



# 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

**Tuesday, September 13, 2022**

**6:30 PM**

**RM 110 | Council Chamber**

#### Language Access Statement

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#### 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, 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*

*Commission Chair reads public charge*

#### Approval of Agenda

A motion was made by Commissioner Schwartz, seconded by Perl de Pal, to  
approve the agenda. The motion carried by a unanimous vote.

**Aye:** 7 - Chair Sean Murphy, Vice-Chair Duncan Lascelles, Brian  
Daniels , Josh Gurlitz, Nancy McCormick, Anne Perl De Pal ,  
and David Schwartz

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

## Announcements

## Petitions

## Approval of Minutes

### 1. July 12, 2022 Action Minutes

[\[22-0613\]](#)

A motion was made by Commissioner Daniels, seconded by McCormick, to approve the July 12, 2022, meeting minutes. The motion carried by a unanimous vote.

**Aye:** 7 - Chair Sean Murphy, Vice-Chair Duncan Lascelles, Brian Daniels, Josh Gurlitz, Nancy McCormick, Anne Perl De Pal, and David Schwartz

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

## Information

### 2. Administrative Certificate of Appropriateness Approvals and Maintenance Memos

[\[22-0614\]](#)

Grahn explained that the administrative approvals report was for information purposes only, and commissioners could ask questions about the applications but not change the decision.

Commissioner Perl de Pal expressed concern with administrative approvals for window and door changes. Commissioners discussed changes that needed to be reviewed by the Commission and those that could be approved administratively but found it difficult to draw a line. Counsel Hornik recommended they discuss the matter at a future work session.

## Old Business

### 3. 379 Tenney Circle

[\[22-0615\]](#)

Grahn explained that this item was a continuation from the July 12 meeting.

The owners, Beril Steiner and Michael Uku Steiner, introduced the project and their architect, Ellen Weinstein. Mrs. Steiner said the proposed changes to the side and rear elevations were driven by a need to bring in light to the house and create more livable space.

Weinstein described the proposed changes to the dormers on the north

façade elevation. She said the dormer windows were in bedrooms and needed to comply with the State Building Code egress requirements. She presented dimensioned drawings of the originally approved dormers and the revised dormers. She said the original dormers were not code compliant because the size and type of windows were not for egress; the sill height was too high from the floor to meet egress requirements; and there was not enough space on each side of the windows to install trim and insulate an exterior wall. She said the revised design included approved egress casement windows with additional width to install the dormers.

Weinstein described the proposed changes to the rear elevation. She proposed constructing a screen porch over the existing wood deck, extending the dormer, building a new wood deck, and installing three 6-foot-wide French door openings across the rear elevation of the house. She said that the original drawing proposed a 12-foot-wide glass opening in the center of the rear elevation and the size and number of openings was revised to add more solid area.

Weinstein described the proposed changes to the east elevation. She explained that steps were added from the main deck and step down to continue to the backyard, the shed dormer was extended to the exterior wall of the house, and the HVAC units and basement door were relocated.

Weinstein described the proposed changes to the west elevation. She said the asymmetrical gable was not original to the house. She explained the existing door would be moved further east on the elevation and replaced with a window. She stated a brick stoop would be added for a new side entry, and the screen porch was an extension of the addition. She also described how the screened deck was separate from the original massing of the house and pulled back from its corner of the house to maintain the house's original form.

Mrs. Steiner explained how they found the proposed modifications met the Design Standards and responded to concerns voiced by the commissioners at the July 12 meeting.

Commissioner Daniels asked if the front dormers were the only change to the front elevation. Mrs. Steiner said the attached garage was removed and the roof replaced. He also asked for the size of the windows in the dormers compared to the first floor. Mrs. Steiner said there was a one-inch difference in size.

Commissioner Schwartz asked the applicant to explain the changes that were made in response to the commission's feedback from the July 12 meeting. Mrs. Steiner stated that the original single 12-foot-wide patio door opening on the rear elevation was changed to three 6-foot-wide French doors to improve the solid to void ratio. She also explained that the windows on the second floor were shortened and narrowed.

Weinstein reiterated that the additions to the house, screen porch, and deck areas were not coplanar and were set in, so the original massing of the house was readable.

Chair Murphy noticed a difference in the elevation drawings the applicant presented during the meeting and those included in their packet. He advised commissioners to make sure their motion referenced the materials presented during the meeting.

Mr. Steiner said the most significant changes were made to the front elevation, and the solid-to-void ratio was improved on the rear. Schwartz asked if the front dormers were smaller. Mrs. Steiner explained the dormers were smaller and they had minimized the size of the dormers to meet egress requirements.

Commissioner Perl de Pal asked for the minimum window size for egress. The Steiners and Weinstein did not know the code requirement. Perl de Pal was concerned about the size of the dormers and referred to the information presented at the June meeting for their Certificate of Appropriateness. She thought the previous materials showed windows in front dormers were smaller in proportion to first floor windows.

