



# 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 20, 2021**

**5:30 PM**

**Virtual Meeting**

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### **Special Meeting - Revised Agenda**

#### **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](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, Charnika Harrell, Liaison to Commission, and Brian Ferrell, Counsel to Commission

##### **Present**

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

##### **Excused**

1 - Christine Berndt

*Secretary reads procedures into the record*

*Commission Chair reads public charge*

#### **Approval of Agenda**

#### **Announcements**

Chair Schwartz stated that review of Certificate of Appropriateness (COA) applications would begin at 7pm.

## **Petitions**

### **Historic District Design Principles & Standards**

#### **1. Historic District Design Principles & Standards - Photo Replacement**

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

Commissioner Gurlitz explained that a committee had reviewed possible photo replacements to the Design Principles & Standards ("Design Standards"). He presented photos and captions, explained the reasoning for replacement, and then provided alternative photos for the Commission to consider.

Commissioner Lascelles joined the meeting at 5:49pm.

Gurlitz recommended deleting the photo on page 26 of the Design Standards as the photo was an example of modern design not typically found in the historic districts. A motion was made by Schwartz, seconded by Gurlitz, to remove the photo and not replace it. The motion passed 5 to 3.

Gurlitz presented a photo on the top of page 54 and explained that the committee wanted to retain this photo to encourage garage designs that are subordinate in size and scale to the primary structure. There were no objections.

Gurlitz explained that the photo on the bottom of page 54 of a 1.5-story, 2-car garage was an inaccurate representation of early 20th century garages in the district. The Commission discussed the history of garage development in the historic districts, how to address photo captions, and the Commission's interest in encouraging smaller garages. A motion was made by McCormick, seconded by Daniels, to replace the photo with a photo depicting a one-story garage. The motion failed by an action of 4 to 4.

Gurlitz pointed out that a photo on page 72 showed a house that had been approved as part an appeal lawsuit. A motion was made by McCormick, seconded by Van de Velde, to replace the photo. The motion carried by a unanimous vote.

Gurlitz discussed a photo on page 85 showing a house of modern design. He found that the proposed replacement photo of a contemporary house was a

better example. A motion was made by McCormick, seconded by Gurlitz. The motion carried by a unanimous vote.

Gurlitz presented a photo on page 111 of a two-car garage on the side of the house. He explained that the photo was misleading in that it appeared the house was on the front of the house. He explained the challenge of the caption. A motion was made by McCormick, seconded by Van de Velde, to replace the photo with one of 521 Hooper Lane. The motion carried by a unanimous vote.

Gurlitz described the photos on page 116 showing examples of new construction that he found did not accurately illustrate the scale and proportion of the majority of new and old homes in the district. The Commission discussed that one house was in Gimghoul and had been reconstructed to match the original. They thought it would be helpful to include a photo depicting a house within the context of its neighborhood. They discussed the formatting and layout of the page that would be necessary to replace the photos. A motion was made by McCormick and amended by Gurlitz to retain the top photo and replace the lower photo on the page, and was seconded by Daniels. The motion carried by a vote of 6 to 2.

A motion was made by Gurlitz, seconded by Daniels, to replace the photo on page 119. The motion carried by a unanimous vote.

Gurlitz discussed a photo and caption on page 128 of a new garage. He provided an alternative photo of an accessory structure. The Commission spoke of the history of the accessory structure in the proposed replacement photograph and other examples of new garages in the historic districts. They spoke of a photo on page 129 as a better example of a smaller garage replacement. A motion was made by McCormick, seconded by Perl de Pal to replace the photo on page 129 with a smaller garage. The motion carried by a vote of 6 to 2.

Gurlitz found that replacement photos provided a better example of the appropriate scale of additions than the photos included on page 132. The Commission discussed the context of each addition shown and the visibility of the additions from the right of way. A motion was made by McCormick, amended by Daniels to remove both photos and replace with a single photo. The motion was seconded by Perl de Pal and carried with a vote of 5 to 3.

Gurlitz explained that community members had suggested replacing the photo of new construction on the cover. There was interest in presenting examples of smaller houses in the district. A motion was made by Gurlitz, seconded by Daniels, to replace the photo with the recommended alternative photo. The motion carried by a vote of 6 to 2.

## **Discussion**

### *Fieldstone & Brick Walls*

This item was continued to a date uncertain.

### *Council petition regarding Design Review Advisory Committee*

This item was continued to a date uncertain.

