

Minutes
HISTORIC DISTRICT COMMISSION
March 7, 2007

MEMBERS PRESENT: Chair Jessica Dockery, Vice Chair Max Preston, John MacAulay, Mark Rhoades, and Suzanne Vergara.

ABSENT: Will Moye, absence excused.

STAFF: Stephanie Trueblood.

WITNESSES: Debra White, Rachel Royce, Vicky Wilson, Holly Snyder, Paul Mitchell, Jill Heilman, Nan Dameron, John Williams, Jim Parker, Bonnie Schafer, Robert Striegler, Candice Cobb, Chris Wachholz, Debbie Cheshire, Mike Dodson, Kaye Crawford, and Ellen Stoner.

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

Ms. Dockery called the meeting to order at 7:03 p.m., and Ms. Trueblood called the roll and confirmed the quorum.

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

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

Announcement: Ms. Dockery announced that the Town of Hillsborough had been chosen as one of the National Trust's Dozen Distinctive Destinations for historic preservation.

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

No additions or adjustments were made to the agenda.

ITEM #4: Approval of minutes from the January 3, January 24, and February 7, 2007 meetings.

Ms. Dockery noted that any typos found in the minutes could be sent directly to Ms. Trueblood for correction, and did not need to be made part of the motion for adoption. She said only content or name changes should be noted.

January 3, 2007: Ms. Dockery said that on page 3, Mr. Trueblood should be changed to Ms. Trueblood. She said on page 5, second paragraph, Mr. Walker should be changed to Mr. Watkins. Mr. Preston said on page 2, Mr. Pr4eston should be changed to Mr. Preston. Ms. Dockery said on page 24 at the top of the page, leaning cypresses should be changed to Leland cypresses.

January 24, 2007: None.

February 7, 2007: Ms. Vergara said on page 15, the motion should read that the application “is in keeping” rather than “is not in keeping.” She said on page 17 at the top, she had said “she believed this would be a precedent” and not Ms. Dockery. Ms. Vergara said on page 17 in the fourth paragraph, where it said “Ms. Vergara said it would have to come back” it should read “it could have to come back.” Ms. Dockery said on page 3 in the second paragraph, there was a “Ms. Vergara” that should be “Ms. Dockery.” She said on page 6, third paragraph from the bottom, it read “another further back” and it should read “any further back.” Ms. Dockery said on page 2, second paragraph from the bottom, it read “Ms. Vergara asked if the letters on the wooden sign...” and it should read “Ms. Dockery asked.....”

Mr. Preston said on page 5, last paragraph, it read “He said he believed it was not consistent with the County buildings across the street.” He said it should read “not inconsistent.”

MOTION: Mr. MacAulay moved to approve the minutes of January 3, January 24, and February 7, 2007 as amended.
SECOND: Mr. Rhoades.
VOTE: Unanimously approved.

ITEM #5: Application for a Certificate of Appropriateness for Robert Striegler to construct a garage and a rear deck, pave an existing drive and build a parking pad, and add fencing and minor landscaping to 113 North Cameron Street (4.31.E.7)

Ms. Dockery swore in Robert Striegler and Stephanie Trueblood. Ms. Trueblood stated that this home was considered noncontributing and dated to the 1950’s. She said it was a one-story, flat roof, brick veneer, contemporary style house with international style elements. Ms. Trueblood said it had horizontal massing with high ribbon-type windows, very tall chimney, with an engaged carport.

Ms. Trueblood said the applicant was proposing several improvements, including a garage, a driveway, a deck, a fence, and some additional landscaping. She said the proposal was to construct a 24’ by 24’ garage to be located to the rear of the existing house, to have three-tab asphalt shingles in pewter color, wood lapped siding painted white, wood casement windows, a 12’ by 7’ wood door, and a wood side door. Ms. Trueblood said the applicant wanted to extend the asphalt on the existing drive around the side of the house to access the garage, and add a gravel parking area. She said the applicant planned to construct a 20’ by 24’ rear wood deck. Ms. Trueblood said the applicant wanted to add a 4’ wood picket-style fence as well as assorted shrubs for landscaping improvements.

Ms. Trueblood said she had not received any contacts from neighboring property owners regarding this application. She said the standards that applied were A for height, C for materials, D for texture, E for landscaping, F for architectural details, G for roof shape, H for roofing material, J for proportion, K for general form, L for orientation, M for scale, O for appurtenant features, P for structural soundness, Q for

walls and fences, and R for paving. Ms. Trueblood said the guidelines that applied were New Construction of Outbuildings and Garages, as well as Decks, Fences and Walls, and Walkways, Driveways, and Off-Street Parking.

Mr. MacAulay confirmed that the fence was wood. He asked if the garage was far enough away from the property line. Mr. Striegler said it was according to current zoning.

Mr. Preston said pewter was proposed for the shingles of the garage, and asked if that would match the shingles on the house. Mr. Striegler said no, that the shingles on the house were a light grey. He said because the building would be white, a light grey would wash out any color so he wanted something darker. Mr. Preston asked if the deck would be treated wood. Mr. Striegler responded yes.

Ms. Vergara asked if the new driveway would adjoin the existing driveway. Mr. Striegler said yes, it would come off to the side and curve.

Mr. Rhoades asked if the deck would be elevated. Mr. Striegler said it was only slightly elevated off the ground, noting it was basically a landing coming out from the door. Mr. Rhoades asked if it would be of pressure-treated wood. Mr. Striegler said it would. Mr. Rhoades asked if the deck would eventually be painted. Mr. Striegler said his plan was only to treat it.

Ms. Dockery asked what color the fence would be painted. Mr. Striegler replied white.

Mr. Preston said where fences were installed the smooth side of the fence should face the neighbors. Mr. Striegler said that was his plan.