Murphy stated that the applicant provided dimensions for what was originally approved and what was proposed, whereas in the previous meeting that information was missing. He asked Perl de Pal what information was lacking. Schwartz reiterated that the originally approved dormers were not code compliant. Schwartz searched for the egress requirement and found it on a Home Depot website that cited the State building code:  
<https://www.homedepot.com/c/ab/egress-windows-buying-guide/9ba683603be9fa5395fab901401ea56c>.

Commissioner McCormick asked why front dormer windows were changed

from double-hung to casement. Weinstein explained that the smallest double-hung windows they found that could be used for egress required larger dormers. She said casement windows were chosen to reduce the size of the window openings and the dormers.

Perl de Pal asked how far back the screen porch was set back, and if they had photographs of the existing house. Weinstein said she did not think it would be visible from the road. Mrs. Steiner presented photos of the existing house.

There was no public comment.

Daniels thought the proposed changes responded to their previous comments. Commissioners Lascelles and Gurlitz agreed.

Perl de Pal was concerned that the front dormer windows were similar in size to the first-floor windows. She considered the special character of the district and the historical data the applicant presented at the June meeting. She thought the historical precedents showed that dormer windows were substantially smaller than the windows on lower stories. She was uncomfortable approving windows of the same size as those on the first floor. Daniels reviewed the evidence presented at the June meeting and identified photos of dormer windows that were both smaller than those on the main house form as well as dormer windows that were similar in size to those on lower levels.

A motion was made by Commissioner Daniels, seconded by Lascelles, that the application was not incongruous with the special character of the district and to grant the Certificate of Appropriateness (COA). Daniels amended the motion to state that their approval was based on the materials the applicant presented during the meeting. The motion carried by a vote of 6 to 1.

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

**Nay:** 1 - Anne Perl De Pal

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

## **New Business**

### **4. 160-UT E. Rosemary Street**

**[\[22-0616\]](#)**

Harrell introduced the item as an application for a new wood pole containing a wireless antenna.

Rusty Carringer and Jordan Peters presented the project. Carringer explained that the proposal pole was one of eight nodes in a small cell deployment to enhance 5G service in Chapel Hill. He said the other nodes were approved by the Town and North Carolina Department of Transportation, and this pole required review by the commission.

Carringer explained that the new pole would be in front of a proposed medical development. He presented photos and renderings that showed the new pole and wireless equipment. He said the proposed wood pole would match the existing wood poles in the right-of-way. Peters and Carringer explained installing a new pole was not optimal, but nearby poles could not be used to hold the new equipment. Carringer also said the wireless equipment would be at the top of the wood pole and did not require a cabinet on the ground.

Commissioner Schwartz asked if they could install the equipment on the existing pole at the intersection. Peters explained that the existing pole had utilities on top, and they did not think Duke would allow their equipment on the pole because of that.

Commissioner Perl de Pal asked about the relevancy of the technology. Carringer explained that the equipment could be easily upgraded once installed. He also did not think it would be outdated soon. She mentioned the proposed public park adjacent to the proposed pole and asked if their equipment could be incorporated on streetlights proposed as part of the Rosemary Street redevelopment project. Commissioners discussed the need for the applicant to work with the 150 E. Rosemary Street developer to coordinate installation of the wireless equipment.

Carringer stated that the wood pole could be painted to match future improvements within the public park, but he did not recommend painting the pole. He explained how the proposal complied with the Design Standards in that it was minimally designed with no cabinet on the ground, it did not affect any tree canopy, and it did not alter the historic landscape.

Commissioner Daniels asked if the pole would need to be removed and reinstalled during construction of the public park. Carringer and Peters said it was a possibility.

Schwartz asked if they could condition the approval so that the equipment could be relocated to a streetlight associated with the proposed public park. Peters said they could explore that option.

Harrell explained that Crown Castle had an immediate need for the node installation and that the zoning compliance permit (ZCP) application for the public park was under review. She mentioned the Crown Castle could coordinate with the developer later about relocating the equipment to a new streetlight.

Counsel Hornik advised the commissioners against conditioning their approval if the condition did not affect the congruity of the proposal. He also did not think it was within the commission's authority to mandate the relocation of the wireless equipment.

Commissioner Gurlitz suggested they have a future discussion regarding standards for wireless communication equipment.

There was no public comment.

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

**Aye:** 7 - Chair Sean Murphy, Vice-Chair Duncan Lascelles, Brian Daniels , Josh Gurlitz, Nancy McCormick, Anne Perl De Pal , and David Schwartz

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

### **HDC Officer Elections- Scheduled for October 11, 2022**

The commissioners discussed officer elections at the October meeting, eligibility, and how voting would take place.

#### *Adjournment*

Next Meeting - October 11, 2022

#### *Order of Consideration of Agenda Items:*

- 1. Staff Presentation*
  - 2. Applicant's Presentation*
  - 3. Public Comment*
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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.*