



# TOWN OF CHAPEL HILL

## Historic District Commission

### Meeting Minutes

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

Chair Brian Daniels  
Vice-Chair Polly van de Velde  
Deputy Vice-Chair Nancy McCormick  
Michael Booth

Josh Gurlitz  
Duncan Lascelles  
Clarke Martin  
David Schwartz

**Tuesday, May 14, 2024**

**6:30 PM**

**RM 110 | Council Chamber**

#### Language Access Statement

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ဘာသာပြန်ဆိုခြင်းနှင့် စကားပြန်ခြင်းအတွက်၊ (၉၁၉) ၉၆၉-၅၁၀၅ ကိုဖုန်းခေါ်ပါ။

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#### Opening

##### *Roll Call*

Anya Grahn-Federmack, Staff Liaison, Charnika Harrell, Staff Liaison, Kevin Hornik, Counsel to the Commission

**Present** 6 - Vice-Chair Polly van de Velde, Deputy Vice-Chair Nancy McCormick, Michael Booth, Josh Gurlitz, Clarke Martin, and David Schwartz

**Absent** 2 - Chair Brian Daniels , and Duncan Lascelles

*Secretary reads procedures into the record*

*Commission Chair reads the Public Charge*

#### Approval of Agenda

Commissioner McCormick moved, seconded by Gurlitz, to approve the agenda. The motion carried by a unanimous vote.

**Aye:** 6 - Vice-Chair Polly van de Velde, Deputy Vice-Chair Nancy McCormick, Michael Booth, Josh Gurlitz, Clarke Martin, and David Schwartz

**Absent:** 2 - Chair Brian Daniels , and Duncan Lascelles

## Announcements

Grahn-Federmack informed commissioners that a special meeting will be scheduled on June 11th to vote on the night's written decisions.

Commissioner Schwartz mentioned that it was his second to last meeting. He also mentioned he would share a memo by Bob Epting with the commission.

## Petitions

### Approval of Minutes

1. February 29, 2024 HDC Retreat Action Minutes [\[24-0245\]](#)
2. March 12, 2024 Action Minutes [\[24-0246\]](#)
3. March 25, 2024 Special Meeting Action Minutes [\[24-0247\]](#)

Commissioner McCormick moved, seconded by Booth, to approve the February 29, 2024 retreat minutes, the March 12, 2024 meeting minutes, and the March 25, 2024 special meeting minutes. The motion carried by a unanimous vote.

**Aye:** 6 - Vice-Chair Polly van de Velde, Deputy Vice-Chair Nancy McCormick, Michael Booth, Josh Gurlitz, Clarke Martin, and David Schwartz

**Absent:** 2 - Chair Brian Daniels , and Duncan Lascelles

### Information

4. Administrative Certificate of Appropriateness (COA) Approvals & Maintenance Memos [\[24-0248\]](#)

Commissioner Schwartz expressed interest in understanding if owners were aware of Certificate of Appropriateness requirements for after-the-fact items.

### New Business

5. 118 Cameron Court [\[24-0249\]](#)

Melissa Brumback, the property owner, explained that the application was to extend the parking area in the front yard, so it could accommodate five spaces. She said they would build planter beds along the perimeter of the parking area to prevent spillover.

Brumback recalled first going before the Historic District Commission in 2002

when the house was constructed. She explained that the house was built on land that was originally part of 428 W. Cameron Avenue before it was subdivided. She presented a site plan that she said was shown to the commission at that time. She explained that the commission's approval included two parking spaces in a gravel parking area at the corner of the lot that was bordered by railroad ties. She explained that when they applied for the building permit, the parking area was properly measured and shown to accommodate three spaces. She said the house was completed in 2007. Initially, the front yard was mulch; however, Brumback stated the residents were parking in the mulched area, which caused the mulch to spill onto the road. She said the mulch was replaced with gravel and it had been that way since 2008.

Brumback said they recently received a violation for the front yard parking, and that it was an opportunity to improve its appearance. She presented a site plan of the updated parking area. She explained that the plans showed five spaces separate by a new walkway with raised landscape beds around the parking area.

Brumback presented photos of parking areas at other houses on Cameron Court to demonstrate that her proposal was not incongruent with the character of the neighborhood. She explained that the updated parking area would use pressure-treated lumber for the edging and a Delaware blend round stone for the parking areas. She mentioned that the edging and planter beds would prevent illegal parking.

Commissioner McCormick asked Brumback to clarify what she meant by illegal parking. Brumback said she didn't know if it was illegal, but that the parking area was out compliance.

McCormick asked if the updated parking plan complied with zoning requirements. Brumback said the original plan showed parking on one side of the front yard. She also said that staff informed her that the commission needed to approve the expansion to maintain the five spaces.

McCormick said that the entire court seemed to violate basic standards of the Cameron-McCauley district. She said that parking in the front yard was not a character of the district.

Commissioner Schwartz commented that the photos showed what happened

when single-family homes were converted to student rentals.

