



# 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  
Chris Berndt  
Brian Daniels

Josh Gurlitz  
Nancy McCormick  
Anne Perl De Pal  
David Schwartz

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**Tuesday, May 10, 2022**

**6:30 PM**

**Virtual Meeting**

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#### Language Access Statement

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Para servicios de interpretación o traducción, llame al 919-969-5105.

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#### 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.

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#### Opening

#### Roll Call

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

- Present** 8 - Chair Sean Murphy, Vice-Chair Duncan Lascelles, Christine Berndt, Brian Daniels , Josh Gurlitz, Nancy McCormick, Anne Perl De Pal , and David Schwartz
- Excused** 1 - Deputy Vice-Chair Polly van de Velde

*Secretary reads procedures into the record*

### **Approval of Agenda**

Chair Murphy proposed to amend the agenda to include voting on a recommendation to Council to reappoint Commissioners Perl de Pal and Lascelles.

A motion was made by Commissioner Gurlitz, seconded by Daniels, to approve the agenda as amended. The motion carried by a unanimous vote.

### **Announcements**

Grahn reminded commissioners of the next meeting was scheduled on June 13 and there would be no meeting in August.

Commissioner Lascelles said he had to leave at 9 p.m.

#### *Historic Preservation Month*

Commissioner McCormick announced that May was Historic Preservation Month for the first time in Chapel Hill. Commissioners voiced their excitement for this achievement and their appreciation for the work McCormick, Gurlitz, van de Velde and Town staff put into the effort.

### **Petitions**

#### **Approval of Minutes**

April 12, 2022 Action Minutes

[\[22-0353\]](#)

Berndt also mentioned a typo on page 3 and asked to update the second motion for 504 North St Unit A to make it clear the approval was to construct a new house.

A motion was made by Commissioner Daniels, seconded by Perl de Pal, to approve the April 12, 2022 meeting minutes as amended. The motion carried by a unanimous vote.

### **Information**

Administrative Certificate of Appropriateness Approvals & Requests for Maintenance & Repair

[\[22-0354\]](#)

**Old Business****New Business**

214 Glenburnie Street

[\[22-0355\]](#)

Grahn reminded the commission that they approved a Certificate of Appropriateness for the project in November 2021. She explained the applicant requested minor modifications to window and door fenestration patterns, patio and landscape lighting, and the addition of HVAC equipment and a generator.

Cari Paulus Filer said that the proposed modifications were driven by technical requirements, design modifications, and architectural enhancements. She explained the revisions included replacing the balcony with two Juliette balconies, installing an extra HVAC condenser and generator, replacing the membrane roof with a standing seam metal roof, removing paved areas and narrowed walkways in the rear yard, adding low voltage path lighting. She explained that the only visible change to the southeast elevation was the screened condenser and window modification.

Commissioner Daniels asked if there were any visible changes to the front façade of the house. Paulus Filer explained found that someone could see a side-angle view of the window by looking down the driveway, but she explained that it would be concealed by landscaping. She also confirmed that there were no changes to the existing structure.

Commissioner Schwartz asked if the revisions affected the conditions of the original approval that were negotiated between the owner and neighbors. Paulus Filer confirmed the conditions were still valid.

Commissioner Perl de Pal asked for the size of the generator and clarity on its position in relation to required setbacks. Paulus Filer presented plans and explained that the generator complied with required setbacks and clearances as it was located near inoperable windows.

There was no public comment.

Chair Murphy asked about the new lighting fixtures on the northeast elevation. Paulus Filer explained that the proposed lighting was a building code requirement. She said the proposed sconces matched what was included in

the original approval, and there were no changes to the design. Perl de Pal expressed concern that the house would be too brightly illuminated. Paulus Filer referred to the plan that included details of the proposed low-voltage lighting. She explained the lighting would be low to the ground. She also said there would be moon lighting on the trees, and they were low level lights.

Schwartz said he did not think the revisions were any less congruent with the character of the district than the original approval. Commissioners Commissioner Gurlitz also mentioned that the ordinance has a foot-candle standard that the lights needed to comply with.

A motion was made by Commissioner Lascelles, seconded by Gurlitz, that the revisions were not incongruous with the special character of the district and to grant the amendment to the Certificate of Appropriateness. The motion carried by a unanimous vote.

