

**Minutes**  
**HISTORIC DISTRICT COMMISSION**  
**Tuesday, July 10, 2007, at 7:00 PM**

**MEMBERS PRESENT:** Chair Jessica Dockery, Vice Chair Max Preston, Joseph Council, Will Moyer, and Holly Snyder.

**ABSENT:** Mark Rhoades.

**STAFF:** Stephanie Trueblood and Bob Hornik.

**WITNESSES:** Paul Kapp, Jim Parker, John Williams, Bonnie Schaefer, Leanne Brown, Holly Snyder, Vicky Wilson, Stephen Burke, Tom Stevens, Anna Dameron, Paul Mitchell, Lona Tavernise, Barbara Church, Irene McDonald, Cathleen Turner, and Rachel Royce.

**ITEM #1: Call to order and confirmation of quorum.**

Ms. Dockery called the meeting to order at 7:04 p.m., and Ms. Trueblood called the roll and confirmed the quorum.

**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.**

There were no additions or adjustments to the agenda.

**ITEM #4: Approval of Minutes from the June 6, 2007 meeting.**

There were no changes or adjustments to the minutes.

**MOTION:** Mr. Preston moved to approve the minutes of June 6, 2007 as submitted.

**SECOND:** Mr. Moyer.

**VOTE:** Unanimous.

**ITEM #5: Application for a Certificate of Appropriateness for Paul Kapp to construct a part privacy fence and part picket style wood fence along the property line in the back yard at 127 West Queen Street (4.31.A.3B)**

Ms. Dockery swore in Paul Kapp and Stephanie Trueblood. Ms. Trueblood described the house at this location, noting the applicant was proposing to add a fence to the property line in the back yard of the property. She said the wood fence would have a section of 5 foot tall privacy style fencing, with the majority of the fence being a 3½ foot picket style fence. Ms. Trueblood said the fence would be left unpainted and natural, with a double gate.

Ms. Trueblood said the Standards that applied C for materials and Q for walls, and the Design Guidelines that applied were Fences and Walls.

Ms. Dockery asked how tall the existing fence was. Mr. Kapp responded between 42” and 48”. He added for clarification that there would be a section of privacy fence along the south property line as well.

Mr. Preston stated the application appeared to be straightforward and one the HDC would normally approve. He confirmed with Mr. Kapp that he would build the fence friendly side out towards his neighbors.

**MOTION:** Mr. Preston moved to find as fact that the Paul Kapp application is in keeping with the overall character of the district and complies with all relevant standards of evaluation based on the discussions of the application and the standards of evaluation in Section 21.6.3 of the zoning ordinance, and adherence to Standards C and Q, and Design Guidelines for Fences and Walls.

**SECOND:** Mr. Moye.

**VOTE:** Unanimously approved.

**MOTION:** Mr. Preston moved to approve the application as submitted.

**SECOND:** Mr. Moye.

**VOTE:** Unanimously approved.

**ITEM #6:** **Application for a Certificate of Appropriateness for Bonnie Schaefer to remove/relocate the existing structure and build 5 new structures, each with two dwelling units. The size of each unit is between 1900 and 2300 square feet. Detached garages are provided for each structure. This application includes a connected asphalt driveway with entrances on West King and North Hassell Streets. Landscaping screening and improvements are also provided.**

Ms. Dockery swore in Bonnie Schaefer, Jim Parker, John Williams, Leanne Brown, Holly Snyder, Vicky Wilson, Paul Mitchell, Lona Tavernise, Tom Stevens, Barbara Church, Stephen Burke, Irene McDonald, and Cathleen Turner.

Ms. Trueblood provided some details regarding the application, noting this was a four-lot parcel with three of the lots currently vacant. The fourth lot, she said, contained an existing 1970’s home that was not inventoried. Ms. Trueblood noted that the application had been reviewed on several previous occasions by the HDC, and each time the applicant had requested that it be tabled so that further revisions could be made to the plan.

Ms. Trueblood stated the applicant was proposing to remove or relocate the existing structure and add five residential structures, each with 2 dwelling units as well as five detached garages. She said the square footage of each unit ranged from 1900 to 2300 square feet, making the overall size of each building between 3800 and 4600 square feet. Ms. Trueblood said two dwellings would contain 1½ stories, with the other dwelling units 2 stories. She said the materials used would be brick and wood; chimneys would be brick, windows and doors would be wood, roof material would be architectural shingles, some of the porch roofs would be copper, and window pane

configurations would vary. Ms. Trueblood said the application included a connected driveway made of asphalt, with entrances and exits on both King and Hassell Streets. She noted that landscaping screening and improvements would be provided, with six trees more than 12" in diameter identified for removal.

