

**SPECIAL MEETING
HISTORIC DISTRICT COMMISSION**

Wednesday, April 23, 2008

7:00 pm, Town Barn

MEMBERS PRESENT: Chair Jessica Dockery, Vice Chair Mark Rhoades, Mark Bell, Joseph Council, and Holly Snyder.

ABSENT: Emily Eidener, absence excused.

STAFF: Planner Stephanie Trueblood.

WITNESSES: Chris Wachholz, Michelle Kempinski, and Tom Crabtree

ITEM #1: Call to order, roll call, and confirmation of quorum.

Ms. Dockery called the meeting to order at 7:02 p.m., and Ms. Trueblood called the roll and confirmed the quorum.

Ms. Trueblood stated that she had received a letter of resignation from Emily Eidener, due to her recent purchase of a home outside of the Town limits and her upcoming move. She said they now had two vacancies on the Board.

ITEM #2: Reading of the Commission's Mission Statement.

Ms. Dockery read the Commission's Mission Statement and provided information on the Commission's processes.

ITEM #3: Additions to the agenda and agenda adjustments.

No adjustments or additions were made to the agenda.

ITEM # 4: Preliminary meeting with Chris Wachholz about site layout for subdivision of property located at the corners of Occoneechee Street, Tryon Street and West Queen Street (TMBL 4.29.B.1, 4.29.B.12, 4.29.B.13, 4.29.B.14)

Ms. Dockery swore in Chris Wachholz, Michelle Kempinski, and Tom Crabtree. Mr. Wachholz stated they had asked for this meeting in order to determine which direction they should go, and to heed the Board's advice. He said the HDC had an impact on what decisions they would have to make as they went forward, and would be spending a lot of money in making a plan depending on which direction they went.

Mr. Wachholz introduced Michelle Kempinski, a Landscape Architect, and Tom Crabtree, whose family had owned this property for many years. He pointed out the area being discussed tonight, which was bordered between West Queen, West Tryon, North Occoneechee, and Hassell Streets. Mr. Wachholz stated the property had not been built upon partially because of the difficult topography. He pointed out a stream on the site plan which ran under the road and was dry most of the year.

Mr. Wachholz said he had previous HDC approval to reconstruct a 1938 log cabin on the rear of his one-acre lot on West Queen, but that approval had expired. He said last year Mr. Crabtree had considered a plan for property he owned next to that one-acre lot, noting that where the two properties met it was a drop of 47 feet, which was very steep but the land was beautiful. Mr. Wachholz said one of the plans Mr. Crabtree had considered was to bring in fill to create some building paths to get more value from the land.

Tom Crabtree provided the Board with some history regarding his family's ownership of this property, noting it had been obtained in 1910, with the entire block being purchased with the exception of two corners. He said it was a working farm, and most of the area Mr. Wachholz had mentioned had once been pasture. Mr. Crabtree said his grandparents had purchased the remaining land in 1942, and he had built his home on that southwest corner. He said it was important to him for this property to remain as nice as possible because he lived there and any development would be behind him. Mr. Crabtree said after discussing this and other projects with Mr. Wachholz he believed they had found a balance and the project would have the best of everything. He added he was really excited about what Mr. Wachholz wanted to do on the property, because it kept everything intact.

Ms. Trueblood displayed a map that showed the contributing and non-contributing resources in the vicinity. She said the only contributing house was in the northwest corner across Occoneechee.

Mr. Wachholz said he and Mr. Crabtree had come to agree that although the land was challenging to build on, it was a part of the historic character of Hillsborough. So, he said, they were not planning a dramatic change. He said looking at the HDC guidelines, both of the options they were going to talk about met some guidelines but did not meet others. Mr. Wachholz said both options spoke to the guidelines that discouraged altering the topography with fill and cutting down trees. He said it was his intent to cut down as few trees as possible. He said at this point, they were searching for ways to place several homes on the property.

Mr. Wachholz said the first option included a private road, and the other option had a combination of a short private road and then putting the homes on Occoneechee or on West Tryon. He displayed the house designs they were considering, noting that likely one-third would be reconstructed/relocated houses and the other two-thirds new construction that incorporated reclaimed materials on the interior and exterior. Mr. Wachholz said another aspect he hoped to achieve was to keep the cost of the houses moderate. He said the houses would be 1½ story, Cap Cod style, as well as a traditional farm house.