MOTION: Mr. MacAulay moved to find as fact that the Robert Striegler 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 A, C, D, E, F, G, H, J, K, L, J, M, O, P, Q and R., and guidelines for New Construction of Outbuildings and Garages, as well as Decks, Fences and Walls, and Walkways, Driveways, and Off-Street Parking.

SECOND: Mr. Preston.

VOTE: Unanimously approved.

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

SECOND: Mr. MacAulay.

VOTE: Unanimously approved.

ITEM #6: Application for a Certificate of Appropriateness for Candice Cobb to replace wrought iron columns on the front porch with wood columns and add wood railings, replace the existing roof with dark green architectural shingles, paint the

foundation dark green to match the new roof, and paint sashes around the second story front windows at 216 South Hillsborough Avenue (4.35.H.6)

Ms. Dockery swore in Candice Cobb. Ms. Trueblood stated that this house was considered contributing, and was a front-gable, one-and-one-half story frame house with an attached full width porch with replacement metal posts. She said the windows were four over four, six over six, and nine over nine sash, and one side dormer window. Ms. Trueblood said the central door was half glazed and flanked by side lights, and added that the house dated to 1921

Ms. Trueblood said the applicant was proposing to restore the front porch columns to period appropriate tapered wood columns and install wood railings. She said the applicant also wanted to install architectural shingles. Ms. Trueblood said the packet materials included information on items that had been already been approved a minor work, including painting the foundation dark green and painting the sashes on the upstairs windows black.

Ms. Trueblood said she had received no contact from neighboring property owners about this application. She said the standards that applied were C for materials, D for texture, F for architectural details, H for roofing material, and I for exterior color. Ms. Trueblood said the design guidelines that applied were Porches, Entrances and Balconies and Roofs, and Architectural Metals.

Ms. Cobb provided a sample of the roofing material.

Mr. Rhoades said his property line was adjacent to this property. Ms. Trueblood said in that case it would be necessary for Mr. Rhoades to recuse himself from consideration of this application. Mr. Rhoades was recused by consensus of the Commission.

Ms. Vergara said that changing the wrought iron columns to wooden columns that were more typical of that period was an appropriate thing to do. She said she had no problem with any of the proposed changes.

Mr. Preston asked if the entire roof of the house would be replaced. Ms. Cobb said yes. Mr. Preston asked what the previous material was. Ms. Cobb said it was a fabricated grey, three-tabbed shingle.

Mr. MacAulay commented that the proposed changes were all good additions to the house. He said the current house had a ramp on the right side of the porch, and asked if it would be retained. Ms. Cobb said they would likely want to remove it at a later date to make the house more historically accurate. Ms. Trueblood commented that could be reviewed as a minor work.

MOTION: **Mr. Preston** moved to find as fact that the Candice Cobb 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, D, F, H and I, and design guidelines for Porches, Entrances and Balconies, and Roofs and Architectural Metals.

SECOND: **Mr. MacAulay.**
VOTE: Unanimously approved, with Mr. Rhoades recused.
MOTION: **Mr. Preston** moved to approve the application as submitted.
SECOND: **Mr. MacAulay.**
VOTE: Unanimously approved, with Mr. Rhoades recused.

ITEM #7: Application for a Certificate of Appropriateness for Chris Wachholz to install a solar water heating collector panel on the south facing roof at 323 West Queen Street (4.35.H.6)

Ms. Dockery swore in Chris Wachholz. Ms. Trueblood said this house was considered noncontributing, and was a one-story, side gabled frame house with a front gabled porch with four over one craftsman sash windows. She said the house had a concrete block foundation, and the property had already been approved for renovation and the installation of a garage. Ms. Trueblood said the current proposal included the installation of an 82" by 42" solar water heating collector panel on the south facing roof elevation, which would not be visible from the road.

Ms. Trueblood said no contact had been received from neighboring property owners. She said the standards that applied were O for appurtenant features, and the guidelines that applied were Roofs.

Ms. Vergara asked about the thickness of the panel. Mr. Wachholz noted that the panel would be 3.31 inches thick, however the installer had noted that the addition of the mounting brackets may make it as high as 6 inches off the roof. Ms. Vergara said then there was a chance it would be visible from the street. Ms. Trueblood said she had received a letter from the installer that stated it would not be visible from the road.

Mr. Rhoades applauded the applicant for incorporating alternative energy sources, and said he believed that as long as the panel was not visible from the road it would comply with the guidelines. Mr. Wachholz said they had proposed only one panel for that reason, noting more than one would likely be visible from the road.

Mr. Preston said he also applauded the effort to incorporate alternative energy sources as well as the effort to upgrade the house. Mr. Wachholz described some of those upgrades.

MOTION: **Ms. Vergara** moved to find as fact that the Chris Wachholz 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 Standard O, and the design guidelines for Roofs.

SECOND: **Mr. Rhoades.**

VOTE: Unanimously approved.
MOTION: **Ms. Vergara** moved to approve the application as modified to require that the solar panel not be visible from the road.
SECOND: **Mr. MacAulay.**
VOTE: Unanimously approved.

ITEM #8: Application for a Certificate of Appropriateness for Debbie Cheshire to enclose an existing screened porch, add one window, replace shutters, move the porch door and add a standard door, add 4 casement windows, and add an eyebrow window at 114 East Queen Street (4.31.B.5)

Ms. Dockery swore in Debbie Cheshire. Ms. Trueblood said this house was considered noncontributing, and was a minimal traditional style one-and one-half story, four bay brick veneer house. She said the windows were ten over fifteen sash, the door was a 6 panel door with top panels, and the house dated to the 1940's.

Ms. Trueblood said the applicant was proposing to enclose an existing screened porch on the east side of the house. She said the exterior would have red brick and white vinyl to match the existing house. Ms. Trueblood said the applicant would attempt to match the existing shutters, but if that was not possible they would replace all of the shutters with grey shutters in a similar style. She said one window would be added, and the porch door would be moved approximately 6 inches and a standard entrance door would be added. Ms. Trueblood said four, 2'4" by 3'10" casement windows would be added, as well as an 8' eyebrow window.