Brumback referred to a part of the Design Standards that said sub-areas of the districts could have distinguished characteristics. She also said the house was not a contributing structure, and that she thought the proposal would enhance the parking area and benefit this part of the district.

There was no public comment.

Commissioner Gurlitz mentioned that the pictures seemed to show 100 percent of front yards in the neighborhood being used for parking. He mentioned a zoning requirement that limited front yard parking and asked if a zoning officer had visited the area.

Anya Grahn-Federmack, staff liaison, confirmed that code enforcement officers had been to the neighborhood and notices of violation were issued for properties with parking violations. She also confirmed that the Land Use Management Ordinance (LUMO) limited front yard parking to 40 percent.

Gurlitz asked if some of the parking spaces were rented since some of the properties had several cars. Grahn-Federmack confirmed the town has regulations about renting parking spaces, but staff needed proof that owners were operating a parking lot in their front yard before they could issue a Notice of Violation.

Commissioner Booth mentioned a parking issue he experienced in his neighborhood. Commissioner Martin asked the commission to redirect the discussion to the application before them.

Chair van de Velde asked if the original parking area for two spaces was approved. Brumback said that additional spaces were needed because four residents occupied the house.

Commissioner Schwartz moved, seconded by Martin, that the application was not incongruous with the special character of the district. The motion carried by a vote of five to one.

**Aye:** 5 - Vice-Chair Polly van de Velde, Michael Booth, Josh Gurlitz, Clarke Martin, and David Schwartz

**Nay:** 1 - Deputy Vice-Chair Nancy McCormick

**Absent:** 2 - Chair Brian Daniels , and Duncan Lascelles

6. 218 Wilson Street

[\[24-0250\]](#)

Marissa Carmi, Associate Director of the American Indian Center, presented a photo that showed the location of the propose American Indian Cultural Garden (AICG). She explained that the AICG was directly across the street from UNC's American Indian Center. She also mentioned that the design had changed slightly from the original approval to reflect community feedback.

Joanna Massey Lelekacs, Director of Learning & Community Engagement at the North Carolina Botanical Garden, explained that the AICG received a Certificate of Appropriateness in June 2022. She explained that challenges with funding delayed the project and only a pathway on the north side of the project area was completed. She mentioned that they plan to move forward with the Chapel Hill grit path around the community garden, construction of a medicine wheel, a split rail fence, and a ceremonial gathering circle. She said the proposed split rail fence would match the existing fence around the community garden. She described the construction of the medicine wheel and ceremonial circle and that the circle would be partly enclosed by a berm.

Chair van de Velde asked if they proposed to remove a few elements from the original approval. Lelekacs confirmed.

Commissioner Schwarz asked if they were seeking approval for any elements that were not previously approved. Lelekacs confirmed they were not.

Schwartz asked if the university was open to maintaining the garden in the long-term. Daniel Widis, University Landscape Architect at UNC Chapel Hill, said the university had no plan to develop anything on the property at this time.

Commissioner Gurlitz moved, seconded by Schwartz, that the application was not incongruous with the special character of the district. The motion carried by a unanimous vote.

**Aye:** 6 - Vice-Chair Polly van de Velde, Deputy Vice-Chair Nancy McCormick, Michael Booth, Josh Gurlitz, Clarke Martin, and David Schwartz

**Absent:** 2 - Chair Brian Daniels , and Duncan Lascelles

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**7. 211 Hillsborough Street**[\[24-0251\]](#)

Ryan Smith, contractor with New Dimensions Construction, explained that the proposal has several elements. He said they proposed to replace the vinyl basement windows on the façade with wood divided light windows; the fiberglass basement door would be replaced with a wooden door; and the stucco on the stairs to the side porch would be removed to expose the original brick. He noted that stucco was not a material used historically and that it had been added much later. He said the yellow pine siding would be replaced with cedar siding that would meet the profile of the original siding and the pine trim would be replaced with mahogany. He stated that the siding and trim would be painted to match. He explained the proposal would not change the of the house, but the new materials would be more durable.

Smith mentioned that the existing pine siding would not retain the paint, and repainting and repairing the siding was costly. He also explained that the way the siding was installed created a void where moisture could collect. He presented photos that showed the current condition of the siding. He mentioned that the siding and trim were repainted five years ago.

Commissioner Gurlitz asked for the specific species of cedar. Smith said clear western red cedar.

Chair van de Velde asked if the siding was original. Smith said he thinks the most deteriorated areas were original.

There was no public comment.

Commissioner Gurlitz moved, seconded by Schwartz, that the application was not incongruous with the special character of the district. The motion carried by a unanimous vote.