Ms. Trueblood stated that the standards that applied to this application were all Standards of Evaluation A – T, and the Design Guidelines that applied were New Construction of Primary Buildings, Outbuildings, Site Features and Plantings, Walkways, Driveways, and Off-Street Parking.

Ms. Dockery noted that HDC member Holly Snyder had recused herself.

Jim Parker, with Summit Consulting Engineers, stated that the redesign and comments received had made this a better project. Using slides, he provided a brief overview of the feedback received at the last hearing and how that had been addressed, particularly regarding scale and massing, as well as some concerns about driveway material and spacing of the buildings and the compatibility of the detached garages to the neighborhood. Mr. Parker exhibited slides of the five buildings and noted some details of each.

Mr. Parker pointed out the similarities these five buildings had to other properties near the site. He went through each of the Standards of Evaluation to explain how they were in compliance or close to compliance with each, and why they believed this was an approvable plan:

- A. Height of the buildings – Mr. Parker stated they had estimated the height of the existing buildings adjacent to their property, which ranged from 18 or 20 to 42 feet. He said their buildings would not exceed 36 feet, with buildings one and two not exceeding 26 feet.
- B. Setbacks of the buildings – Mr. Parker said in relation to the setbacks of adjacent properties they were close to average.
- C. Exterior construction/materials – Mr. Parker stated the five structures would have brick and siding.
- D. Texture of exterior construction – Mr. Parker stated that siding and brick were common materials in the historic district.
- E. Landscaping – Mr. Parker pointed out that their first proposal called for the removal of 12 – 20 trees over 12" in diameter. He said they had been able to bring that number down to six. Mr. Parker described the predominant plantings along the streets, noting they were proposing the relocation of the boxwoods and special plantings that had been agreed to by the adjacent neighbor. He said the bank would be cut back but similar plantings would be placed there. Mr. Parker said the trees along the street would not be disturbed.
- F. Architectural details – Mr. Parker stated the five structures proposed by this application were similar in roof shapes, dormers, front porches, railings, columns, windows, doors, shutters, trim and exterior materials to others in the district and in this neighborhood.

- G. Roof shapes – Mr. Parker noted the roof shapes were similar to those in the neighborhood and in the district, and exhibited slides of nearby houses to demonstrate that conclusion.
- H. Roofing materials – Mr. Parker said most structures in the neighborhood used asphalt shingles of varying shapes, and they would use that as well.
- I. Exterior colors – Mr. Parker stated the predominant color used on nearby houses included teal blue, off-white, white, a light tan, blue, and red brick. He said the five proposed structures would use similar colors.
- J. Proportion of width to height of openings such as windows and doors – Mr. Parker said the windows in the elevations he had previously presented were similar and were standard windows and doors.
- K. General form and proportions of buildings and structures – Mr. Parker said this was new construction, noting the foundation sizes were similar or compatible to nearby structures. He said the concern regarding the rhythm along the street had been addressed by lining up the structures to give it that same pattern as the nearby structures. Mr. Parker said the new construction would mimic the rhythm on the other side of the street.
- L. Orientation of the buildings to the street – Mr. Parker said all five buildings were square to the street at 90 degrees.
- M. Scale determined by the size of the units, etc. – Mr. Parker displayed a slide that depicted the elements noted in this Standard, pointing out the open space behind existing nearby structures and noting that the new construction would have about the same space.
- N. Proportion of width to height of the building façade – Mr. Parker displayed slides to show the relative compatibility with other neighborhood structures.
- O. Appurtenant features such as lighting, etc. – Mr. Parker stated there would be no sight lighting other than lights at the front entrances to the homes and perhaps the rear doors as it would be at any other home. He said that no other exterior lighting was proposed. Mr. Parker described the retaining walls and pointed them out on the site plan, noting they were the same as previously proposed.
- P. Structural condition and soundness – Mr. Parker stated that because this was all new construction it would be built to current building standards.
- Q. Walls – Mr. Parker mentioned the landscape walls and the retaining walls that were opaque.
- R. Ground cover or paving – Mr. Parker stated the ground cover would be grass and an extremely small amount of impervious surface would be added.
- S. Maintenance of pedestrian scale and orientation – Mr. Parker said they would not alter the existing sidewalks and utilize those for entrances to each unit.
- T. Possible impact on archeological resources – Mr. Parker stated none were anticipated, noting that very little excavation would be undertaken.

