public and community members.

Kimberly Kyser, neighbor, expressed concerns that the applicants' design was incongruous with the Historic District. She explained that the location of many houses in the neighborhood had drainage issues and that others have mitigated stormwater by installing French drains and other implementations. Kyser expressed concerns about the use of Chapel Hill grit and feared that its use will cause more debris and wash off into other yards and the street. She found that the site improvements had disturbed the visual character of the streetscape.

Gurlitz questioned the relationship of the proposed fieldstone wall to the pavement, and compared it with the location of the site's previous fieldstone wall. The Commission and applicant discussed the location of the reconstructed fieldstone wall. The applicant explained that they intended to cover the area between the fieldstone wall and retaining wall with Chapel Hill gravel.

Carvalho and the property owner stated that this area will not be used for parking. The Commission discussed the use of Chapel Hill grit within the public right-of-way, the need to ensure that the site improvements were located within the applicants' property boundaries, and the difficulty of growing vegetation in the Chapel Hill grit area. The Commission considered the existing vegetation and site improvements along Hooper Lane. The applicant confirmed that additional landscaping would be added in the future between the two walls. The Commissioners discussed whether the improvements were consistent with the Design Principles & Standards and were not incongruous with the historic character of the district.

Commissioner Gurlitz left the meeting at 7:22pm.

Susan Smith, community member, expressed concern about the placement of the retaining walls and discussed the project's compliance with the Design Standards.

The Commission and Ferrell discussed whether Chapel Hill grit fell under the purview of the HDC if it was acting as a landscape bed. Ferrell clarified that the COA does not have regulatory authority over landscaping, such as vegetation, but the Commission does have purview over manmade

improvements.

Murphy summarized that the after-the-fact COA application put the Commission in a difficult situation because he found that the work was not congruent with the historic character of the district. He recommended the Commission review the scope of work and determine whether or not the items complied with the Design Standards. He supported reconstructing the fieldstone wall in the previous location. He did not find that the new brick walls and walkways complied with the Design Standards. Van de Velde agreed with Murphy and also stated that the new steps did not comply with the Design Standards.

McCormick referenced Section 1.4.11 of the Standards and stated the Commission can look at landscaping to mitigate an incongruous situation. Ferrell confirmed McCormick's statement.

The Commission discussed the use of brick on the site. They discussed the color and materiality of the brick walkways compared to the brick border on the driveway.

The Commission asked that the applicant return with additional information at the next meeting. There was interest in understanding the location for the reconstructed fieldstone wall and the location of the property lines. The Commission asked the applicant to provide clear photographs of exact materials and the location of those materials in relationship to the street and adjacent materials. They also wanted greater clarity on the use of landscaping, Chapel Hill grit, and placement of new trees.

Commissioner Lascelles left the meeting at 8:27pm.

New Business

6. 609 North Street [\[21-0496\]](#)

The Commission continued this item to the July 13, 2021 meeting.

7. 6 Cobb Terrace [\[21-0497\]](#)

The Commission continued this item to the July 13, 2021 meeting.

Historic District Commission Rules of Procedure

8. Revisions to Historic District Commission Rules of Procedure [\[21-0373\]](#)

The Commission continued this item to the July 13, 2021 meeting.

Adjournment

Next Meeting - July 13, 2021

At 8:27 PM Lascelles left the meeting, and the Commission no longer had a quorum. The Commission adjourned the meeting and continued the remaining items to the July 13, 2021 meeting agenda.

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 for more information on the above referenced applications.

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