



# 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  
Chris Berndt  
Brian Daniels

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

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**Tuesday, July 13, 2021**

**5:30 PM**

**Virtual Meeting**

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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.

The public is invited to attend the Zoom webinar directly online or by phone. Register for this webinar: [URL](#). After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 856 8148 3863.

#### **Items may be continued to the Historic District Commission - Special Meeting on July 20, 2021**

#### **Opening**

##### *Roll Call*

Staff present: Anya Grahn, Staff Liaison to the Commission, Brian Ferrell,  
Counsel to the Commission

##### **Present**

9 - Chair David Schwartz, Vice-Chair Duncan Lascelles,  
Deputy Vice-Chair Sean Murphy, Christine Berndt, Brian  
Daniels , Josh Gurlitz, Nancy McCormick, Anne Perl De  
Pal , and Polly Van de Velde

*Commission Chair reads public charge*

*Secretary reads procedures into the record*

#### **Approval of Agenda**

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

**Administrative Approvals**

1. Administrative Certificate of Appropriateness (COA) Approvals [\[21-0615\]](#)

Grahn explained recent administrative approvals of minor work at 203 Battle Lane.

**Announcements**

*Council Member Amy Ryan*

Council person Ryan thanked the Commission for their time and expertise. She spoke to the Commission about her experience serving as chair of the Planning Commission and encouraged commissioners to serve as officers.

New Commissioners Berndt and Daniels introduced themselves.

**Petitions****Approval of Minutes**

2. June 10, 2021 Meeting Minutes [\[21-0616\]](#)

Commissioners Berndt and Daniels requested to be recused as they had not attended the prior meeting. The Commission approved their recusal.

A motion was made by Murphy, seconded by Perl de Pal, to approve the June 10, 2021 Meeting Minutes. The motion carried by a unanimous vote.

**Aye:** 6 - Chair David Schwartz, Vice-Chair Duncan Lascelles, Deputy Vice-Chair Sean Murphy, Josh Gurlitz, Nancy McCormick, and Anne Perl De Pal

**Excused:** 1 - Polly Van de Velde

**Recused:** 2 - Christine Berndt, and Brian Daniels

**Continue to July 20, 2021**

3. Historic District Design Principles & Standards - Photo Replacement [\[21-0493\]](#)

referred.to the Historic District Commission due back on 7/20/2021

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

referred.to the Historic District Commission due back on 7/20/2021

**Consent Agenda**

5. 514 E. Rosemary Street [\[21-0617\]](#)

Commissioner Perl de Pal requested that this item be removed from the consent agenda. She was interested in learning more about the noise volume of generators and ensuring that the landscape buffer is sufficient. She encouraged the applicant to stake the property prior to installing the fence to ensure the fence is on the property line. Chair Schwartz was interested in learning more from the applicant about how the fence and its dimensions are congruous with the historic district.

A motion was made by Schwartz, seconded by Gurlitz, to move the project to the New Business section of the agenda. The motion carried by a unanimous vote.

**Aye:** 8 - Chair David Schwartz, Vice-Chair Duncan Lascelles, Deputy Vice-Chair Sean Murphy, Christine Berndt, Brian Daniels , Josh Gurlitz, Nancy McCormick, and Anne Perl De Pal

**Excused:** 1 - Polly Van de Velde

## **Old Business**

### **6. 510 Hooper Lane**

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

Commissioners Berndt and Daniels requested to be recused as they had not attended the prior meeting. The Commission confirmed.

Grahn explained the application had been reviewed by the Commission at its May and June meetings. Commissioner McCormick disclosed she had received an email from Susan Smith after the last meeting, and the email did not influence her decision. Murphy explained he had emailed preservation consultant Heather Slane about red brick; however, their email conversation did not impact his decision. Commissioners Murphy, McCormick, and Perl de Pal disclosed they had visited the site and discussed their observations.

Commissioner Van de Velde joined the meeting at 6:00pm.

LeAnn Nease Brown, counsel to the applicant, summarized the evidence provided in the application. She explained the property owners were interested in restoring the six-inch fieldstone wall in its original location. She clarified that the applicant had withdrawn their requests for covering the brick house with a limestone wash and installing a metal railing. The applicant had heard the Commission's concerns for the use of Chapel Hill grit across the front of the property, and they proposed shielding the new retaining wall with vegetation.

She described the need for the retaining wall to provide support along Hooper Lane and address drainage. The owners had capped the wall with brick and the property owner was willing to use landscaping to minimize the view of the wall from Hooper Lane. They proposed planting boxwoods for this purpose. She explained that the materials of the retaining wall, with the exception of the brick cap, were not typical for the historic district.

Brown discussed that the property owners had selected the brick material to coordinate with the brick edging along the driveway. She stressed that in the absence of evidence that an item had been approved by a former Commission, the Commission should assume that items in existence for a number of years have been approved. She pointed out that staff had found permits that the work had received a Certificate of Appropriateness. Brown explained that 'red brick' was not specifically defined in the standards or ordinance and the Commission needed to clarify whether the intent was the color or material of the brick. She described the physical components, including the amount of magnesium in the clay and its baking time, that gave red brick its appearance. She stated that the brick replaced a previous slate sidewalk that was in poor condition and did not have a historical relationship to the house.