Ms. Dockery swore in Mike Dodson.

Ms. Trueblood said the applicant also wanted to install an 8' by 10' storage building in the rear yard to be built on site and placed on blocks. She said the siding would be wood, the windows would be aluminum frame windows and the roof would be shingle. Ms. Trueblood said she had received no comment from neighboring property owners. She said the standards that applied were C for materials, D for texture, F for architectural details, J for proportion of width and height of window and door openings, and the design guidelines that applied were Additions to Existing Buildings, and Outbuildings.

Ms. Dockery asked what the materials the replacement doors, and windows and shutters would be. Mr. Dodson said the shutters would be vinyl and they would match them as closely as possible to the existing shutters on the house. He said the door would be full metal and painted, and the windows would be vinyl frame.

Mr. MacAulay noted some concern about the placement of the storage building so close to the property line. Ms. Cheshire said they would move the building in about five feet because of the slope and to get it further away from the property line.

Ms. Dockery said in the past when the Commission had considered additions they had requested Hardiplank be used, as well as wood windows, wood doors, and wood trim.

Ms. Cheshire asked if that would be true if there was existing vinyl on the house. Ms. Dockery said yes, noting they were not allowing vinyl on new additions and this was considered a new addition because they were enclosing a room.

Mr. Dodson noted the windows on the existing house were already vinyl, as was the gable end of the screened porch. He said if they changed to Hardiplank then all of that would have to be changed out as well.

Mr. Preston said in this situation with the existing vinyl, it would be more compatible to permit the applicant to continue with vinyl. He said it seemed more appropriate with the rest of the house, noting this was a point of internal compatibility.

Ms. Vergara asked about the reason the eyebrow window was chosen. Ms. Cheshire said because of their closeness to the neighbors they wanted as much privacy as possible, and that was why they had chosen that type of window. Ms. Vergara said she agreed with Mr. Preston regarding the use of vinyl since it was already on the house.

Mr. Rhoades agreed about the vinyl, noting it would be permissible in this situation. He stated he did not recall any instances where the Commission had allowed a window such as the one proposed, adding he did not believe it was compatible with the existing windows. Ms. Cheshire said she had wanted something different rather than a standard sunburst window.

Mr. Preston said the eyebrow window appeared awkward to him, and suggested a rectangular window. Ms. Cheshire said they were limited as to what could be placed there, but they were willing to look at other options. She asked if the Commission would approve a fan-like or sunburst window.

Mr. Rhoades said it would be more in keeping with the rest of house to install a rectangular window with a six over six sash. He said he believed the issue of privacy would be addressed with shutters or internal window treatments. Ms. Cheshire said she was not opposed to a rectangular transom window with panes.

Mr. MacAulay said the window was on a side wall and not a front view, and given the existing landscaping and the proximity to the neighbor's house he would be comfortable with a rectangular transom window.

Ms. Dockery said she agreed with the issue of the vinyl because it was already present on the house, but the Commission did need to make a statement on the vinyl windows and vinyl shutters and how they came to its conclusion. She said they were extending vinyl to a building that did not have vinyl so that needed to be justified.

Mr. MacAulay said vinyl shutters and windows were already on the front of house, so to change them would be internally inconsistent. Ms. Dockery said the Commission had been adamant in the past about not allowing vinyl windows. Mr. Rhoades said this

was an anomaly because vinyl windows were already present and it was a conversion as opposed to a new addition.

MOTION: **Mr. Preston** moved to find as fact that the Debbie Cheshire application is in substantial compliance 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 Standards C, D, F and J, and the design guidelines for Additions to Existing Buildings, and Outbuildings.

SECOND: **Mr. MacAulay.**

VOTE: Unanimously approved.

MOTION: **Mr. Preston** moved to approve the application as amended to include that the eyebrow window on the east elevation would be replaced with a rectangular horizontal transom window with panes, and with the understanding that the Commission would allow the enclosure's exterior siding, shutters and windows to be vinyl to be consistent with the existing windows and siding.

SECOND: **Mr. MacAulay.**

VOTE: Unanimously approved.

ITEM #9: By consensus, this item was moved to the end of the agenda for consideration after Items #10 and #11.

ITEM #10: **Application for a Certificate of Appropriateness for Kaye Crawford to remove two Bradford pear trees that are tangled with power lines at the rear property line and replace them with hollies at 416 North Cameron Street (4.19.G.6)**

Ms. Dockery swore in Kaye Crawford. Ms. Trueblood said this house was noncontributing and was a 1970's ranch house with colonial revival elements, a side gabled roof and frame construction. She said it had a full-width porch and square posts. Ms. Trueblood said the applicant was proposing to remove two existing Bradford pear trees on the back property line because they were tangled with power lines. She said the trees were not visible from Cameron Street but could be seen from a certain perspective on Mitchell Street.

Ms. Trueblood said this application could not be considered a minor work because of the size of the trees. She said the applicant wanted to replant the area with evergreen hollies set back away from the power lines. Ms. Trueblood said she had received no contact with neighbors about this application, and the standards that applied were E for landscaping, and the design guidelines that applied were Site Features and Plantings.

Ms. Crawford said safety was her primary concern, noting that children occasionally climbed the trees. She said when the power company trimmed the trees, they became misshapen. Ms. Crawford said they would like to replace the trees with something more appropriate.

Mr. MacAulay strongly suggested that the applicant consider the American Holly which was a native holly rather than a hybrid. He said they would be easier to grow and require much less care in order to survive.

MOTION: Mr. Preston moved to find as fact that the Kaye Crawford application is in substantial compliance 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 Standard E, and design guidelines for Site Features and Plantings.