211 Glenburnie Street

[\[22-0356\]](#)

Grahn explained that the proposed renovation of a historic house and the reconstruction and relocation of the. She stated both buildings were listed as contributing structures on the National Register of Historic Places.

Commissioner Berndt disclosed that familiarized herself with the site on a visit to Coker Estate and 214 Glenburnie several months ago.

Fred Belledin, architect, explained that the property consisted of two parcels: a vacant lot facing North Street and a lot with the house and garage. He also explained the front of the house faces North Street and the side of the house faces Glenburnie Street. He said most of the work is on the non-street facing side of the house. He stated that the garage was listed as a contributing structure and explained that it would be relocated because it encroached onto the adjacent property. He said the garage would be located as close as possible to its existing location but outside of the setback.

Belledin informed the Commission that a well on the North Street lot was added to the application. He said the well would be in the side yard within a landscaped bed. He presented site plans and described the changes. He explained the project included a brick paved auto court and two pierced brick screen walls in the side and rear yards. He also described the elevation changes and presented the original footprint of the house based on Sanborn Map analysis. He interpreted the portions not included in the building footprint

on the Sanborn map as not original. He explained that a portion of the brick knee wall on the North Street façade would be removed and an uncovered porch with a balustrade would wrap around the side of the house.

Belledin explained the proposed window changes and skylight addition on the south elevation of the house facing the garage. He said doors would be added to the west elevation of the house and a low-level deck.

Belledin also requested to modify the proposed findings of fact in the staff report. He asked that finding of fact #3 to state the k-style gutters and the downspout would be replaced in-kind. He asked that finding of fact #10 state the new wood deck would have IPE deck boards or painted tongue and groove PVC to match the material proposed on the front and side porches.

Commissioner Perl de Pal asked if the property was a single-family home. Belledin said it was constructed as a single-family home and was converted to a boarding house several decades ago. Berndt also asked about the addressing and type of house. Leslie Brock, owner, mentioned that the house currently has five apartments, but it will be converted back to a single-family home.

Berndt asked how the 10-foot piece of property containing a Chapel Hill grit walkway came to be owned by the Town. Belledin explained that it was a separate parcel owned by the Town and was not part of the application.

Berndt requested a couple large trees near the garage be protected during the reconstruction. David Swanson, landscape architect, stated that an oak tree with significant rot needed to be removed. He also explained that the 38-inch and 44-inch oak trees would remain, but the location of the 38-inch oak was a concern with the garage relocation. He said they planned to minimize the impact of the garage's new foundation to the 38-inch tree, but there was no guarantee it would survive construction.

Berndt asked how the tradition Chapel Hill stone walls would be repaired. Swanson advised that some parts of the wall were mortared, and stones had fallen out or crumbled in other parts. He said they were still working out the details, but they would repair and evaluate as they go along.

Commissioner Schwartz said the standards encouraged in-kind replacement of the existing porch and asked how replacing the wood decking with tongue and groove PVC complied. Belledin said he works with National Park Service

on tax credit projects, and the integration of new materials is tricky. He explained that a large portion of the porch is uncovered, and a tongue and groove wood product would be compromised from exposure to the elements and allow moisture into the crawlspace below. He stated that Preservation North Carolina had used the PVC product for their downtown Raleigh headquarters for an uncovered deck where wood decking would have failed. He said the PVC would look and feel like wood with its smooth and field painted surface. He said they would use wood if the Commission preferred, but cautioned that it would fail with time. Murphy pointed to a standard that allowed a compatible substitute for wood.

Commissioner Daniels asked what the reconstructed garage would look like and for clarification on its new location. Belledin explained the garage would maintain its east/west orientation, but it would be moved off the neighbor's property and out of the setback. He said the existing garage has a rusted metal roof that was part of the reason for the structural issues and rot. He explained that they would salvage the parts they could and replace in-kind what they could not. He said the only change to the reconstructed garage was the carriage style doors that faced the driveway.

Commissioner McCormick asked for a design for the well house. Swanson explained the well was added for irrigation and there would be a structure to encase well itself. He explained that the well was shown on the North Street facing property because Orange County had stringent well setbacks. He said the well house had not been designed yet and acknowledged that it would require review by the Commission later.