Michelle Kempinski, with Mr. Wachholz assistance, pointed out some of the features of the plans, noting she would begin with Option 2:

- She pointed out the existing conditions, including the topography.
- The tree survey did not include one of the lots, but did include all of the remaining lots under consideration. She indicated the hashed area on the map was what she was speaking of.
- Slides were displayed of the land itself, and various features were highlighted, including trees that would remain as well as the steep slope.
- The houses being proposed in both options would be lower than the street.
- The next two houses past this property were also lower than the street.

Ms. Lempinski then described the concept plan in more detail, beginning with Option 2:

- Both options would have the same number of lots, but in different arrangements and access from the street.
- The plan would include a private road that would run from West Queen and south to Tryon Street.
- House locations and orientations were pointed out as well as the setbacks.
- Houses would be nestled along the private road and would face the private road.
- Dots on the plan represent tree locations.
- This plan would require subdivision approval by the Planning Board and Town Board, because of the private road and the fact that these lots would all access that private road.

Mr. Wachholz stated that one merit of that plan, depending on your perception, was that all the houses were consistently oriented to the private road, which was in keeping with historic district guidelines. He said so, one question to the HDC was did that orientation to the private road meet the guideline. Ms. Trueblood said there was one example of orientation to a private road in the historic district, and that was Warner Lane between Orange and Corbin one block west of Churton.

Mr. Council asked with this option with the private road, would very much fill be required. Ms. Lempinski said no, that with the layout of the road and working with the contours along the hillside rather than against or down it, the majority would not require a lot of fill. Some fill and piping would be required to address the drainage, she said.

Mr. Wachholz said it was important to mention that they had wanted the road to go all the way through because if not, a cul-de-sac would be needed for emergency or trash vehicle turnarounds. He said that would require a lot of tree disturbance and would detract from the appearance of that small neighborhood.

Several questions were asked and answered regarding the placement of the various houses on the property.

Ms. Lempinski described the concept plan details for Option 1:

- Similar lot arrangement, but it worked in a different way.
- All the lots would be accessed from the streets with driveways, and various possible locations for driveways were pointed out.
- Setbacks would be similar to the houses across the street and in the vicinity.
- The house where the stream was located was pointed out, noting the stream would have a 50-foot buffer on each side.
- One house would be oriented the same as in the previous option.
- Because of the way the hill sloped downward, houses would be past the slope; that is, built on the back side of the slope on Occoneechee.
- Two driveway options were noted between Lots 2A and 1A coming off of Queen Street.
- Majority of the woods would be preserved in the center with this option, rather than the edges.

Ms. Lempinski stated this should be a lot less rigorous of an approval process, noting it would be a site plan review with the Planning Department and the Technical Review Committee. Ms. Trueblood said the shared driveway may need to go to the Planning Board for review since there was not required minimum lot width. She said Option 2 was creating five or six lots on a private road, and the way the ordinance was written it said you could create three new lots on a private road. So, she said, depending on the interpretation by the Planning Board the process for Option 2 may be tougher.

Mr. Wachholz said because of that uncertainty, they had wanted to start the process with this Board. He said to move forward without knowing if the HDC would be supportive could prove to be quite expensive. Mr. Wachholz stated it was understood that nothing the HDC said tonight was binding, and they did not have to choose one option or the other. He said if the HDC was not opposed to either of them, then that would give him the most flexibility in further researching all the issues related to the cost, value, and best approach. But, he said, if the HDC really did not like one or the other, it would be helpful to know that.

Ms. Trueblood said that if one of the site layouts did not meet the HDC guidelines they might as well let Mr. Wachholz know that now.

Mr. _____ said with the option where the houses would potentially be accessing Occoneechee Street, what did that do in terms of some of the mature hardwood trees that were located there. He asked what the impact was of that versus the other option. Ms. Lempinski pointed out the existing tree locations on the plan so the Board could see how the houses would relate and which trees would be impacted.

Mr. Wachholz said it looked to him that neither plan removed that many of the large trees, although they did not yet have all the necessary information. Ms.

Lempinski said on Option 2 one of the trees on the left hand side of the private road would be removed, so there would not be a huge impact.

Ms. Snyder stated the HDC had seen plans that involved a private road and a community that turned its back on the rest of the historic district, which was not received well because it did not meet the guidelines because that orientation would not be in keeping with the historic district. She said that Option 1 met the guidelines better than Option 2. Ms. Snyder said in addition to that, Option 2 was its own entity and turned its back on the rest of the historic district, and that was not appropriate. She said she believed these houses were nicely designed and the community would benefit from seeing them. Ms. Snyder said it would be of more benefit to have the houses as in Option 1 out where they could be seen and enjoyed.