SECOND: Mr. MacAulay.

VOTE: Unanimously approved.

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

SECOND: Mr. MacAulay.

VOTE: Unanimously approved.

ITEM #11: Application for a Certificate of Appropriateness for the Hillsborough Gallery of Arts to install an 18” x 30” hanging sign made of wood at 121 North Churton Street (4.30.A.3)

Ms. Dockery swore in Ellen Stoner, Treasurer of the Hillsborough Gallery of Arts. Ms. Trueblood stated that the Mercantile Center was contributing, and was built in 1912 and remodeled in 1930. She said it was a Spanish mission/Craftsman style commercial building with a two-story, five bay brick veneer building that had a Spanish-style shallow pitch roof supported by a pair of decorative brackets on decorative brick buttresses. Ms. Trueblood said the windows on the upper story were nine over one sash with brick flare arches and keystones and the storefront dated to 1988.

Ms. Trueblood said the applicant was proposing to install a 19” by 30” oval sign perpendicular to the façade from a decorative black bracket. She said the sign would be made of wood and met zoning requirements. Ms. Trueblood said she had received no contact from neighboring property owners. She said the Standards that applied were O for appurtenant features, and the design guidelines that applied were Signage.

Ms. Stoner said her carpenter had told her that he would have to place a support going back from the bottom of the wood support to the ceiling directly over the door in order to secure the bracket.

Mr. MacAulay asked if it would be flush with the ceiling. Ms. Stoner said it would be about six inches down and go up to the ceiling. She said the carpenter was concerned that the bracket hung further down for the façade than he had originally thought it would.

Ms. Vergara asked about the lettering on the sign. Ms. Stoner said it was a sandblasted wood sign and the lettering would be painted.

Mr. MacAulay said he could support this application assuming that the sign on the street was removed. Ms. Stoner said they would happily remove that.

Mr. Rhoades asked if the support for the sign would be painted. Ms. Stoner said it would be painted white, the same as the ceiling, to allow it to blend in.

MOTION: **Ms. Vergara** moved to find as fact that the Hillsborough Gallery of Arts 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 Standard O and design guidelines for Signage.

SECOND: **Mr. Rhoades.**

VOTE: Unanimously approved.

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

SECOND: **Mr. Preston.**

VOTE: Unanimously approved.

**BACK TO
ITEM #9:**

Application for a Certificate of Appropriateness for Bonnie Schafer to remove the existing 1950s house and build 9 condominium units each with a footprint of 2,500-3,500 square feet arranged in 4 structures, and build a Gathering Pavilion and a trash container enclosure and made landscaping changes including a paved driveway at the 4 lots on the corner of West King Street and North Hassel Street (4.29/F.1, 1A, 1B, 1C)

Ms. Dockery swore in Bonnie Schafer, John Williams, Jim Parker, Paul Mitchell, Deborah White, Rachel Royce, Jill Heilman, Nan Dameron, Vicky Wilson, and Holly Snyder. Ms. Trueblood said this applicant concerned the four lots at the corner of West King and North Hassel Streets. She said this site included three vacant lots and one existing house that would built in the 1950's and added on to in the 1970's which would make it noncontributing.

Ms. Trueblood said the applicant was proposing to demolish or relocate the existing structure and to build nine condominium units on the site organized into four structures. She said the architecture of the new units would be traditional with brick exteriors and shingled roofs, each unit would have a brick and wrought iron front and rear courtyard, a two-car garage, and some units would have a walk-out basement. Ms. Trueblood said the units were situated off the street in a semi-circular pattern in order to respect existing topography and preserve existing significant landscaping.

Ms. Trueblood said in addition, the applicant was proposing to build a gathering pavilion and mail kiosk as well as a trash enclosure. She said the pavilion and kiosk would have brick walls and standing seam copper roofs, and the pavilion would also have wood columns. Ms. Trueblood said the trash enclosure would have brick walls and a chain link gate with vinyl screen slats. She said new landscaping would be added to provide buffers for the neighbors, and the driveways would connect to West King and North Hassel Streets. Ms. Trueblood said the surface would be turf stone and the

main drive would be one-way only, with the entrance on West King Street and the exit on North Hassel Street.

Ms. Trueblood stated that one guest parking space per unit was proposed. She said the applicant was also seeking a Conditional Use Permit for the site for the increased density of two units beyond what was now allowed, and that would be reviewed by the Board of Adjustment at its March 14 meeting. Ms. Trueblood said the applicant was requesting 9 units, which was two more than they were allowed by right. Therefore, she said, they were requesting a conditional use for 2 additional units, although the zoning ordinance would have allowed up to 4 additional units with a conditional use permit.

Ms. Trueblood said she had been contacted by neighbors who were unable to attend tonight's meeting. She said John and Grace Jean Roberts had said they approved of the project, believed it was an appropriate use, and had compatible architecture. Ms. Trueblood said that Jeff Hopper sent an email expressing support, and Barbara Church had related that she believed the setbacks, chimneys, windows, size and shutters were incompatible in the historic district with residential houses in the vicinity. She said Ms. Church also believed there was a "subdivision" pattern to the proposal. Ms. Trueblood said she was also contacted by Dodd and Susan Meddick who said they were in favor of the application and believed it would be good for the neighborhood.

Ms. Trueblood said the design standards that applied were all the A – T standards, and the design guidelines that applied were New Construction of Primary Buildings, New Construction of Outbuildings, Site Features and Plantings, Walkways, and Off-Street Parking.

Ms. Schafer provided some brief personal history, and noted that the proposed name of the subdivision was The Village at Webb Park. She said they wanted to create this development in a park-like setting as the focus of the property, with the houses in the back shielded from the view by the park. Ms. Schafer said the park itself would cover one-third of the property. She said of the 50 trees on the lot, they would preserve about 75%.