McCormick said the Design Standards discouraged removing features like balconies. Belledin said no balconies would be removed. He clarified that the project included lowering the existing brick knee wall to porch level and replacing it with a balustrade that matches what was existing. He said the knee wall was not an original detail. McCormick asked if the brick wall could be lowered without the railing. Belledin said he would need to check with the owner and confirm if the porch would comply with building code requirements without a railing.

Berndt asked if the proposed garage doors would have windows. Belledin confirmed they would and that the windows may have divided lights. Perl de Pal asked if the reconstructed garage could be placed as close as possible to its existing location. Belledin said he understood that the garage would need

to meet setbacks. Murphy swore in Grahn, and she said the garage was a nonconforming feature. She explained that the reconstructed garage could be placed so that it reduces the degree of the existing nonconformity. Berndt asked if the property line could be adjusted. Murphy said the Commission could not require Belledin to speak to the other property owner, and they could only act on the application as submitted. Belledin explained that they needed work within the constraints of the current property boundaries.

Commissioner Gurlitz asked if the relocating the garage less would be a positive impact on the adjacent trees. Swanson confirmed it would. Belledin said they were amendable to building the garage in the setback, but said the garage needed to be moved far enough away to allow for construction and maintenance activities. Hornik advised that the Commission could find the reconstructed garage was not incongruous with the character of the district in terms of materials. He said they could also find that garage would not be incongruous if placed between the proposed location presented on the site plan or within the setback. He explained that Belledin could work with Town staff to address ordinance requirements for nonconforming features.

McCormick asked for a walkthrough on the propose changes to the windows and doors on the house. Belledin presented the elevations and explained the changes were to non-original parts of the building. McCormick asked how he made that determination and for the age of those portions of the building footprint not included in the Sanborn Map. Belledin did not know the age of those portions. McCormick was concerned that the proposed changes were a major alteration to wester elevation. Belledin reminded commissioners that it was not a street-facing side, and that conversion to a single-family residence influenced the proposed window changes.

There was no public comment.

Berndt found the lowering of the brick knee wall and addition of a balustrade to be a major façade change. She also acknowledged that they did not know how long the porch had been in its current design with brick knee walls. She said the front façade has symmetry if the brick wall was lowered.

Berndt was also concerned about the proposed 6-foot-tall wall on the west side of the property. She referenced the Design Standards and said they implied that brick walls should be lower. Gurlitz said he considered the west

lot line and the wall to be in the rear yard. Schwartz understood the wall height standard was intended to preserve the openness of a site. He said the proposed wall was behind the adjacent house and blocked from view by the street. Perl de Pal also thought the wall was set back substantially.

Daniels asked if the proposed changes to the front of the house were consistent with the character of the district. McCormick thought the building was plain, and the changes would make it look fancier, but acknowledged that the applicant could make the changes. McCormick was also concerned that there were changes to elements there were more than 50 years old.

Commissioner Lascelles said what they called a wraparound porch was only decking with a balustrade. Murphy agreed. Lascelles point out the existing balustrade on the second floor and did not find the addition of one on the ground floor incongruous. Daniels was also concerned with adding ornamentation. Commissioners discussed the difference between and porch and a deck and decided that what was proposed was a deck. Gurlitz did not think the addition of the deck required losing a character defining feature. Gurlitz mentioned the PVC decking and that the Belledin presented evidence that showed NPS standards were evolving, and the commission should consider it.

Perl de Pal was concerned that relocating the garage meant losing some of the quirkiness of the site. She suggested moving the garage 2 feet from the property line.

Berndt was concerned with the lack of details on the repair work for the rock walls and mentioned a previous petition on rock walls. Hornik said the Commission needed to decide if they were presented competent, material, and substantial evidence for the rock wall repair and well. He said if the did not think sufficient evidence was presented for those or other features that show they were incongruous, then they could not approve the Certificate of Appropriateness with those features. Murphy said the well house could be reviewed as an amendment because the application did not include enough detail.

A motion was made by Commissioner Lascelles, seconded by Schwartz, that the application was not incongruous with the special character of the district and to grant the Certificate of Appropriateness so long as the reconstructed garage be placed between its current location and the proposed location as

shown on the site plan, and that the certificate could be amended to include the well house at a future date. The motion carried by a majority vote.