Ms. Dockery noted the public would be allowed to offer comments prior to the Board's questions and comments. Rachel Royce was sworn in by Ms. Dockery.

Holly Snyder, an adjacent property owner, stated this project was the same that had been brought before this Board in March and in May, although the pieces had been

rearranged on the site. She said in essence, this continued to be a 10-unit housing development. Ms. Snyder said there were no precedents for housing developments in the historic district and no mention of them in the Guidelines, likely because the concept had never occurred to those who wrote them. She said although it was obvious that the Guidelines for new construction were referring to single-family homes on single lots, they could be applied to this 2.7 acre site plan. Ms. Snyder said this proposal clearly did not meet Guidelines 1, 2, 3, 4, or 5; it was not consistent with surrounding sight orientations; it did not maintain the overall character of the adjacent streetscape; it called for an enormous amount of grading and site disturbance; and, it did not protect existing site topography.

Ms. Snyder said this project did not conform to the Guidelines under the historic district setting. She said she saw no point in addressing Guidelines 6, 7, 8, 9, or 10 which have to do with the buildings themselves when there was so much wrong with the whole concept. Ms. Snyder said other homes were on single lots with individual driveways; this project featured two 12-foot entrances. She said her house was not like her neighbor's house, and this plan was basically the same subdivision plan built five times. Ms. Snyder said nothing about this proposal met the guidelines. She said the applicant had been back three times now, supposedly to make the changes requested, but still had not done so. She said only superficial changes had been made, with no changes made to the overall concept. Ms. Snyder said as long as the overall concept was a 10-unit housing development it would never meet the Guidelines.

Ms. Snyder noted that the applicant had purchased three vacant lots with the promise that he could build three homes. She said that although the ordinances allowed an applicant to request greater density, there had never been a guarantee that the greater density would be granted. Ms. Snyder said the applicant had never been entitled to build 10 units, noting from the beginning this had been a speculative venture.

Ms. Snyder asked the HDC to stand firm and uphold the Guidelines. She said this project was simply too large to ever comply with the Guidelines.

Vicky Wilson stated the most successful projects fulfilled a need in the neighborhood, but this project was only about making money. She said at a neighborhood meeting, the developer had been asked why not build 3 homes on the 3 lots, and the response had been that it would not be profitable enough. Ms. Wilson said the historic district should not be used as a vehicle to make money, noting the HDC was charged with protecting the architectural resources.

Ms. Wilson said her property was directly adjacent to this site, and her home was the size of one of the 10 units proposed. She said the decisions made today could not be undone, and the path chosen would lead them into the future. Ms. Wilson said the decision was in the hands of the HDC, and the answers were in the historic district Guidelines and in their thoughtful application. She asked that the HDC consider them with the utmost care.

Stephen Burke said his concerns were with architectural sensibility and community sensibility. He submitted that the delineation of the nouns used by Mr. Parker did not capture architectural sensibility, noting his narrative might capture the “letter” of what was required but not the spirit. Mr. Burke said at best this project had an institutional look about it, and at worst it looked like an apartment complex. He stated it had been said that this development would have signage, and housing developments tended to have signage.

Regarding community sensibility, Mr. Burke said he felt as members of this community it was their responsibility to convey that this was not just a matter of the letter of the law and not just a matter of the reading of the Guidelines. He said this was about the informed will and evaluative process of a functioning community. Mr. Burke asked that the HDC pay attention to the 130 people who had signed the petition and the more than 30 people who had spoken against this proposal.

Tom Stevens, Mayor of Hillsborough, a neighbor of this proposed development and a resident of the historic district, stated this proposal was unprecedented in many ways. He presented a scenario where someone might want to build a garage, then the neighbor decided to build one just like it, and so on and so on. But, he said, perhaps they would be different colors with different facades, but that sameness would be out of character. Mr. Stevens said one of the fundamental difficulties of this project was its inherent sameness.

Mr. Stevens said there was very much a different rhythm and character that happened in the historic district, and placing different elements or facades on what were generally similar buildings rendered it the look of a subdivision. He stated this site was right in the heart of the historic district, and there was an expectation of differences which had evolved over the Town’s 250 year history. Mr. Stevens said Hillsborough was laid out like a town, but this proposal was laid out like a subdivision. He said even efforts to make the buildings look different had not prevented them for looking the same, noting that sameness still existed. Mr. Stevens said overcoming that problem, with 10 units, was perhaps insurmountable since it was a fundamental flaw.