Jim Parker, with Summit Engineering, provided information about the site itself, describing existing trees and how the buildings were laid out to preserve as many of those trees as possible. He said there were 40 trees with at least a 12" diameter, and 28 of these would be preserved. Ms. Parker said many other existing trees would be relocated to the proposed landscaping areas if possible. He described the slope and how the units would be built to accommodate that slope.

Mr. Parker said a neighborhood meeting had been held on February 28, with 6 citizens attending. He said comments included the setback along the northern property line was insufficient, and that the type of trees located in the buffer were not the type they preferred. Mr. Parker said they had sense increased the setback from 8 to 20 feet along the northern property line, and changed the vegetation proposed to trees that were more suitable.

Mr. Parker said the other comment from the neighborhood meeting regarding the landscaping proposed on the eastern side at the lower southeast corner was that it was somewhat scarce, so they had added additional landscaping there. He said all the driving and parking surfaced would be constructed of turf stone which was a previous type pavement that would allow vegetation to grow through to give a softer feel than asphalt. Mr. Parker said the existing foundation and the existing walkway and boxwood hedges visible from the street would be retained and incorporated into the park area.

Mr. Parker said they had introduced another entrance onto Hassel Street on the southwestern quadrant to provide some symmetry to the entrance on both sides. He said the intent was to put the units back to retain existing trees, which would also provide a softer look. Mr. Parker said all stormwater drainage would be handled underground, and lighting on the site would be the acorn shaped with low illumination.

John Williams, the architect for the project, clarified that the square footage provided in the packet did not refer to the per unit footage. He noted that the footprint of each unit was 1,500 square feet of living space. Mr. Williams said there had been some concern expressed about the height of the buildings. He said that three-story building height to the ridge from mean grade was 42 feet and the two-story or one-and-one-half-story height was 32 feet. Mr. Williams pointed out that the trees shown on the plans were actually larger than shown and would provide adequate screening for what was proposed.

Ms. Vergara stated that she lived a block and a half away and had attended the neighborhood meeting as a citizen. She said she had not spoken at the meeting and had had no contact with Mr. Williams or anyone connected to the project. Ms. Vergara said she wanted to make sure that all knew she remained open-minded.

Deborah White said her property adjoined the proposed project. She said if this project was approved, she would have a direct view of all the buildings along the back lot lines. Ms. White said her view would be a retaining wall, garage doors, paving pads, screened porches, and other features. She said instead of having a sunny southern exposure they would have shadows from the towering building along the rear property line.

Ms. White said those that lived in the historic district were not accustomed to seeing such developments from their homes. She said these plans were institutional in scale and not reflective of the surrounding residential homes. Ms. White added the Board of Adjustment would consider the project on March 14, and having this Commission and the Board of Adjustment consider the project in a three-week period was not acceptable. She said it was far too little time for proposal review and meaningful public comment and input.

Rachel Royce said she lived across the street from this proposed development. She stated she had received the letter regarding the neighborhood meeting on a Friday, with the meeting held on Monday. Ms. Royce said the project would have serious impact on her neighborhood, yet they were given very little time to prepare. She said that type of

process was appalling when the project would affect the Town so seriously. Ms. Royce said there were no other projects in her neighborhood that even remotely resembled what was proposed, and stated she was confused as to whether the proposed park was a public park or a private park.

Ms. Royce said there were no other “villages” within the village of Hillsborough, and the idea of having a pedestrian-friendly village across the street from her was confusing to her because she thought she already lived in the pedestrian-friendly village of Hillsborough. She said such a village was inappropriate in the historic district. Ms. Royce said this project was clearly not in keeping with the historic district. She said she was also concerned about the loss of older bulbs and shrubs in the area where the driveway would be.

Ms. Royce said this property was set on a hill, and her property was at a significantly lower elevation. She said these buildings would have a direct view into her home, and that would have a severe impact on her family.

Vicky Wilson said she lived directly behind the proposed project. She said at the neighborhood meeting, it was obvious that the Village at Webb Park was beyond a point of meaningful neighborhood input. Ms. Wilson said the design team was eager to address concerns about superficial items like lighting, landscape buffers, and dumpster location. However, she said, it did not seem like a forum for comments from neighbors regarding more substantial aspects of the project. Ms. Wilson said she did not get the feeling that honest comments were wanted.

Ms. Wilson said she understood the mission of the Historic District Commission and the guidelines it must use to make determinations regarding projects. Therefore, she said, she would use those standards to voice her main concern. Ms. Wilson said on page 34 of the design guidelines it stated that new buildings should “respect and enhance the spatial character of the historic district. The proposed siting of new buildings must be consistent with the setback and spacing of the surrounding buildings. Within the district, most buildings are oriented to the street with a front façade running parallel to it.” Ms. Wilson said it was clear that the proposed buildings were not designed so that the overall character of the adjacent streetscape was maintained, the importance of which was stressed in guideline no. 2.

Ms. Wilson said her neighborhood held stately and gracious homes that were in rhythm and balance with its surroundings. She said the proposed project would disrupt that rhythm and balance, with no welcoming front porch, no mature landscaping, no historically sited outbuildings, and a subdivision type of concrete, turf stone paving. Ms. Wilson said the guidelines clearly suggest a building oriented towards the street, as was the original house on the site. She said if the site were laid out respectful of its original footprint and in a manner respectful of the adjacent streetscape, it would address many of the concerns of the neighbors.

Ms. Wilson asked the Commission to remember during its deliberations that they had an historic reputation to uphold, not only locally but nationally, as proven by the recent award mentioned earlier. She said they were counting on the Commission to help preserve Hillsborough's uniqueness and assure that the Town would continue to be a distinctive, historic destination.

Holly Snyder said 380 feet of her property adjoined this project. She stated that if approved, she would have a 380-foot vista of a minor subdivision. Ms. Snyder said she had four main concerns, and she would use the historic district's design guidelines to express them, which were height, massing, porches, and material.

