



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

Tuesday, October 12, 2021

6:30 PM

Virtual Meeting

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://www.townofchapelhill.org/?splash=https%3a%2f%2fus02web.zoom.us%2fwebinar%2fregister%2fWN_HhhcFnOvRAGt5P8zcTjISQ&__isexternal=true. After registering, you will receive a confirmation email containing information about joining the webinar in listen-only mode. Phone: 301-715-8592, Meeting ID: 864 4591 9629

Opening

Roll Call

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

Secretary reads procedures into the record

Commission Chair reads public charge

Approval of Agenda

A motion was made by Berndt, seconded by Daniels, to approve the agenda with an amendment to move the election of officers before New Business Item #8 - Revisions to Historic District Commission Rules of Procedure. The motion carried by

a unanimous vote.

Announcements

Grahn welcomed attorney Kevin Hornik of the Brough Law Firm to the Historic District Commission (HDC). She explained that he is replacing Brian Ferrell as counsel to the HDC. Mr. Hornik explained that his firm represents a number of municipalities as outside counsel for independent boards and commissions.

Commissioner Berndt pointed out that staff had shared her memo about "The Rocks," located on the Coker House property. She explained that the North Carolina Botanical Garden maintains an easement for "The Rocks," and that Susan Allison, the new owner, confirmed that the public has access to the easement along pathways through the property. The Botanical Garden and the new owners have completed cleanup work between the stone wall and the street.

Commissioner Berndt requested the meeting end at 10:30pm; she planned to leave the meeting at that time.

Coker Property Easement

[\[21-0776\]](#)

Petitions

Approval of Minutes

1. September 14, 2021 Meeting Minutes

[\[21-0737\]](#)

Commissioner Berndt requested that a change be made to page 4 regarding 214 Glenburnie Street, explaining that "the applicants' architect reviewed" questions she had provided. A motion was made by Gurlitz, seconded by Lascelles, to approve the minutes as amended. The motion carried with a unanimous vote.

Information

2. Administrative Certificate of Appropriateness Approvals

[\[21-0738\]](#)

Grahn explained that no action was required. This was a summary of the Certificate of Appropriate (COA) applications approved administratively during the last month.

Continue to November 9, 2021

3. 214 Glenburnie Street

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

Grahn stated that the applicants requested the HDC continue this item to the November 9, 2021, meeting to provide them additional time to honor their

architect's maternity leave and make changes that address the Commission's feedback.

The HDC discussed deadlines for taking action on the item, when the Commission might see updated plans, and if there was an alternative to continuing the item. Hornik explained that because the applicant and Commission had agreed to an extension at the last meeting, there was an extension to the Commission taking action 90 days after their first meeting on the item. Commissioner Murphy asked if there was a deadline for providing updated materials, and Grahn stated that she had let the applicant know the materials had to be submitted by October 22nd. Grahn stated that she would continue to work with the applicant should they require further extensions.

A motion was made by Lascelles, seconded by Van de Velde, to continue the 214 Glenburnie Street Certificate of Appropriateness application to the November 9, 2021 meeting. The motion carried with a unanimous vote.

New Business

4. Conditional Zoning - 150 E Rosemary Street

[\[21-0739\]](#)

Grahn reminded the Commission that they had reviewed and approved the Certificate of Appropriateness (COA) application on September 14, 2021, and the Conditional Zoning District (CZD) application is now under review. She stated that only the park portion of the development was within the Franklin-Rosemary Historic District, and the proposed new building was outside of the historic district. As such, the HDC's purview in reviewing the application was limited to the park. She explained that should there be any modifications to the design of the park, the applicant would be required to amend the COA which may require HDC review and approval. Grahn sent the Commission a copy of the comments Chair Schwartz had shared with the Town Council, dated September 19, 2021. She provided that the HDC could choose to incorporate these comments into their recommendation to the Town Council. She reminded the Commission that as part of the CZD, the applicant had to consent to the stipulations of approval and these stipulations were often negotiated between the Town Council and Applicant during Council's review of the CZD. She also pointed out that she had emailed a copy of the applicant's narrative and Statement of Justification to the HDC.

Commissioner Berndt asked whether the Commission could make courtesy comments on the design of the development. Grahn suggested that should the Commission choose to provide comments on the building design, they

should send a letter to the Council separate from their recommendation on the CZD. The Commission discussed the Chair's letter to the Council, and Grahn suggested the Commission use those comments to develop stipulations of approval for Council to consider on the CZD application. Hornik further clarified that it was a procedural peculiarity of the Land Use Management Ordinance (LUMO) that the Commission review the CZD following approval of a COA application and this was another opportunity for the Commission to make recommendations that were not included in the Chair's letter.

The Commission discussed that the Community Design Commission (CDC) had provided comments on the entire site, but that the HDC's purview is limited to the park within the historic district. Hornik explained that the CDC has a broader scope and that the HDC's review was limited to properties within the historic district. Commissioners pointed out discrepancies between the plans included in the CZD application compared to the COA-approved plans, and Grahn explained that the COA plans were more recent than the CZD plans.

A motion was made by Murphy, seconded by Lascelles, to forward a recommendation to the Town Council for approval of the CZD application with the recommendations memorialized in the Chair's letter to the Town Council and with a statement clarifying that the Commission had only reviewed the park as part of its purview within the historic district. The motion carried with a vote of 7 to 2.

Aye: 7 - 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: 2 - Chair David Schwartz, and Christine Berndt

5. 742 Gimghoul Road - Concept Plan

[\[21-0740\]](#)

Grahn explained that the Commission had approved a Certificate of Appropriateness (COA) application for the addition to the Gimghoul Castle on April 13, 2021. She stated that the applicant had wanted to receive approval of their addition design prior to submitting a conditional zoning district (CZD) application. She explained that the concept plan application was required prior to the CZD; however, the Commission's review of the concept plan was a formality since the HDC had already reviewed and approved the COA for the project.