Mr. Stevens said this plan was better than the first or second plan and there were some nice things about it, and if it were located in a subdivision it would be good plan. But, he said, he did not believe it fit in the historic district. Mr. Stevens said the fundamental issue was that the plans looked like plans for a subdivision, and that could not be overcome. He said even though the current plan was a better plan, it still did not fit the sensibility of the historic district.

Anne Dameron stated from her home, she would have to look up 12 feet to the building planned for directly across the street. She said that spoke to the hospitality of the concept of this project. Ms. Dameron said relocating the boxwoods was distressing news to her, noting they had been located there for a very long time. She stated that she had intentionally bought a home in the historic district five years ago, and could not conceive of such a development being placed in the historic district.

Paul Mitchell agreed that there was a fundamental flaw in the design, that as long as they were looking at 10 structures on 2.7 acres it did not fit in the historic district. He pointed out the project was up a number of feet above the King Street side, and the larger structures were already elevated. Mr. Mitchell said when walking along King Street, you had to look up to the property, and then to have to look up to a building would exacerbate that feeling of height.

Lona Tavernise stated one of her many concerns centered on the removal of the trees. She said there was an easement with the first structure that appeared to be very close to the large Magnolia as well as several other smaller trees. Ms. Tavernise said if this project should receive approval, she requested that the HDC require than an arborist certify that those trees would be preserved.

Barbara Church stated she wanted to focus on several details that may assist in improving the design of this plan so that it may one day satisfy the neighbors and the HDC. She said she was concerned that the buildings should line up with others on the block, noting those older homes were smaller and sat closer to the road. Ms. Church said she was also concerned about the narrow entrance on King Street, which was very steep and no drawing had been provided as to what that slope would look like and how the sides of the slope would be stabilized and maintained. She said they needed to see a drawing of where the back side of the slope came to as well. Ms. Church said overall, the streetscape would be improved by eliminating that drive.

Ms. Church suggested that the garages could be moved back, allowing the entrances to them to be moved as well. She said that would allow for all entrances to be from the back. Ms. Church said the chimneys needed to be a bit higher to conform to the higher chimneys often seen in the historic district. Lastly, she said, one of the existing buildings shown on the plan did not exist, because she had moved it herself 20 years ago to Margaret Lane.

Irene McDonald stated if she were to consider buying a house in Hillsborough today, it would have to be on a least an acre in order to provide enough space for trees, plants, and a garden. She noted that the layout of this development did not provide space for gardens.

Cathleen Turner stated that much of what she wanted to say had already been said. She stated that one of her biggest concerns was about the arrangement, spacing and setbacks of the buildings in relation to the other buildings on King Street in terms of size and scale. She said these buildings corresponded more to the smaller residential structures on King Street, and encouraged the applicant to look more at how to push back the buildings to correspond more appropriately with the setbacks. Ms. Turner said she was not opposed to change, but was attentive to how that change was undertaken. She said she was disappointed that the plans called for removal of the boxwoods and the sidewalk leading up to the previous foundation. Ms. Turner said if the applicant was

successful in pushing back the buildings, she hoped the boxwoods and sidewalk could be retained.

Ms. Turner stated that she had participated in writing the current HDC guidelines, and the one relating to new construction and its compatibility was by far the most challenging for this plan. She said overcoming that would take more time on the applicant's part. Ms. Turner suggested that adding a landscape architect to the team might help them overcome some of the challenges of meeting the HDC guidelines.

Ms. Turner said all five buildings were being offered as one application, but wondered if details of each individual building were looked at separately would they meet the Guidelines. She said she believed it would take a lot of compromise to meet congruity in the context of the Design Guidelines. Ms. Turner said she did not believe enough details had been included in the plans, and provided some examples of what she believed had been left out or were not appropriate in the historic district.

Ms. Turner displayed photos of the previously existing structure, which was a large but elegant neoclassical structure that had been destroyed by fire. She said though large, it was on a large lot and "read" smaller than the buildings proposed on these smaller lots because it was set back from the street. Ms. Turner said that house had been slimmed by how it was configured on the lot and the landscaping. She said she was not suggesting that it be recreated, but she was suggesting that what was placed there be compatible in its relationship with surrounding buildings.