Commissioners expressed their appreciate for the owner reverting the house to a single-family residence.

Commissioner Lascelles left the meeting at 9:05 p.m.

**Aye:** 6 - Chair Sean Murphy, Vice-Chair Duncan Lascelles, Brian Daniels , Josh Gurlitz, Nancy McCormick, and David Schwartz

**Nay:** 2 - Christine Berndt, and Anne Perl De Pal

**Excused:** 1 - Deputy Vice-Chair Polly van de Velde

700 Gimghoul Road

[\[22-0357\]](#)

Chair Murphy disclosed that he lived a couple houses away from this property.

Grahn explained that the application was to replace the front door and screen door, roofing material, extend the roof over a rear pergola, and replace a fence with a brick wall.

Jane Heaton, owner, explained there were two additions to the house, and the façade remained unchanged except for two skylights. She said the portion of the roof on the street-facing façade would be replaced in-kind and the skylights would be removed. She said the roof on the rear would be replaced with a PVC membrane. Heaton explained that the wood front door would be replaced with a similar wood paneled door with glass panels. She said the replacement would allow light into the house that would be lost from the removal of the skylights. She explained that the pergola was damaged from carpenter bees and was resting on the existing brick patio. She stated that the pergola would be replaced with a roof extension supported by columns. The roof extension would have two skylights. Heated described the street-facing part of the fence would be replaced with an open work brick fence. She said it would be of the same height as the existing fence and identified a similar fence at a neighbor's house. She also mentioned the house would be repainted.

Commissioner Berndt asked where the brick wall would be located. Heaton explained that it would extend from each side of the house and connect to the

existing wood fence along the the perimeter of the property.

Commissioner Perl de Pal asked if Heaton would consider a solid door or if there was a way to allow light inside the foyer with a solid front door. Heaton said the front door would need to stay open to get the light she was looking for and that doing this would block the opening to the study.

Perl de Pal asked if the brick wall could be installed closer to the rear of the house. Heaton thought the fence would look odd because a part of the wood fence along the interior lot line would extend beyond the brick wall. She also said a tree would interfere with moving the brick wall further back.

Chair Murphy said he believed the front door was original. Heaton was not sure if it was original but knew it had been previously repaired. Murphy said doors were character defining features of houses in the historic district.

There was no public comment.

Commissioner McCormick asked Heaton if she would be willing to keep the front door. Heaton said she believed the door needed to be replaced and she was not sure it could be repaired.

Commissioner Berndt said the standards limit brick walls to 30 inches in height and their placement to the rear. She was not sure how the proposed 6-foot brick wall along the front of the house met the standards. Murphy mentioned that there was an existing fence, and Heaton could withdraw that portion of the application and make in-kind repairs to the existing fence.

Commissioner Schwartz asked if the 30-inch height requirement was specific to houses in the Gimghoul Historic District. Counsel Hornik said Schwartz brought up an important question and reiterated that the Commissioners must determine whether an application is incongruous with the special character of the district. He explained that there may be elements of an application that do not comply with the Design Standards but may contribute to the character of the district. He said the Commission would be compelled to grant the COA in those instances. Hornik said the Commissioners may have knowledge that would help them determine if of bricks walls were a character of the Gimghoul Historic District. Murphy mentioned that there were a few brick walls in the Gimghoul Historic District and identified a neighboring property. Commissioner Gurlitz found the brick wall to be consistent with the Design

Standards because there were other fences and walls in this district.

Commissioners discussed the front door and expressed uncertainty approving a replacement. Murphy interpreted the standards as requiring an in-kind replacement of the entire door or any deteriorated elements. Berndt asked if the Design Standards applied to the existing storm door. Murphy found that storm doors were typical in the district and a character defining feature. He thought the same Design Standards would apply to storm doors. Schwartz said the Commission could ask Heaton to return with expert testimony on the door's condition. McCormick mentioned that Heaton provided photos of similar doors on other houses in the district. Murphy said several of the photos were of new houses and there was a difference in how congruity standards apply to original houses and new construction.