The Commission discussed the relationship of the low retaining wall, Chapel Hill grit, and low stone wall at the front of the property. Brown explained that the applicant was willing to reconstruct the six-inch-tall fieldstone wall three feet six inches from the retaining wall to allow for vegetation. There was interest in ensuring that the stone and brick walls were not built in the right-of-way. They considered whether dogwood or lirope was more appropriate to shield the appearance of the retaining wall from Hooper Lane.

The Commission considered the color of the brick. They considered whether a Certificate of Appropriateness (COA) had been approved for the brick edging on the driveway. Brown pointed out that in the absence of evidence that work was completed without a COA, the Commission should assume a COA had been approved. She stated that Bruno Carneiro had presented Google Maps and GIS images at the last meeting showing the timing of the brick edging, which corresponded with the COA documents staff had shared with the applicant. Grahn clarified that the documents provided were from the Town's electronic files and she had not found evidence of a signed copy of the COA placard in the electronic files. Brown reiterated that the property

owner had chosen a brick that was the closest match she could find to the brick driveway edging.

Brown and the Commission discussed the proposed landscaping. The applicant committed to the plans provided and consented to a condition of approval that landscaping would be used to screen the retaining wall. The Commission discussed whether Chapel Hill grit along the roadway was congruous with the historic district. They considered whether the work complied with the Design Standards and discussed the standards' language around thirty-inch-tall walls, the stucco finish of the retaining wall, and red brick. Commissioners spoke to the materiality and color of red brick and how the Commission could ensure proposed red brick materials were consistent with the Standards and congruous with the historic districts. Some expressed concern about the color and thick mortar joints of the brick used to construct the landscape steps. Brown clarified that the stone wall along the street would be rebuilt using salvaged stones.

A motion was made by Schwartz, seconded by Van de Velde, to approve the COA for the reconstruction of the fieldstone wall using a dry stack method and mortar joints, the removal of Chapel Hill grit between the street and retaining wall, and the planting of boxwoods between the stone wall and the retaining wall. The motion carried with a unanimous vote.

A motion was made by Lascelles, seconded by Van de Velde, to approve the COA for the construction of the retaining wall and its materials as outlined in the application. The motion passed with a vote of 4 to 3.

**Aye:** 4 - Vice-Chair Duncan Lascelles, Josh Gurlitz, Nancy McCormick, and Polly Van de Velde

**Nay:** 3 - Chair David Schwartz, Deputy Vice-Chair Sean Murphy, and Anne Perl De Pal

**Recused:** 2 - Christine Berndt, and Brian Daniels

7. 609 North Street

[\[21-0496\]](#)

Grahn explained the applicant proposed to renovate the historic Dr. Coker House. As part of the work, the applicant will construct a rear addition on the northeast corner of the house, reconstruct a carriage house, and make site improvements.

Commissioner Berndt disclosed she visited the site from the public

right-of-way and expressed concerns about the maintenance of the public park, "The Rocks." Schwartz disclosed that he did not visit the site but had been to the property on numerous occasions, and Perl de Pal stated she was also familiar with the property and public park.

Susan Allison stated she had the property under contract to purchase. She introduced members of her design team and expressed her interest in being a steward of the property.

Fred Belledin, architect, presented illustrated site plans and discussed the design approach to locate improvements in areas that were previously disturbed. He pointed out that driveway improvements would be made in an area of a previous farm driveway and the addition would be constructed in a service area. Belledin presented historic photographs of the site and spoke to reconstructing an arbor within its original footprint. He also described how Preservation North Carolina's easement on the property had informed design decisions, and he requested the Commission to amend the Findings of Fact to clarify the scope of work. He explained that the design team had not finalized driveway materials, and he requested the Commission consider a condition of approval allowing staff to administratively approve the final material selection. He also spoke to repairs that needed to be made, including spot pointing fieldstone walls, repairing and restoring wood trim and eaves, and patching damaged cementitious stucco.

Belledin discussed the need to rebuild the carriage house due to its poor structural condition. He stated that the carriage house would be expanded slightly as part of the reconstruction to allow for contemporary vehicles. Windows and doors on the carriage house would be designed to complement the historic house.

The architect also described the location and design of the addition to match the scale of the historic house. He pointed out the hyphen connector proposed to help differentiate the addition from the original structure.

Myrick Howard, President of Preservation North Carolina, explained that his organization held a preservation easement on the Coker House that encumbers the interior and exterior of the house, as well as significant landscape elements. He spoke of his review of the plans and of working with the team to ensure that the proposed work was consistent with the easement.