Ms. Snyder said regarding height, the houses in the immediate vicinity of this project had an average height of 18 feet. She said the proposed height on Hassel Street was 32 feet, nearly twice as tall. Ms. Snyder said other elevations of the project rose to a height of 42 feet, which would tower three times higher than most of the surrounding one-story homes.

Ms. Snyder said regarding massing, the guidelines state that new buildings should be compatible in massing with surrounding buildings. She commented that it would take five homes to equal the 11,000+ square feet of one condominium building. Ms. Snyder said it was obvious that the proposed volume was out of proportion and dwarfed other homes in the neighborhood. She said that was a result of attempting to accommodate 5 more homes than was allowed by R-20 zoning.

Ms. Snyder said the design guidelines note that the front porch was one of the most distinctive features of houses in the historic district, many of which were constructed of tongue and groove flooring, big board ceiling, and turned or boxed wood columns connected by balustrades. She said the guidelines note that porches were a defining element of the historic district. Ms. Snyder by contrast, the proposed development had no front porches at all, rather they had closed off entry courtyards with six-foot brick walls and wrought iron gates.

Ms. Snyder said her final concern was an observation regarding material, as referenced in guideline no. 6, no. 9, and Letter C of the Standards of Evaluation. She said exterior construction should be of a material used predominately in the immediate vicinity. Ms. Snyder said that predominant material was wood, clapboard siding. She said brick had been used in post-1945 ranch houses as well as some commercial, institutional and religious buildings. Ms. Snyder said brick was not common in their residential area.

Ms. Snyder suggested that a guideline should be added to read, "Design new buildings to be compatible with traditional intent and purpose of construction. Minimize any focus on maximum number of units. Site plans should not be based on the bottom line. Introduce new buildings that are so compatible in height, scale, massing, and material that neighbors will want to look at them. It is not appropriate to design new buildings which provoke neighbors to seek landscape buffers or similar protective screenings."

Ms. Snyder said as the design guidelines stated that the historic district was established not to prevent change but rather to assure that changes were consistent with the historic and architectural character of the district. She asked that the Commission uphold its mission to protect and preserve Hillsborough's historical architectural resources, and to hold this project to the appropriate standards of evaluation.

Paul Mitchell stated that much of what he wanted to convey had already been said. He said as he watched the Colonial Inn decay, he wondered how to keep the environment historical. Mr. Mitchell said his property abutted the proposed project, and hated to think that the proposed village would destroy the present village, which is what he believed would happen.

Jill Heilman echoed the comments made earlier regarding the process about a project that had this kind of magnitude in the community and sought only to inform those that abutted it as narrowly as it did. She said she was informed of tonight's meeting, but not of the meeting held in February.

Ms. Heilman said she objected to the density, to the scale, to the lack of consistency with the integrity of the community and the character of the homes, and the lack of consistency of the streetscape. She said the proposed buildings were not consistent with the character of the historic community of Hillsborough, rather they were consistent with a suburban landscape. Ms. Heilman said it would be objectionable to the village of Hillsborough for this village to be incorporated into it. She urged the Commission to use very stringent guidelines when considering this project.

Nan Dameron said she lived directly across the street from the proposed project, and had not been informed of the meeting held in February. She said those that had purchased property in the historic district did so with the faith that there were people responsible on their behalf to ensure that the character and the beauty of the historic district would be protected.

Ms. Vergara asked about the proposed driveway on King Street. Using the site plan, Ms. Trueblood pointed out the one way in and one way out.

Mr. Rhoades asked for clarification of the use of the park, that is, private versus public. Ms. Schafer said the park would be used anyone wishing to do so.

Mr. Preston said he worried that the application was premature due to the fact that there was a public hearing scheduled for March 14, and at that hearing it would be determined whether or not there would be a waiver of the rule of maximum units. He asked what the applicant would do if the Board of Adjustment did not allow the 9 units. Ms. Schafer said they would make adjustments using the advice of the Board to make the project conform. Mr. Preston said if the project had to be changed from its present proposal, then the material the Commission was considering tonight was not evidentiary for it to make a decision on. He said it was very possible that something different would come forward at another time, and they would be wasting time until they knew

what decision would come from the Board of Adjustment. Mr. Preston said the Commission based its decision on evidence of fact, and until that was known they could make no decision.

Mr. Williams said they had asked Town staff how to proceed, and which board to appear before first. He said staff had suggested that they appear before this Commission first. Ms. Trueblood said that the dilemma as stated by Mr. Preston was the exact same for the Board of Adjustment, in that they would consider the application knowing that the applicant could still make changes to the proposal and it would have to come back before them.

Mr. Preston said there was a difference, because the Board of Adjustment's decision was a matter of legal determination. He said the Commission's was a matter of viewing a proposal that was legally approved and then determining how to move forward. Mr. Preston said he did not believe it was timely to try to make any determination of facts because the facts were not determined. Ms. Trueblood said the Planning Director had instructed Mr. Williams to move ahead with both meetings in the same month assuming that it would take longer than one month for a project of this scale to move through the Commission. And, she added, the Commission had the ability to affect such things as the orientation, the setback, the shape of the driveway, the massing of the buildings, and major site elements that the Board of Adjustment had to review in order to determine whether or not there was any public health, safety and welfare concerns.

Mr. Preston stated that the Commission could make a determination on the question of demolition tonight if necessary. Ms. Dockery said what Ms. Trueblood was saying was that any member of this Commission or the Board of Adjustment would probably alter the project for the other one. So, she said, what the Board of Adjustment looked at once the Commission was done with it may not be the same either. Ms. Trueblood said she believed there was an assumption that a decision would not necessarily be made tonight, but that it would be the beginning of a process of working on an application for a Certificate of Appropriateness. Mr. Preston said he was willing to listen, but it concerned him that they had to make a decision in 60 days when the facts may change. Ms. Trueblood commented that if the application changed significantly then that 60 days restarted from that time.

