



TOWN OF CHAPEL HILL

Historic District Commission

Meeting Minutes

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

Chair Robert Epting
Vice-Chair Kimberly Kyser
Deputy Vice-Chair John Sweet
Woodrow Burns
Craig Carbrey

James Locke
Sean Murphy
Susan Smith
Mary Vogler
James White

Tuesday, April 10, 2018

6:30 PM

RM 110 | Council Chamber

Preliminary Meeting Information

Rules of Procedure - see below

Swearing in of public hearing participants

Roll call

Present 10 - Chair Robert Epting, Vice-Chair Kimberly Kyser, Deputy
Vice-Chair John Sweet, Woodrow Burns, Craig Carbrey,
James Locke, Sean Murphy, Susan Smith, Mary Vogler,
and James White

*Others present: Council Member Nancy Oates, Brian Ferrell
(Attorney), Julie Curry (HDC liaison), Mike Klein (Staff), Sarah Poulton
(Staff)*

Public charge - Chair Epting

General Public Comments

No speakers came forward.

Action Minutes

Commissioner Smith had a question regarding an inadvertent space; and a question as to a vote on findings but did not have the citation at hand. Commissioner Vogler had a correction but did not have the citation at hand.

March 13th Draft Action Minutes

Chair Epting deferred the approval of the Action minutes for March 13, 2018 to the May meeting.

Reports and Updates

Commissioner Sweet gave an update on the scanning project for the historic district 1992 survey photographs, that it is more than half way done. Commissioner Sweet stated he is exploring the GIS component and meet with the GIS Librarian at UNC to discuss how to make this information available to the public.

Commissioner John Sweet reported, Heather Wagner, the survey consultant, should be finished with the inventory completion project by the end of the month, and will also update the SHPO archives with this information.

Update on Project to Complete Surveys of Chapel Hill Historic Districts

Commissioner John Sweet distributed a handout and explained two (2) changes. (1) On page 4, F. *Review Criteria*: referred to as change A, to insert "...required by State law and by town Ordinances as specified by the Commission's design Guidelines shall also take into account the..."; (2) On page 8, VI., create H. referred to as change B, insert language from the SHPO model ordinance to describe time limitations to COAs.

A second proposed change to the Rules of Procedures was addressed by Brian Ferrell, Attorney. The proposed text was distributed to the commissioners. The purpose of these changes make clear the language and process for these two (2) items; (1) address time limits for approved COA applications, and, (2) the procedure for withdrawing an application. Mr. Ferrell plans to present these items at the May 8 HDC meeting for discussion.

Old Business

1. 179 E Franklin Street Post Office Alley

[\[18-0294\]](#)

David Swanson, Swanson and Associates, made the presentation.

Sarah Poulton, Town Staff, ask the HDC for a brief comment on a proposal from the Girl Scouts to place a lending reading library in the Post Office Alley. This request resulted in a communication from a local Girl Scout Leader, and due to the nature of timing, Staff sought a general response to this inquiry that could be relayed back to be leader. Commissioner comments were of the nature that they recognize and appreciate the Girl Scouts and all the good work they do in the community, but the lending library would add unnecessary visual clutter and Post Office Alley is may not the best location for the lending library and a courtesy review application could be submitted.

Commissioner Kyser moved and Commissioner Burns seconded to close the public hearing.

The motion was unanimously approved 10-0.

Commissioner Sweet moved and Commissioner Kyser seconded the finding of fact of that the wayfinding portal post proposed towards the Franklin Street frontage is incongruous with the character of the historic district based on the design guideline 5 under Signage (pg.25) because the guidelines on signage emphasize having minimal signage only sufficient for pedestrian direction . This is more than is necessary given other signage and wayfinding available, and adds an intrusive architectural element to the historic plaza and setting.

The motion was unanimously approved 10-0.

Commissioner Carbrey moved and Commissioner Burns seconded that the proposed light not incongruous with the character of the historic district based on the guideline 8, Exterior Lighting (pg. 23).

The motion was unanimously approved 10-0.

Commissioner Sweet moved and Commissioner Burns seconded that we approved the application with the exception of the entry post based on the findings of fact we have just made and on the bases of the proposed findings of fact detailed in the staff report for this item, on the grounds that the proposals are not incongruous with the special character of the Franklin-Rosemary Historic District and are not disruptive of the special character of the district.

The motion was unanimously approved 10-0.

2. 127 Mallette Street

[\[18-0295\]](#)

Ron Weber, Contractor, Redfoot and Weber Construction Company, presented the application. Mr. Weber began with the new request for alterations to the front facade that included

1. relocating the main front door and adding side lites; 2. removing a secondary front door and replacing it with a non-working "slab" door; 3. adding porch railing; 4. requesting the replacement of original wood frame windows with vinyl windows.