**Aye:** 6 - Vice-Chair Polly van de Velde, Deputy Vice-Chair Nancy McCormick, Michael Booth, Josh Gurlitz, Clarke Martin, and David Schwartz

**Absent:** 2 - Chair Brian Daniels , and Duncan Lascelles

**8. 214 Glenburnie Street**[\[24-0252\]](#)

Chair van de Velde disclosed that a resident expressed frustration about the project with her, and that she told them she could not talk about the project because she was on the commission. Paul Medling, project landscape

architect with Myatt Landscaping and Construction, asked her if the resident explained their frustrations. Van de Velde said they did not.

Counsel Hornik said that Chair van de Velde's interaction with the resident was not a conflict of interest. Hornik also mentioned that the applicant could object to van de Velde's participation if he thought she could not be objective. Medling asked van de Velde if she thought her opinion would be biased. Van de Velde said no. Medling did not object to van de Velde's participation.

Medling explained that this proposal was for a second phase of the overall addition and renovation at the property. He said the proposal was for a wood picket fence, a Chapel Hill grit pathway with brick curbing, a retaining wall near the rain garden and extension of the rain garden, travertine steppers, and a steel cable trellis.

Medling said the fence would be in the side yard and would be painted white to match the existing fence. He presented a site plan that showed the location of the fence and an elevation drawing of the decorative picket fence. He explained that the Chapel Hill grit pathway would extend from the garbage enclosure to Glenburnie Street. He said the travertine steppers would match materials that were already approved for the first phase. He said the Chapel Hill grit walkways were designed to be permeable and French drains were installed to move water into the rain garden.

Medling shared an image of a steel-cable trellis system. He said the confederate jasmine would be planted on the trellis because it grew quickly.

Commissioner McCormick asked if the trellis would be visible from the street. Medling confirmed and explained that confederate jasmine was proposed because it grows fast. He said they could use a copper wire system that would be less obtrusive, but the weight of the vines on the copper wire could cause damage in the future.

Medling mentioned the proposed brick retaining wall was to flatten out the backyard. He said the wall would be in the forefront of the rain garden. He said the rain garden was designed as a bioretention area, and that the retaining wall would be consistent with previously approved brick retaining walls.

Commissioner Schwartz asked if the rain garden was installed to meet

stormwater requirements. Medling confirmed that the rain garden was correctly sized to handle the amount of impervious surface on site. McCormick asked if the rain garden was approved. Medlin mentioned that other members of the project team told him he could reconfigure the rain garden if he stayed out of the setback.

McCormick asked if Medling had a photo that showed the fence's location. Medlin presented a photo of the fence and identified where the location of the previously approved picket fence. McCormick asked for the fence's height. Medlin was not sure of the height of the previously approved fence but confirmed that the proposed fence would be four feet tall.

Commissioner Gurlitz asked if fences with the height of four feet or less were exempt from regulation. Counsel Hornik said he did not know but advised that the fence would not be exempt from a Certificate of Appropriateness. Hornik said the commission would consider whether the proposal was incongruous with the district and the applicant would be obligated to obtain any other required permits.

McCormick asked if the fence would have a gate. Medling confirmed. He also said it could have either one or two doors. Grahn-Federmack confirmed that staff could administratively approved the gate as long as the commission found that the fence was not incongruous.

There was no public comment.

Gurlitz asked Medling to confirm if the rain garden that was approved matched what was built. Medling confirmed.

McCormick asked if a more traditional material could be used for the trellis. Medling said copper could be used but reiterated his concern that it might not hold the weight of the plant.

Commissioner Booth asked if the gutters were copper. Medling confirmed. Booth thought a copper wire would complement the gutters and asked about Medling's concern. Medling said he was concerned about the weight of the plan. Booth asked how the trellis would be fastened to the wall. Schwartz said the commission did not need to come up with a solution if they found that steel was incongruous. Medling agreed to use copper.



Commissioner Schwartz moved, seconded by Gurlitz, that the application was not incongruous with the special character of the district so long as copper was used for the trellis. The motion carried by a unanimous vote.

**Aye:** 6 - Vice-Chair Polly van de Velde, Deputy Vice-Chair Nancy McCormick, Michael Booth, Josh Gurlitz, Clarke Martin, and David Schwartz

**Absent:** 2 - Chair Brian Daniels , and Duncan Lascelles

## **Commission Discussion**

### *Historic Preservation Month Update*

Commissioner McCormick said that commissioners were working with town staff on increasing awareness of Preservation Month. She mentioned that links to preservation activities were added to the town's website. She also said that the proclamation to designate May as Preservation Month would be before the Council at the May 15th meeting.

### *Recruitment*

### *Land Use Management Ordinance (LUMO) Update*

Chair van de Velde said that Chair Daniels was interested in forming a sub-committee to discuss how transition areas are treated in the new Land Use Management Ordinance (LUMO). She said the sub-committee could only have three members, and that Chair Daniels wanted to participate. Commissioners Booth and Gurlitz agreed to be on the sub-committee. Counsel Hornik said the sub-committee members could meet outside of the commission's public meetings and then bring their ideas back to the commission at a later date.

### *Adjournment*

Next Meeting - June 11, 2024

### *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.*