## **Historic District Commission Rules of Procedure**

### **2. Revisions to Historic District Commission Rules of Procedure**

[\[21-0373\]](#)

Ferrell, Counsel to the Commission, explained the proposed changes are driven by recent amendments to the Land Use Management Ordinance and North Carolina General Statutes 160D. He discussed with the Commission state law requirements for consent from those with standing for a virtual meeting. There were concerns about including a North Carolina Bar Association opinion in the rules, and there was consensus for its removal. They also considered who had the ability to represent property owners as an agent.

The Commission continued the discussion to the September 14, 2021 meeting.

## **Continue to September 14, 2021**

### **3. 6 Cobb Terrace**

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

This item was continued to September 14, 2021.

## **Old Business (Starting at 7pm)**

### **4. 104 N. Boundary Street**

[\[21-0624\]](#)

Grahn explained that the applicant proposed to construct a second floor addition on the rear elevation of the house, replace several windows and doors, and construct a new ADA ramp accessing the basement.

Commissioners disclosed that had walked or driven by the site.

Mark Wilson, project architect, introduced property owners, Derek and Louise Winstanly. The Winstanlys spoke of their interest in aging in place in the home. Wilson presented aerial photos of the site as well as photos of the existing conditions and materials. He provided existing and proposed floor plans, noting the proposed changes. He discussed the steps taken to meet the Design Standards and Secretary of the Interior's Standards. He requested an amendment to staff's proposed finding of fact 8 to clarify the French doors, transom, and sidelights of the sun porch would be replaced.

The Commission considered the proposed changes. They discussed the impacts of the addition on the view from the adjacent Horace Williams House. They clarified that the existing stone sill would be reused to expand the kitchen windows and that the shutters were cosmetic, not functional.

A motion was made by Murphy, seconded by Gurlitz, to approve the Certificate of Appropriateness with the amendment to the finding of fact. The motion carried by a unanimous vote.

**5. 214 Glenburnie Street**

**[\[21-0625\]](#)**

Grahn stated the applicant proposed to renovate the historic house, construct a two-story addition, and make site improvements. Commissioners disclosed that they have walked or driven by the house. Schwartz and Perl de Pal said they had visited the site.

Property owners Vickie Segar and Benjamin Gildin explained their intent to renovate the house for a growing family. They discussed that the house required new plumbing, electrical, and mold remediation.

Cari Paulus Filer, architect, outlined the history of the house including its history of remodels and additions. She presented the proposed plans for the new addition and explained how the design sought to reflect the original building. She stated that the craftsmanship of the original masonry was poor and required repair. The applicant proposed to paint the house to match the new addition to avoid a patchy appearance and Paulus Filer provided examples of historic buildings with mineral-based painted masonry. She spoke to the need to remove an original chimney on the side elevation and to construct a new entrance on the facade. She provided details of lighting fixtures and half-round copper gutters.

The Commission discussed the need to paint the original unpainted masonry. Commissioners found that the imperfections of the building were part of its history and the Design Standards did not support painting masonry. Paulus Filer explained the applicant wanted the house to look cohesive and the painted appearance of the addition against the dark brick was a stark contrast and would make the addition appear larger. The Commission found they had no discretion to approve painting unpainted historic masonry.

The architect and Commission spoke of the scale and proportion of the new elements and addition compared to the original house. Paulus Filer confirmed that the applicants' team had not confirmed the existing rear addition was historic, but that it was proposed to be removed. Commissioners spoke of the size and placement of the additions, their visibility from the rights-of-way, and whether they competed visually with the historic house. They considered whether the additions complied with the Design Standards. They discussed the roof ridge heights and whether the roof line of the additions could be lowered from the historic ridges. Commissioners found that the new portico on the facade did not comply with the Design Standards as it transformed the front of the house as the new door was much larger in scale than the original.

John Sweet, neighbor, explained that the property owners had worked closely with the neighbors to resolve concerns about the existing trees. Paulus Filer asked the Commission to incorporate recommended stipulations based on the conversations with the neighbors.

Susan Smith, community member, stated she had visited the site and was interested in the amount of brick repair that was required. She shared the Commission's concerns regarding the size of the addition overpowering the house, changes to the entryway, and painting the historic masonry.

Guy Meilleur, arborist, explained he had been hired by the property owners. He supported the agreement with the neighbors to protect the trees. Commissioners and David Swanson, landscape architect, discussed the importance of maintaining open space and the open character of the district. Sweet found that a large house on a large lot was in keeping with the historic district than a large house on a small lot. He supported locating the mass of the new addition behind the house where it was less impactful to neighbors.