Mr. Weber then addressed the after-the-fact changes made to the rear addition (COA approved September 8, 2015). 1. Added gable vents on the rear elevation to comply with the building code; and also relocated eave brackets to avoid conflict with the conventional gable vent centering. 2.

Changed location of, and in some cases the size of, windows on the front and side elevations. 3. Rear entry porch moved to the right and off center.

Commissioner Kyser moved and Commissioner Burns seconded the motion to close the public hearing.

The motion was unanimously approved 10-0.

Commissioner Sweet moved and Commissioner Burns seconded the finding of fact that the proposed replacement of the front door and other doors (3 doors in total) with fiberglass doors with transoms is inappropriate and incongruous with the character of the structure and Cameron-McCauley historic district as specified in the design guidelines 1 and 9, Windows and Doors (pg. 41); and from staff's report. The proposal is to replace the windows on the front elevation which are original historic windows with vinyl windows are also inappropriate for the same reasons and the same guidelines.

The motion was unanimously approved 10-0.

Commissioner Sweet moved and Commissioner Kyser seconded that the proposed railing is incongruous with the character of the neighborhood pages 56-57, Decks, pages, 42-43 Porches, Entrances & Decks.

Aye: 6 - Chair Epting, Vice-Chair Kyser, Deputy Vice-Chair Sweet, Burns, Vogler, and White

Nay: 4 - Carbrey, Locke, Murphy, and Smith

Commissioner Sweet moved and Commissioner Murphy seconded that based on the findings of fact and the staff report, the windows, doors and railing incongruous with the special character of the district; and for the after the fact changes with respect to elements #4, #5 and #6 from staff's report, are not incongruous with the special character of the district.

The motion was unanimously approved 10-0.

Commissioner Sweet moved and Commissioner Murphy seconded that based on the findings of fact and the staff report, the windows, doors and railing incongruous with the special character of the district; and for the after the fact

changes with respect to elements #4, #5 and #6 from staff's report, are not incongruous with the special character of the district.

The motion was unanimously approved 10-0.

New Business

3. 428 W Cameron Avenue

[\[18-0296\]](#)

Mike Klein, Staff, presented the case details. Procedural compliance for the town Planning Board requires a recommendation from the HDC because is minor subdivision request is located within the Cameron-McCauley Historic District.

Commission Sweet moved and Commissioner Kyser seconded to recommend not recommend no to subdivide this parcel on the grounds that the size of lots and the spacing of structures on Cameron- McCauley in this neighborhood in general is important to defining the special character and that further subdivision to allow further density is contrary to our mandate to preserve the character of the district.

Aye: 7 - Chair Epting, Vice-Chair Kyser, Deputy Vice-Chair Sweet, Burns, Smith, Vogler, and White

Nay: 3 - Carbrey, Locke, and Murphy

Staff Comments

Adjournment into Colsed Session

Chair Epting requested that the Commission go into closed session authorized by General Statute 143-318.11(a)(3) to consult with an Attorney concerning the handling of an existing lawsuit in which the parties are William Raynor, Jr., Kara Raynor, the Town of Chapel Hill, the Town of Chapel Hill Historic District Commission, John Wood Sweet, Kimberly Kyser, Robert L. Epting, Mary Frances Vogler, Susan S. Smith, Walter Woodrow Burns, Jr. and Alan E. Rimer.

Adjournment into Colsed Session

Commissioner Kyser moved and Commissioner Vogler seconded the motion to adjourn to closed session.

The motion was unanimously approved 10-0.

Adjournment

Next Meeting - May 8, 2018

Chair Epting adjourned the meeting without opposition at 10:41pm.

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.

Rules of Procedure Entered into the Record: The Historic District Commission operates under NC General Statutes 160A-400 which gives local governments historic preservation authority, and the Chapel Hill Land Use Management Ordinance, including Article 3 which established the local historic districts and sets forth regulations governing them, and the Chapel Hill Historic District Guidelines Handbook which sets forth guidelines for changes in the historic districts, and the Rules of Procedure adopted by the Chapel Hill Historic District Commission, as well as the Significance Reports from all three historic districts and photographs. Additionally, authorized practice advisory opinion 2006-1 regarding quasi-judicial hearings on zoning and land use is in effect. All of the items noted above as well as the applications and associated materials in the agenda packet, are hereby entered into the record.

Unless otherwise noted, please contact the Planning and Development Services Department at 919-969-5066; 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.