Charnika Harrell, project planner provided an overview of the project. Leann Nease Brown, attorney for the applicant, stated that the concept plan did not provide any new requests that were not included in the COA application. She explained that the CZD application would memorialize and limit the use of the property to a club. The Commission and applicant discussed buffers, parking, impervious surface, and whether the use could be further limited to the historic Gimghoul Castle.

Grahn explained no motion was required; this item was an opportunity for the Commission to provide comments on the application before the applicant returned to the Commission with a CZD application.

6. 203 Battle Lane

[\[21-0741\]](#)

Grahn stated the applicant requested a modification to their Certificate of Appropriateness (COA) application to replace the approved asphalt shingles with cedar shake shingles, replace the wood columns with new fiberglass-concrete composite ones, and modify the approved columns on the new terrace.

Bret Horton, project architect, provided a summary of the project and previous approvals. He presented photos of the house showing c.1876 alterations and c.1920 alterations. He described the water damage to the columns due to the depth of the roof eave, lack of gutter, and height of the porch. He explained how three of the c.1920s wood columns had been replaced with fiber cement and provided photos depicting past repairs to the columns to address moisture issues. He pointed out how the porch had been replaced with brick as part of the c.1920 remodel and did not have a sufficient pitch to prevent water accumulating at the base of the columns. He explained the durability of the proposed composite columns and that they would be similar to the c.1920 wood columns in their shaft dimensions, tapered column, Tuscan caps, and painted texture.

Horton stated that cedar shakes would be applied to the main structure and wings of the house. The Commission discussed the implications of a standing seam metal roof, the historic use of cedar shake shingles, and the period accuracy of cedar shake. Horton and contractor Eric Kidd confirmed that a premium grade shingle would be used.

The Commission discussed the maintenance and water infiltration issues of the current historic porch. They discussed the removal of the k-style gutters

and that the house likely originally had lead-lined box gutters. The applicant proposed to install new gutters once the wood eaves had been repaired.

The HDC reviewed the replacement of the columns with the Design Standards. They considered that the original c.1920s wood columns were old-growth wood which is less porous than contemporary new-growth wood. The applicant expressed interest in replacing the columns so that they were consistent in material and design. The Commission discussed the availability of wood exterior columns and the challenges of applying composite bases and capitals to the wood columns. The HDC spoke of the Design Standards' emphasizing repair and maintenance over replacement and whether the water infiltration necessitated the use of a synthetic material on the columns. They spoke of ways to restore the hidden boxed gutter and how to best address the design flaws presented by the house.

Horton explained that they had originally proposed wood columns on the new terrace; however, they now proposed hollow composite columns that would hide steel structural posts. Kidd confirmed that the cedar shakes would be 1-CCA grade 18-inch shingles.

A motion was made by Murphy, seconded by Lascelles, to approve the Certificate of Appropriateness. The motion carried by a vote of 7 to 2.

7. Text Amendments to Land Use Management Ordinance Section [\[21-0742\]](#)
3.6.2(e)

Staff provided an overview of the changes that had been made to Land Use Management Ordinance (LUMO) 3.6.2(e), the Historic District Commission's review criteria. She explained that when the updates were made, the statement of congruity had inadvertently been removed. Staff proposed to add it back into the section.

A motion was made by Gurlitz, seconded by Perl de Pal, to make a recommendation to the Town Council to approve the proposed text amendments. The motion carried by a unanimous vote.

Historic District Rules of Procedure

8. Revisions to Historic District Commission Rules of Procedure [\[21-0743\]](#)

Commissioner McCormick stated she had worked with attorney Brian Ferrell on addressing issues in the Rules of Procedure. There was interest in incorporating time periods within the Rules of Procedure to have an end time

for meetings and limit public comment to three minutes. The Commission discussed the challenges of these provisions and how they could implement these limits during the meeting.

A motion was made by Perl de Pal to approve the Rules of Procedure with these changes. The motion carried by a unanimous vote.

Discussion

Fieldstone and Brick Walls

Chair Schwartz presented photos of a fieldstone wall on Franklin Street that used stones to clad a concrete block wall. The Commission discussed how the Design Standards were more informative than the Design Guidelines, under which the project had been approved. They considered that dry stacked and mortared stone walls were the traditional construction method found in the historic districts. They discussed ways to incorporate this into the Design Standards and if the construction method of walls could be explicitly stated as a condition of approval on Certificate of Appropriateness (COA) applications. The Commission agreed that stone walls needed to be stone throughout, not a stone veneer. Schwartz committed to working on revisions to the Design Standards to present at a later meeting.

Council petition regarding Design Review Advisory Committee

This item was continued to the November 9, 2021 meeting.

Election of Commission Officers

Election of Chair

A motion was made by Schwartz, seconded by Perl de Pal, to nominate Commissioner Murphy to serve as chair. The motion carried by a unanimous vote.

Election of Vice Chair

A motion was made by Schwartz, seconded by Van de Velde, to nominate Commissioner Lascelles as Vice Chair. The motion carried by a unanimous vote.

Election of Deputy Vice Chair

A motion was made by Lascelles, seconded by Daniels, to nominate Commissioner Van de Velde to serve as Deputy Vice Chair. The motion carried by a unanimous vote.

Adjournment

Next Meeting - November 9, 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 for more information on the above referenced applications.

See the Advisory Boards page <http://www.townofchapelhill.org/boards> for background information on this Board.