The Commission discussed changes to the site plan. There were concerns that the expanded parking area would impact the oak tree, and the applicant described the need to realign the parking as the driveway would no longer be a loop. The Commission and applicant discussed the stone walkways and patios, window design of the garage doors, the driveway materials and proposed stone edging, as well as the realignment of the driveway. The applicant described the history of the carriage house, which they found was constructed after the 1920s.

The applicant presented elevation drawings of the proposed addition and hyphen. They discussed the roof form, materials, and asymmetrical fenestration pattern of the master bedroom.

The Commission and Howard clarified that the preservation easement was more restrictive than the Design Standards.

Commissioners expressed concern for the front entrance and expanding the parking in the front. Some found reducing the parking area would better protect the tree. Commissioner Perl De Pal asked for greater clarity in the preservation techniques proposed and construction documentation verifying the accurate reconstruction of wood windows. Howard explained Preservation North Carolina's role in ensuring accurate reconstructions and stated that the Commission was limited to finding that the proposed changes were not incongruous with the district.

A motion was made by Murphy, seconded by Daniels, to approve the Certificate of Appropriateness application with a condition of approval that the applicant return to town staff for review of the driveway materials. The motion carried by a unanimous vote.

Commissioner Berndt asked that the Commission request information from UNC Botanical Gardens about maintaining and upgrading the public park easement for The Rocks.

**8. 6 Cobb Terrace**

[\[21-0497\]](#)

Grahn explained that the applicant proposed to install a custom metal fence with decorative posts featuring Arts and Crafts-style finials. The fence would be secured to the fieldstone wall.

Commissioners Berndt, Van de Velde, and Daniels disclosed they had each

driven the Cobb Terrace Loop and noted their observations.

Melissa McCullough, property owner, presented historic photos of the property and described its history. She shared aerial photographs of the property and pointed out its property lines, sensitive planting areas, and a historic walking path. She discussed how she found the project to comply with the Design Standards, and she presented photos of fences within the historic district and in the neighborhood.

The Commission discussed the height of the proposed fence and how it would intersect with the house. They spoke to the uniqueness of the site in that the house sat above the street and did not have a backyard as Cobb Terrace wrapped around the east and west sides of the property. They considered the Design Standards state that fences should generally be no more than 30 inches in height, and Commissioner Gurlitz summarized how the Design Standards committee had determined this as an appropriate fence height to maintain the sense of transparency in the historic district. Some commissioners found that the proposed fence design was very transparent. There were concerns that approving the fence would set a precedent of allowing fences driven by personal circumstances rather than the Design Standards. Others found there should be some flexibility to consider practical and functional solutions.

Some commissioners requested that the applicant consider relocating the fence to the side yard due to the prominence of a front yard fence, its required height, and its relationship to the house. Some expressed concern about the proposed height of the gate and its need for a variance.

The Commission continued the item to the July 20, 2021 meeting.

### **New Business**

9. 104 N. Boundary Street [\[21-0624\]](#)

The Commission continued this item to the July 20, 2021 meeting.

10. 214 Glenburnie Street [\[21-0625\]](#)

The Commission continued this item to the July 20, 2021 meeting.

11. 715 Gimghoul Road [\[21-0626\]](#)

Grahn explained that applicant proposed to modify an existing driveway, construct a bluestone patio, and repair the existing brick retaining wall and



steps.

Commissioner Perl de Pal stated she had visited the site and spoken to the owner about the driveway. Commissioner Murphy disclosed he was familiar with the property and had visited the house in the past.

David Swanson, landscape architect, presented a site plan and described the existing conditions. He explained the proposed driveway improvements would allow parking for a second car. He clarified that the driveway was not shared with the neighbor, but that the two driveways did share an apron at the street. He spoke of design challenges with replacing the brick driveway and tying it into the neighbor's concrete paver driveway.

The Commission and Swanson discussed the use of red brick. Swanson explained the brick-making process, including how the color of clay and baking period determined the appearance of baked bricks. He stated that flashed bricks were commonly used in Chapel Hill, at the UNC campus, and throughout the historic district.

The Commission discussed whether the neighbor would allow for replacement of the concrete apron connecting the two driveways. Swanson described the edging treatment where the brick and concrete pavers intersected. They considered the relocation of the brick retaining wall at the front of the driveway and whether the proposed herringbone pattern was consistent with other brick driveways in the historic district. Some commissioners found that it was more important to restore the red brick driveway than replace it with contemporary materials relating to the neighbor's concrete paver driveway. Swanson stressed that they were separate driveways that shared an apron.

A motion was made Lascelles, seconded by Gurlitz, to approve the Certificate of Appropriateness application. The motion carried by a vote of 8 to 1.

**Aye:** 8 - Chair David Schwartz, Vice-Chair Duncan Lascelles, Deputy Vice-Chair Sean Murphy, Brian Daniels , Josh Gurlitz, Nancy McCormick, Anne Perl De Pal , and Polly Van de Velde

**Nay:** 1 - Christine Berndt

*Adjournment*

Next Meeting - July 20, 2021

*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.*

Note