Rachel Royce said she had some requests she would like the HDC to ask of the applicant. She suggested that an arborist be included on the design team, and that a grading plan be provided by the applicant. Ms. Royce said she did not believe enough details had been provided on each building to allow for relevant public comment, and also wanted to know what impact this development would have on the surrounding trees. She said she was concerned about the masonry to be used on each building, and wanted to have a formal finding of fact on any archeological impact this development might have.

Ms. Royce said the applicant had spoken about meeting the "average" of each Guideline, but the details were important. She said the topography of the site needed to be given more attention, and the fundamental compatibility of this project with the historic district needed to be given more weight. Ms. Royce noted there were no other duplexes in the immediate vicinity, and this plan looked like a duplex subdivision. She remarked that the garages were a collection of four-car garages, and there were none like it in the historic district, making it incompatible. Ms. Royce agreed that the setbacks were not appropriate.

Lona Tavernise stated that the idea that this project was so elevated that there would need to have steps down in the front was bothersome, adding she believed most residents would enter from the back. She said the plan in essence focused on the back where there would be asphalt and garages. Ms. Tavernise said unless a walkway was

provided to the front door, most residents would have to focus their lives on the back of the structures near the garages.

Mr. Council stated he was concerned that the current plan projected the image of a community within a larger community for which there was no precedent in Hillsborough. He said regarding general form and proportion, the front facades of the buildings made it clear to passersby that these were condominiums. Mr. Council noted that given the front elevations, some might even assume this was a gated community. He said regarding architectural details, it appeared that a random selection of styles was made with no blending. Mr. Council said he was concerned about the proposed height of 36 feet on the King Street side, even given other taller buildings in the area.

Mr. Council said regarding new construction of outbuildings and garages, the applicant had proposed four-car garages to serve each two-unit building. The result, he said, was a unique feature for the historic district, which was inappropriate given the Guidelines for new construction. He added that the Guidelines also stated it was not appropriate for outbuildings to overpower primary structures, which he believed a four-car garage would do.

Mr. Council said regarding the Guideline for walkways, driveways, and off-street parking, they should be compatible in scale and in configuration with the specific site and buildings in the district. He said this project contained a long, wide, meandering private driveway that moved from building to building and garage to garage throughout the development. Again, he said, this was unique in the historic district and inappropriate, and more evidence that this was a subdivision type development. Mr. Council stated that regarding the Guideline for roof shape or proportion versus façade, building one offered too many competing roof lines and varying pitches relative to its closest neighbor. He said the elevation on the right front portion of the house was uncomfortably high and therefore incongruous in its appearance.

Mr. Preston said he believed there remained a fundamental question that was a part of every concern that had been raised, and that was that the guidelines were written to accommodate single-family dwellings. He said consequently, condominiums or apartments were not compatible with the area or generally within the historic district. Mr. Preston said in order to be successful the plans for this site would have to be structured towards single-family residences with individual outbuildings. He said the site was steep, and if you carved it out it would become a different piece of property. Yet, he said, how would you solve the problems associated with the increased height? He agreed that the driveway was a problem, noting you would have to carve it down out of the slope.

Mr. Preston stated that the biggest problem to him was that the plan was not structured around or compatible with single-family dwellings in the neighborhood.

Ms. Dockery said the only way to lessen the feel of the significant height from King Street was to set the units farther back on the site. She said as for the design of the

buildings, to be compatible they should appear to be single-family homes. She suggested a small center vestibule with a centered front door. Ms. Dockery said she liked the idea of detached garages, but these were huge and were half the size of the houses. She said she was concerned about the entrance off of King Street because it was so steep, noting it gave the feel of a tunnel. Ms. Dockery said as for individual details, regardless of the number of people living in the units they could not and should not look like duplexes. She said the repetition on the front façade was incompatible.

Mr. Moye commented on the perceived rhythm of King Street, noting that the existing houses were significantly smaller than what was being proposed. He said while the footprint of these buildings may be similar to some, they were still much larger buildings. Mr. Moye said arranging 3800 to 4600 square feet in five structures on 2.7 acres of land, even without the detached garages, was not consistent with the amount of property that was dedicated to larger homes in Hillsborough, including those on King Street and Hassell Street. He said too much was being squeezed onto these three lots, and that was not a precedent that the HDC would want to set. Mr. Moye stated allowing such a precedent to be set would detract from the ambience of Hillsborough, and would set the stage for even larger developments to be proposed on similar lot sizes.