Hornik said the Commission needed to decide if the door was a special character of the district, and whether the proposed replacement was incongruous with the character of the district. He reiterated that Heaton was entitled to a COA if evidence was presented that the replacement was not incongruous. Hornik said a majority of Commissioners needed to decide what the special character of the district was as it related to the application before them. Grahn also reminded Commissioners that they would not review in-kind replacements of wood doors because the work was considered repair and maintenance.

A motion was made by Commissioner Daniels, seconded by Perl de Pal, that the application except for the replacement front door was not incongruous with the special character of the district and to grant the Certificate of Appropriateness. The motion carried by a unanimous vote.

301 Hillsborough Street

[\[22-0359\]](#)

Grahn explained that the proposed house renovation included an expansion to the existing lean-to addition, relocation of existing wood windows and a door, and removal of a brick chimney flue.

James Morgan, architect, said the house was built in 1920 and the application was for minimal exterior changes. He presented existing elevations and indicated the features to be modified. He explained that the project included relocating existing windows, rebuilding the screen porch at the rear of the house, building a new code-compliant staircase to the screened porch. He said they planned to maintain the existing historic stone stairs and explained

that they could not be repaired to meet code. He also explained that a brick flue will be removed and that he did not find it to be a character defining feature. He also explained that portions of a low stone wall will be repaired or rebuilt to match existing parts that are in good condition.

Commissioner Schwartz asked about the removal of the brick flue and explained that the Design Standards discourage major façade changes. Morgan explained that the brick flue was an unsightly intrusion and did not believe the original builder would put the chimney through a dormer.

Commissioner Perl de Pal asked for confirmation that the existing windows and doors were in good condition and could be restored. Morgan confirmed. Perl de Pal asked if that was true of the other materials. Morgan explained that the front porch requires mostly minor repairs, and no historic features would require major replacement of materials. Perl de Pal asked about the existing historic stone stairs that will be maintained. Morgan confirmed that the stairs lead to nowhere and would serve a purely decorative and historic function. He explained that the stairs were too dangerous to use and any changes to make it safe would destroy its historic character.

Commissioner Gurlitz found that the intrusion of the brick flue was not original because it was opportunistically extended through a contributing feature. Chair Murphy agreed and noted that the proportion, shape, and size were not consistent with historic chimneys.

Commissioner Berndt asked Morgan to describe the proposal to repair the stone wall. Morgan explained that the wall will be rebuilt to match the section of the wall on the opposite side of the gateway. Murphy pointed to a document in the application materials that included this information.

Schwartz asked if a craftsman had been selected for the stone wall work. Brian Herndon, owner, explained he had not chosen a craftsman and was looking for someone with historic stone wall experience. Schwartz offered to provide resources.

There was no public comment.

A motion was made by Commissioner Perl de Pal, seconded by Schwartz, that the application was not incongruous with the special character of the district and to grant the Certificate of Appropriateness. The motion carried by a

unanimous vote.

404 Hillsborough Street

[\[22-0358\]](#)

Harrel advised that the project is for a fieldstone retaining wall and the application was after-the-fact.

RJ Sims Preston, the owner, explained he did not realize a Certificate of Appropriateness was required for construction of the fieldstone wall. He was informed of the requirement when his electrician applied for an electrical permit. Preston explained how the new fieldstone retaining wall connected to an existing wall in his side yard. He said the existing wall was dry-stacked, and the new portion of the wall was mortared. He stated that the garden pond has a fieldstone cap that matches the fieldstone wall. He also presented photos demonstrating how the retaining wall and pond were not visible from the street.

There was no public comment.

Commissioner Schwartz was unsure the Design Standards contemplated the type of wall Preston built because it does not define the perimeter of a property. Chair Murphy agreed and found it an odd application to review as the existing house and wall were not historic.

A motion was made by Commissioner Daniels, seconded by Schwartz, that the application was not incongruous with the special character of the district and to grant the Certificate of Appropriateness. The motion carried by a unanimous vote.

### **Council Recommendation for Reappointment**

A motion was made by Commissioner Gurlitz, seconded by Daniels, to forward a recommendation to Council to reappoint Commissioners Lascelles and Perl de Pal to the HDC. The motion carried by a unanimous vote.

### **Reports**

#### *Adjournment*

Next Meeting - June 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.*

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