Bob Epting, attorney for the neighbors, stated that the proposed stipulations met the neighbors' objectives. He was happy that the design had been

amended to protect the large specimen oak trees on the property.

The Commission summarized their concerns for the removal of the chimney, painting the brick, changing the front door and portico, and the height of the roof ridge on the rear addition. They discussed the dormers on the side addition. Some expressed concern about the size of the addition and its connection with the rear roofline of the historic house. They asked the applicant to consider design strategies that would reduce the visual impact of the additions. Others spoke about ways the additions could be made secondary and different from the main structure. All Commissioners agreed that the additions would be more congruent with the district character if they were smaller in size.

The Commission discussed calling a special meeting in August to hear only this item and directed staff to survey Commissioners for their availability. A motion was made Gurlitz, seconded by Van de Velde, to continue the item to September 14, 2021. The motion carried by a unanimous vote.

The application would be renoticed if the Commission was able to meet in August.

**6. 514 E. Rosemary Street**

[\[21-0617\]](#)

Grahn explained that the applicant proposed adding a new generator on the west side of the house and constructing a new metal fence to enclose the backyard.

Commissioners disclosed that they had walked and driven by the site.

Bill Raynor, property owner, explained that the house was in the middle of construction. He stated that the stone wall ran along the shared property line with his neighbor and he proposed constructing a metal fence to replace a dilapidated wood fence. He spoke of security and pet containment issues that necessitated a fence. He spoke of the generator's placement and requirements for ventilation. He and the commission discussed whether the generator complied with the Town's noise ordinance. Raynor explained that evergreen shrubs would be planted to mitigate the view of the generator from the street.

Commissioners discussed the fence height. They considered whether a 5-foot-tall metal fence in the side yard complied with the Design Standards

which required front yard fences to generally be no more than 30 inches in height. Some found that the replacement fence should be wood to match what was there while others thought that a wood fence was in conflict with the open character of the historic districts.

A motion was made by Lascelles, amended and seconded by Schwartz, to approve the Certificate of Appropriateness with a condition that landscaping be used to screen the generator. The motion carried with a vote of 7 to 1.

**Aye:** 7 - Chair David Schwartz, Vice-Chair Duncan Lascelles, Deputy Vice-Chair Sean Murphy, Brian Daniels , Josh Gurlitz, Anne Perl De Pal , and Polly Van de Velde

**Nay:** 1 - Nancy McCormick

**Excused:** 1 - Christine Berndt

### **New Business**

7. 150 E. Rosemary Street

[\[21-0633\]](#)

Grahn explained that the project proposed creating a park behind the Post Office Building. Commissioners disclosed that they had walked by and were familiar with the site. Murphy noted he had previously worked with the project architect, Michael Stevenson, but it would not impact his decision making. Schwartz stated he had visited the site and participated in the review of the concept plan.

Joe Dye, Grubb Properties, explained that this site was part of an economic development agreement between Grubb and the Town of Chapel Hill. He stated that as part of the development agreement, his firm would be developing the park to deliver to the Town.

Michael Stevenson, project architect, presented site plans and photographs to explain the context, location, and existing conditions. He described the concrete wall that wraps most of the site and discussed some of the public improvements proposed, including the removal of two public parking spaces to create wider sidewalks that included street trees. He spoke of the need to straighten NCNB alley to improve pedestrian activity on the site. He discussed the requirements of an OWASA easement that required design solutions in terms of plantings and removable improvements. He described the inspiration for the proposed materials, including pre-cast concrete similar in color and finish to the limestone details of the Post Office, concrete paving,



red brick, and Chapel Hill grit.

The Commission discussed the proposed materials and the programming for the park. Commissioners spoke of the need to create taller canopy and shade trees. There was interest in ensuring that the proposed fieldstone walls would have a natural stone finish rather than a squared, chiseled finished edge and dry-stacked appearance. There was support for the straightening of the alleyway, but concern that its termination on Henderson Street may create visibility issues. Some commissioners found that the site was a transitional area between the commercial district and the historic district. They recommended creating a stronger signal that it was the entrance to the historic district and requested more traditional use of materials, particularly along the north edge of the site, similar to those found in the historic district.

A motion was made by Gurlitz, seconded by Schwartz, to approve the realignment of the alleyway. The motion carried by a unanimous vote.

A motion was made by Perl de Pal, seconded by Daniels, to continue the item to the September 14, 2021 meeting. The motion carried by a unanimous vote. The Commission recommended the applicant consider creating a more organic design that is not hindered by stone walls and use more stone on the seat walls.

### *Adjournment*

Next Meeting - September 14, 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.*