Ms. Dockery said whether or not they voted tonight, she believed the Commission needed to discuss it. Ms. Trueblood noted that any change to the application would have to come back before the Commission, and if the Board of Adjustment were to approve a Conditional Use Permit it would have to be approved on the condition that it had received a Certificate of Appropriateness from the Commission.

Mr. Preston asked if it was in keeping with the rules to make a determination on the demolition of the present building. Ms. Trueblood said that was within the purview of the Commission. Ms. Dockery said the applicant had not yet decided to demolish the building, but were considering the feasibility of moving it. Mr. Preston said he believed that was one issue they could make a determination on tonight. Ms. Vergara stated she

was not willing to vote on the demolition until they saw the project they would vote on. She said she would not want to demolish the building and then decide that the project could not go forward.

Mr. MacAulay said one way to think about this was unless they knew something that suggested that the project would not be approved by the Board of Adjustment, they had to assume that this was the plan that would go forward. Ms. Trueblood said that based on the standards of the Board of Adjustment and the standards of the Commission, the potential for change due to conditions was much greater with the Commission therefore it made more sense for the HDC to review the case first.

Mr. MacAulay said Ms. Schafer had noted that initially the project had an 8 foot setback, and based on neighbors' comments it had been changed to a 23 foot setback. Mr. Parker confirmed that was correct. Mr. MacAulay asked how that had been accomplished. Mr. Parker said they had decreased the length of the buildings and decreased the square footage.

Mr. MacAulay said the applicant had done a good job of siting the buildings with minimal sacrifices of some magnificent trees. He said he was sorry to see that the two large trees at building two could not be saved, and that a 40-foot pecan tree would be lost. Mr. MacAulay said he was concerned that this project was not consistent with the guidelines, adding that the height and the mass were disconcerting as well as the elements of it not being a traditional streetscape presentation. He said that fact that the project set up on a 10-foot plateau above street level, and then the addition of the tall buildings with chimneys protruding above the roof line, meant that a person walking along the street would be looking up at a 55-foot tall chimney. Mr. MacAulay said it would be a monster and inappropriate for the Town. He said the proposal was much too large in height and in scale and mass for the surrounding area, and was inconsistent with the Town.

Mr. MacAulay said on the King Street side as well as the Hassel Street side there would be a very tall, wide side of a building being presented to the street which was inconsistent with all the other structures around it. He said he was concerned that the project had gone too far away from the surroundings into which it was being placed. Mr. MacAulay said he had difficulty finding that the project conformed to the guidelines.

Ms. Dockery said the orientation of this project was not what she saw in the district, and the buildings needed to be on the street or at least facing the street for it to resemble anything else in the historic district.

Mr. Preston said the project would be very attractive in an area outside of Hillsborough. He said it was clearly not compatible with the historic district. Mr. Preston said he believed the applicant needed to go back and try to make it compatible with the houses and the buildings and the type of place that area was.

Ms. Vergara said she had concerns about the orientation of the buildings, noting that the units should be lined up facing King Street to make the orientation of other houses on King Street, with perhaps a couple lined up and facing Hassel Street. She said the use of brick was more compatible with institutional buildings in Town, and that clapboard units would fit in much better with existing houses on King Street, and should incorporate front porches. Ms. Vergara said the project did make one think of a subdivision, and was not reminiscent of a small historic town. She said as Ms. Royce had pointed out, it seemed to be a village within the Town, and that was inconsistent.

Ms. Vergara said the units all looked alike, and the Town promoted different styles of housing from different periods in different sizes, which allowed Hillsborough not to look like a subdivision. She said at the present time, her biggest concerns were orientation, size, the scale and massing, and the height. Ms. Vergara said the appearance of a 3-story building was overwhelming compared to houses in the immediate surrounding area.

Mr. Rhoades said he did not have a big problem with the orientation, since the applicant had done a nice job of preserving trees and allowing room for a park area. He said it was important to point out that the landowner had a right to use that land in a way that was most beneficial economically. Mr. Rhoades said he did not see the buildings as being compatible with the surrounding area, and believed that the mass and scale were out of line. He said the materials proposed for the driveways were acceptable, but the buildings themselves were not in keeping with the community. Mr. Rhoades said the gables with the round windows had a commercial look and not normally seen in residential areas. He suggested that the applicant come up with a solution that was more conforming to the architecture and style of houses in the community.

Mr. Parker said from the beginning they had been insistent on preserving that corner to create and maintain the park-like look. He said he appreciated the comments and would take them into consideration as they looked at the project proposal. Mr. Parker said the visibility of the retaining wall would be from the unit and not from the adjacent property because the driveway areas were below grade in the back. He stated that many good comments had been made, and they would take those back and discuss them. Mr. Parker asked the Commission to table the application at this time.

Mr. MacAulay said given the dilemma of which board would act first, he believed the applicant would have to do a significant redesign on the project in order for it to be successful. He said he would be in favor of making a motion and closing the issue so that the Board of Adjustment could make its determination and then the Commission could then consider a revised proposal.

Mr. Preston asked if it would be useful in a motion to give the Board of Adjustment the Commission's point of view with respect to this presentation that it was incompatible in particular ways. Mr. Parker said they would be requesting that the presentation to the Board of Adjustment be moved back one month. Ms. Trueblood said it was not

necessary for the Commission to vote on the application tonight if the Commission was willing to table it. Mr. Parker requested that no vote be taken tonight.

Ms. Dockery asked if the Commission members wanted to give the applicant specific information regarding redesign of the project.

Mr. MacAulay said specifically, they should look at standards A for materials, D for exterior construction, F for architectural detail, G is roofing design, J is windows, L is orientation, and M is scale.