Ms. Snyder said another concern with Option 2 was that Occoneechee would be much like it was now, which would be a wooded area that would not inspire the residents to maintain their backyards, noting it would not look any different than it did now. She said with Option 1, that would become those people's front yards and they would have incentive to maintain them. Ms. Snyder said there were positives and negatives to both options, but Option 1 was more in keeping with the HDC guidelines.

Mr. Council said he shared some of the same views as Ms. Snyder. He said his tendency was to favor Option 2 for the following reasons: there had been enough houses built in the district recently that looked like they were hanging on to the edge of the road; that it seemed that Option 2 actually retained more of the character of the woods as they stand, but that option did render the houses obscured from public view, and they should be seen; he believed that Option 1, with everything opening up onto Occoneechee Street, was problematic because the houses would be hanging on the edge of the hill and the fact that you would be cutting more driveways; and, he believed the private road option allowed them to retain more of the natural appearance of the area. However, he could go with either option.

Mr. _____ (one of the Marks) stated he felt much like Ms. Snyder did, noting that the feel of the district was the warmth and small houses as they lined the roads. He said the private road option would really hide houses that would be attractive and a nice addition for everyone in the district. Mr. _____ said by having them closer to the road he believed the orientation would be more in keeping with the houses in the vicinity and with the rest of the district. He said he would be much more in favor of Option 1.

Mr. _____ said his only minor concern was that there would be three driveways right next to each other on West Queen, and he did not know how that could be addressed. Mr. Wachholz said there was the option of combining all three into one, which had been included on the plans. Mr. _____ said if that was done it

would change his view. Mr. Wachholz asked if he was okay with the way the house were oriented in Option 1. Mr. _____ stated he was.

Mr. _____ (the other Mark) said he understood the approach and the complexity Mr. Wachholz was dealing with. He said his home was right on the street, so he had a natural affinity for Option 1 because the placement of the driveways and houses were more in keeping with the district. Mr. _____ said he also thought that seeing the houses would contribute to the character of the neighborhood. He said with Option 2 with the private drive, his first reaction would be that it would make it more like a private neighborhood. Mr. Wachholz said there was no intention to foster exclusivity or the perception of a gated community or anything similar. To the contrary, he said that Warner Lane was what they were looking to emulate.

Mr. _____ asked if they went with Option 2, would the houses have more of a usable yard. Mr. Wachholz said yes, they would, because they would be building in a flat area. He said he fully appreciated what Ms. Snyder had said about looking down into people's backyards and the issues associated with that. Mr. Wachholz said with Option 2, people would not be discouraged from walking down that gravel road any more than they were discouraged from walking down Warner Lane. But, he said, because it was a private road it would have a homeowners association to maintain that private road, and as part of that there could certainly be requirements by that homeowners association for issues like maintaining the backyards.

Ms. Lempinski stated that a road maintenance agreement would be required as part of the private road. Ms. Trueblood stated the Planning Board would also require seeing the covenants of the homeowners association as part of the subdivision review for a private road.

Mr. _____ asked would the properties be more valuable by being on the private road because they would be more appealing. Mr. Wachholz said the homes would have to cost more to cover the additional cost of the site planning and engineering fees, the road construction, and the fact that they would have larger, more usable yards. Therefore, he said, they would command a higher price. He said he still wanted to work within the moderate price scenario which would be \$250,000 to \$400,000.

Mr. _____ asked what Mr. Wachholz' preference was. Mr. Wachholz said in an ideal world, he would choose Option 2 with the private road, but realistically he would prefer Option 1. He said that was why they had a dilemma and why they were seeking feedback from this Board. Mr. Wachholz said it would be easier to build on the house sites with the private road, but he feared the hurdles and costs to go the other route. He said with either option, they would do their best to make it as nice as possible. Mr. Wachholz asked the Board to tell him what they preferred, what they did not like, and if they could accept either option.

Mr. _____ asked what the timeframe was for coming back with firmer plans. Ms. Trueblood said getting on the public hearing schedule for the Planning Board and Town Board could take six months. Mr. Wachholz said if they went with Option 1, then conceivably they could be coming back with firmer plans within three to four months. Ms. Trueblood reminded the Board that when they saw the plans, they would be reviewing each house individually for a COA.