Mr. Parker remarked that there were four lots on the site, not the three that had been mentioned. Ms. Trueblood said that by right, the acreage available would allow for five houses on those four lots without having to go before the Board of Adjustment. She said the Special Exemption Bonus permit outlined in the Zoning Ordinance allowed the applicant to ask for the higher density; up to 2 additional units per acre.

Mr. Parker said he appreciated the comments and suggestions that had been made. He said they had attempted to transition these buildings with those along King Street, including the setbacks. Mr. Parker said they could be set back further, and they were not opposed to doing that. He said setting them back would infringe on the existing trees, but would allow for the driveway to be less steep. Mr. Parker said the bank along the property would have to have a retaining wall to transition between the units, but would not infringe on the structure, and they were amenable to doing that.

Mr. Parker stated regarding grading and height, the existing topography was intended to be maintained, and not to lower the existing ground other than the entry drives. He said the houses would sit more or less on the existing topography, adding there were houses on King Street that sat much higher than what they had proposed. Mr. Parker stated that setting the houses back on the site would be helpful.

Mr. Parker said the site was a beautiful site, and that Ms. Schaefer had a right to develop that site, and they were trying to do that within the Guidelines. He said this meeting was not to question of density, but to question the appearance. Mr. Parker said the comments regarding center doorways were ones they would like to consider, noting it was a good idea. Regarding the garages, he said some comments were favorable and

some not. He said in order to promote walkability, perhaps smaller garages would be more suitable and they would discuss that with their client.

Mr. Parker said there were some comments regarding landscape architecture, and they had no problems employing a landscape architect once they knew exactly what the site plan would be.

Mr. Moyer agreed they were not here to talk about density, but the spacing issue remained. He said structures of that size along King Street had much more green space surrounding them, noting that 50 feet was not much space for structures ranging from 3800 to 4600 square feet.

Mr. Parker asked that they be given time to digest all the comments offered, and come back again in August with further adjustments. Ms. Dockery asked Mr. Parker to sign a statement that he was willing to extend the hearing, and Mr. Parker did so.

Ms. Dockery remarked that to her, building one appeared to be two buildings shoved together. She said she would prefer one roof. Mr. Parker said the building materials were noted in the plan, and if more details were needed he would like to know that. He also asked for a recap of what the HDC wanted to see when this plan came back in August.

Mr. Preston said the removal of large trees was a concern, and the more that could be saved the better. He said it would be difficult to configure the sidewalk with the boxwoods present, but preserving them was preferable.

Mr. Council suggested trying to leave at least some of the boxwoods in their present location, as well as saving as much of the flagstone walkway as possible. Mr. Parker said he believed that could be done.

Regarding the height of the buildings, Mr. Council said 36 feet seemed too tall for the property, especially when standing on the ridge and looking at neighboring properties. Mr. Preston stated that if the structures were moved back, that appearance of height might be lessened.

Mr. Parker asked if the setback from Hassell Street was acceptable, or was just the setback on King Street the issue. Mr. Council said building one had a nice setback from the edge of the street. Mr. Parker said that was close to 60 feet. Ms. Dockery said she had no problem with the setbacks on Hassell Street.

Ms. Dockery said she would prefer to see wood siding on the structures rather than brick. Mr. Preston stated that the brick variation was compatible, and gave the houses individuality. He stated that the prairie windows were incompatible.

Mr. Moyer said it would be helpful to see an itemization of materials for each building. Mr. Parker said that had been provided in the packet of information on each of the elevation plans.

Ms. Dockery said it was important to save as many trees and shrubs as possible, and it would be preferable to have a landscape architect and an arborist when that point was reached to make sure the larger trees were adequately protected. Mr. Parker they would come back with the landscape plan once they knew exactly where each building would be placed.

Mr. Preston said the roofline on building one was somewhat bothersome, noting in his opinion it over-weighted the house.

Ms. Dockery stated she had a problem with the sidelight/transom combination, noting that a four light sidelight and transom was unusual. She said if the plans were changed to provide a central door that may no longer be an issue. Ms. Dockery suggested no sidelight, or two sidelights.

Mr. Council said the garages were half the size of the houses, and the Guidelines clearly indicated simple utilitarian storage buildings. Ms. Dockery said most garages in the historic district were of simpler design. Mr. Parker asked was there a preference regarding the façade of the garages. Ms. Dockery said they should be as plain and simple as possible with no adornment.

Mr. Moyer said comments had been made that with these five units, they looked like a community within a community. Ms. Dockery said if they were five individual units each with their own driveway and garage that would be more similar.

Mr. Preston said he believed it was compatible within the district to have the garages be somewhat different but similar. Mr. Moyer said as long as they were not identical, he believed that would be acceptable. Mr. Preston said for someone walking down the street, the garages should appear to be somewhat different. Mr. Parker commented that not all the garages would be visible from either street, particularly once the vegetation matured. He said you could see them from Hassell Street if you walked up the bank.

Ms. Dockery said the roof lines on building one needed to be changed. Regarding windows and doors, Ms. Dockery reiterated the remarks regarding the sidelights and transoms and the need for central entryways.

Regarding general form and proportion, Mr. Council reiterated that passersby's would clearly know this was a separate community, and there was no precedent for that in the historic district. Mr. Parker said with a single-entrance feature, that concern would be addressed. Ms. Dockery said the divided porches also contributed to that sense and was incompatible.

Ms. Dockery stated that reorienting the garages as Ms. Church had suggested would cut down on the driveway, making it look less like a housing development, but that would mean only one entrance.

Mr. Council stated he liked the setback of building one, and would like that setback to be applied to buildings three, four and five as well. He said he would like to see a setback on those three buildings equal to or greater than building one. Mr. Council said that would go well with Ms. Church's idea of one entrance and a muse. Mr. Parker remarked that would be an issue that would need to be addressed with the Board of Adjustment, but it was a good idea and something they would consider.

Ms. Dockery said regarding size and scale, the comments had been that there were too many units on the site, which contributed to the incompatibility in terms of massing and scale. Regarding appurtenant features, the garages had already been addressed. Ms. Trueblood said regarding the exterior of the houses, it was normal to see exterior lighting details.

Mr. Preston said it was made clear that no park-like lighting was proposed. Mr. Parker added that no signage was proposed except for the numbers on the houses. Ms. Dockery said if some sort of floodlighting was provided, such as for the garages, the lights would have to point away from the neighboring homes.

Ms. Dockery noted that if there was a King Street entrance, the HDC would like to see detailed plans for the retaining walls. She said if possible, the applicant should plan to save as much of the flagstone walk and boxwoods as possible.

Mr. Preston asked if it were possible to use some sort of material that would break up the appearance of the asphalt, such as what was proposed for the new library. Mr. Parker said that was a material that was impregnated with paint, giving the asphalt the appearance of a paver. Mr. Preston suggested using that on part of the driving surfaces. Mr. Moyer suggested using gravel for the driveway. Ms. Dockery suggested Hollywood strips. Ms. Trueblood stated that the application noted the use of asphalt, gravel, and concrete. Mr. Parker said at the road they would at least want to provide some sort of asphalt or concrete apron back into the right-of-way to keep gravel out of the street. He said the feature Mr. Preston suggested could be used on those aprons. Mr. Preston agreed that was a good idea.

Ms. Trueblood noted that the precedent of this Board was to allow concrete or asphalt on sloping driveways. The Board agreed by consensus that concrete was the better choice for slopes.

Mr. Council asked what the proposal was for the foundation of the previously existing historical home. Mr. Parker replied it was a safety hazard, noting if the setbacks were moved then they would be unable to preserve it. Mr. Council said he did not know the age of the historical home, so was unsure if artifacts were still present. Ms. Dockery

stated that technically if it was above ground, it was not covered under the archeological guideline.

Mr. Council suggested preserving at least some of the original site, such as the front porch and the steps. He said perhaps those could be salvaged and reused. Mr. Parker said when they revised their plan and saw how that site was impacted they would bring back pictures and a proposal.

Mr. Parker noted that when they returned in August, they would bring a map that outlined the proposed contours of the site, as well as a grading plan with particular emphasis on the driveways.

**MOTION:**        **Ms. Dockery** moved to table the application until the August meeting, or until such time as the applicant was able to provide a revised plan.

**SECOND:**        **Mr. Preston.**

**VOTE:**            Unanimous.

**ITEM #7:        Continue discussion about establishing the “Character” of the Historic District.**

Ms. Trueblood noted that Holly Snyder had now rejoined the Board at the table. Town Attorney Bob Hornik noted that when a Board member recused him/herself, the entire Board needed to approve that. Otherwise, he said, that Board member’s vote would be counted as an affirmative vote. Ms. Trueblood asked if that had to happen prior to hearing testimony. Mr. Hornik said it had to be done prior to the Board’s vote. He said the full Board had to authorize a member’s non-participation, noting it had been very appropriate for Ms. Snyder to leave the table during the testimony and discussion. Because the issue was tabled, Mr. Hornik said there was no problem at this time.