Mr. _____ said his point was that by the time the project come back, the Board would have two new members who would not have had benefit of this conversation. He said he preferred Option 1, the Occoneechee Street option.

Ms. Dockery said Option 1, the non-private road option, was more similar to the rest of the district with the orientation to the main grid pattern streets. She said the fact that the private road went from one end of the block to the other made it much less of a subdivision feel, which was what they were leery of. Ms. Dockery said Option 1, even looking down on the houses, was preferable. She said that either of the plans was fine, noting it was understandable that with the topography that the driveways might be close together, but, if they were able to have a shared driveway for the three houses that would be fine. Ms. Trueblood noted there were many examples of shared driveways in the historic district.

Mr. Wachholz said it appeared the majority of the Board favored Option 1, although some liked both. He asked for a show of hands of those who would be agreeable or open to either option. The result of that was that two of five members could go either way, and three of the five preferred Option 1 without the shared driveway. Mr. Wachholz said he would be open to accepting any suggestions the Board might want to offer. In response to a remark from a Board member, Mr. Wachholz remarked that none of the homes would have attached garages.

Mr. _____ said if Option 1 was chosen, this Board had been very sensitive to the removal of mature hardwoods and encouraged Mr. Wachholz to be aware of that and to plan carefully to minimize the removal of such trees.

Mr. Wachholz said in regards to his statement regarding garages, there may be one house that may need a basement garage from the rear off West Queen Street due to the steep topography. He said that garage would not be visible from the street.

ITEM # 5: Selection of 2008 Preservation Award recipients

Ms. Trueblood stated she had received several nominations from the Board:

- Restorations: 117 East Queen Street, the Webb House; and, 3 nominations for 329 W. King Street, the Diane Eckland house now owned by Pat Revels.

- Additions: 176 W. King Street, the Fred Stewart house at the corner of Wake and King; and, 404 W. Queen Street, the Susan Alden and Dan McDonald house.
- New Construction: 110 N. Occoneechee Street, the Hervey McKeever house.

Ms. Trueblood said she had been unable to contract Mr. McKeever to ask permission to come onto his property to take pictures to show the Board, so the Board might want to wait on that.

The Board briefly discussed other nominations and whether to give one or more awards in the various categories.

Ms. Trueblood took votes on the 2 nominations for Restorations and the 2 nominations for Additions. The results were: Webb House - 3 votes; Diane Eckland - 2 votes. For Additions: Fred Stewart house – 5 votes. Ms. Trueblood indicated that more than one award could be given in each category, or, the Board could create a new category.

After some discussion, the Board agreed to two recipients, one in each category: Restoration – the Webb house; and Additions: the Fred Stewart house. Ms. Trueblood stated that Preservation Month was May, and she would be placing this information in the Alliance newsletter tomorrow for announcement. She said any of this Board that was available for the Last Friday event in May was invited to come and help the Mayor present the awards to the recipients.

ITEM # 6: Staff Updates

Board Vacancies

A brief conversation took place regarding recruitment for the two vacancies that now existed on the Board and qualifications of applicants.

Other

Mr. Council asked for an update on the Dwyer twins' restaurant. Ms. Trueblood stated the Town had placed a Stop Work order on that property, because grading had been done on the site without a Certificate of Appropriateness and it did not go through site plan review for the Board of Adjustment. She said in order to lift the Stop Work order they would have to submit stormwater, erosion, and grading plans to the Town which would be sent to the Town's consultant for review. Ms. Trueblood said the way the site had been draining it was shedding water onto the Orange County property, and the project was in real disarray. She said they would have to come back to the HDC for cutting the bank, noting they had actually cut three feet of fill below the stone wall so the stone wall was now hanging in the air.

Ms. Trueblood stated that if any of the Board was contacted by anyone associated with that project, they should be referred directly to Planner Tom King. She said

Mr. King was handling the Stop Work order, noting not having a stormwater, erosion, and grading plan was a Board of Adjustment issue.

Ms. Dockery asked about the tree on King Street in front of Coldwell Bankers. Ms. Trueblood said that tree had been removed, and since it was in the Town's right-of-way the Town must have taken it down.

ITEM # 7: Adjourn

Ms. Dockery moved to adjourn the meeting at 8:54 p.m., seconded by Mr. Bell. The vote was unanimous.

Respectfully submitted,

Stephanie Trueblood, Secretary