Ms. Dockery noted the process outlined by Mr. Hornik would be followed in the future.

Ms. Trueblood stated she had revised the language in the character statement to include remarks by this Board. She said the Town Board would not meet in August, so she had assumed they were expecting to see something from this Board in September.

Mr. Moyer said he believed the revised document captured what they needed to characterize for the Town Board. He said the only issue was how to condense it.

Mr. Preston asked if the revised document was intended to go to the Town Board. Ms. Trueblood said the reason the HDC was working on this was because the Town Board, possibly prior to the rewrite of the zoning ordinance, would consider removing the density bonus option. She said the longer range question was how they addressed zoning, density, and infill in the historic district. Ms. Trueblood said the character statement was meant to help the Town Board understand the most important characteristics of the historic district.

Ms. Dockery said that the Design Guidelines statement and Ms. Trueblood's list was about as concise a statement that could be made regarding the character of the historic district, and the revised document could be provided as information. She said she did not see how it could be made less detailed than that and still be meaningful. Ms. Dockery said if an infill statement was needed, it could be inserted at the end of Ms. Trueblood's list.

Mr. Preston said he was worried that a list did not give the full picture of the concept of character, but he did not know how to get there. He said once you saw it you knew what it was, but it was difficult to put all the aspects together into a concise statement.

Ms. Trueblood commented that providing this statement to the Town Board would not change the mission, responsibility, or authority of the HDC. She said it was only to be used to express to other boards the difficulty in establishing character and the issues the HDC struggled with.

Ms. Dockery said the statements that were included that stated you would find certain features in the historic district but they were not character-defining were very helpful, noting she believed that addressed the infill question and made it very clear.

Ms. Trueblood suggested forwarding the revised document to the Town Board now, and asking them to respond as to whether or not this was what they were looking for from the Board. She said that feedback would be very helpful.

Ms. Snyder agreed that would be helpful, noting the Town Board was grappling with what projects were appropriate and what were not. She said the document did not specifically say that condominiums were okay or not okay. Ms. Trueblood suggested adding wording that said the historic district was comprised of detached single-family residential neighborhoods with a commercial/institutional downtown core, and that multi-family residences were not character-defining in the historic district. Ms. Snyder said that made a good point about what was character defining, without going to the next step to say what was not. But, she said, she believed the Town Board would want to know what was not character defining.

Ms. Trueblood said it was more about the appearance of multi-family, as Ms. Dockery had stated. Ms. Dockery said they could easily make overarching statements because character was so varied. Mr. Preston said you had to think about if a large house was turned into a bed and breakfast. Ms. Trueblood said the Town Board wanted to hear from this Board not about the use of the land, but what that use would look like.

Ms. Dockery said she was much more comfortable speaking directly to the use of certain materials, like vinyl, rather than the land use itself. She said she was not comfortable telling someone they could not build something if it was compatible with the Guidelines.

Ms. Trueblood said she could add some language about the appearance of multi-family housing with double or multiple entrances or other features, as opposed to the appearances of single-family houses. Then she would forward the statement to the Town Board for their review and feedback.

**Other:**

Ms. Trueblood said the Mill Village nomination for the National Register of Historic Places was one the top items of her list of things to do, and needed guidance on how to proceed. She said at least 50% of the homeowners had to support the nomination. Ms. Trueblood said there were about 30 homes in that area.

Mr. Preston suggested having some sort of education session of what would be involved so the residents would be more informed. Ms. Trueblood said she had considered mailing out a survey that provided more details and how to receive more information. Ms. Trueblood said she would be leaving on maternity leave in November, so she was running out of time since the nomination was due in January or else they would have to wait another year to apply.

Ms. Dockery said you did not have to have 50% of the property owners in support; you just could not have more than 50% formally opposed to it. Ms. Trueblood said that was correct. She said she would mail out an information sheet and a return postcard and see what came back, then report back to the Board.

Ms. Trueblood said the last issue was that she needed a volunteer to serve on the Alliance, since Ms. Vergara's term on this Board had expired. She said she would find out when that board met and what its constraints might be and report back.

**ITEM #8: Adjourn.**

Mr. Preston moved to adjourn the meeting at 9:56 p.m., seconded by Mr. Council. The vote was unanimous.

Respectfully submitted,

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Stephanie Trueblood, Secretary