Ms. Vergara said she liked the use of turf stone. Mr. Preston said he liked the park area and the way in which they had preserved the trees. He said generally, having something that was compatible would be useful there. Ms. Vergara agreed that having homes on that land was a good use for that site. She said they had no objection to putting houses on that land, but it should be done in a more appropriate way.

Ms. Trueblood noted that if the application was tabled normally no additional notification would be given however she felt that notification to adjacent property owners should be considered. Mr. Preston said he would prefer another notification. Ms. Trueblood agreed to do so. She clarified that for an HDC review, neighbors within 100 feet would be notified, but for the Board of Adjustment review it was 500 feet. Mr. Parker said if appreciable changes were made, they would schedule an additional neighborhood meeting. Mr. Rhoades requested that notification be made in ample time to allow the maximum number to attend. Mr. Parker said they would do so.

By consensus, the Commission tabled the item.

ITEM # 12: Interview volunteer Ken Trivette for HDC vacancy.

Ms. Trueblood remarked that Mr. Trivette was not in attendance.

ITEM #13: Staff updates.

Ms. Trueblood thanked the Commission members for the way in which tonight's meeting had been conducted. She said it was everything it should have been in terms of conduct, clarity, relying on the guidelines, and the order of speakers so that the minutes would be accurate. Ms. Trueblood said from a process point of view, it was very helpful for public to understand what was happening. She said she hoped this would be setting a pattern for the future.

Ms. Trueblood noted that Mr. Rhoades had indicated he would not be able to attend the March 28 special meeting, but if acceptable she would invite Mr. Trivette to appear at the beginning of that meeting to be interviewed.

Ms. Vergara commented that those attending tonight's meeting regarding the Bonnie Schafer proposal were the only one's notified, and asked if it were possible to advertise the meeting to the general public via newspaper ads. Ms. Trueblood said they were advertised, noting that agendas were distributed to the local media, meetings were

posted on the Town calendars, and they were posted on the Town's website. She said the Commission members could not discuss an item on the agenda, but could certainly use "word of mouth" to alert citizens of an upcoming issue and share their agendas.

Mr. Rhoades said he was curious about Mr. Preston's concern as to whether or not the Commission should have considered this project before the Conditional Use was considered. He said he agreed that the Commission should not have reviewed this project until after the Board of Adjustment had decided on whether or not there was a density issue, because that could drastically change the plan. Ms. Trueblood said the Board of Adjustment had four criteria they had to meet in order to grant a Conditional Use, and this proposal could have passed those standards. She said that based on the guidelines of the Commission, if the project was going to change it would change here, not with the Board of Adjustment. Ms. Trueblood remarked that based on the Board of Adjustment's standards, the applicant was not even asking for the maximum density. She said they could have asked for 4 additional units rather than the 2 they were requesting. Ms. Trueblood said she believed they had made the right call, because now the applicant was pulling back to rework the proposal based on the Commission's concerns and criteria.

Mr. Rhoades said the benefit of the applicant appearing before the Commission was to get feedback and incorporate it into their plans. But, he said, at the same time it in some ways it wasted the Commission's time because the applicant was not really prepared. Ms. Trueblood remarked that the neighbors were wrong when they stated that the R-20 zoning allowed only 5 units. She said actually they were allowed 6.92, rounded to 7 units. Ms. Trueblood said if the Board of Adjustment did not grant the Conditional Use for the 9 units, the applicant could still build the 7 units allowed by the zoning.

Ms. Dockery said she believed such projects should not go before the Board of Adjustment first unless it involved a request for a Conditional Use. She said in this case, instead of going with this large project to the Board of Adjustment and getting approval, now this Commission had asked that the project be reworked. Ms. Dockery said it was likely the applicant would not present something smaller and possible not ask for the Conditional Use.

Ms. Trueblood said a rewrite of the zoning ordinance would begin this summer and would take about a year. She said the entire site plan process for the Board of Adjustment would be reworked as well, and it was likely that when an application had to come to the Commission and the Board of Adjustment or the Commission and the Planning Board it would be a joint public hearing between the two boards.

Ms. Trueblood asked Ms. Vergara and Mr. Rhoades if they would have an opportunity to visit the Town Clerk to take the Oath of Office. Ms. Vergara replied no. Mr. Rhoades said he had already taken the Oath. Ms. Trueblood asked if Ms. Vergara could arrive early for the March 28 meeting to take the Oath. Ms. Vergara said she would do so.

Mr. Rhoades said recently the Commission had a homeowner before them who had an issue where she had started to put vinyl siding on her home and had to take it down. He suggested that it would be helpful if some sort of slush fund or emergency funds could be set aside that would allow the Commission to help a homeowner in similar situations. Mr. Rhoades said it would be somewhat of a discretionary fund, but he believed that in that case the homeowner had lived in the house before the historic district was created and the home had had vinyl siding. He said in such situations homeowners should possibly be entitled to some kind of help.

Mr. Preston said such a fund would not be administered by the Commission, but to have such a fund to help people with similar issues would be good. Ms. Trueblood said she did not know if it would be possible for the town to have such a fund, but it may be possible to have a non-profit agency offer such help, such as the Alliance or the Historical Society.

There was a brief discussion on what constituted economic hardship, who would be eligible, and under what circumstances. Ms. Trueblood said there was an economic hardship clause in the zoning ordinance and in the Town Code that stated that any regulation that presented an undue economic hardship on anyone would allow that person to follow a process to prove that hardship.

Mr. McAulay said he had seen the temporary art that had been placed in front of the courthouse. He asked was there somehow the Commission could be in the decision-making process for these kinds of things. Ms. Trueblood said no, because the Town did not have a public art commission. She said if citizens felt that such a commission was necessary, then elected officials should be lobbied to create such a commission. Ms. Dockery asked who had made the decision to allow the sculptures. Ms. Trueblood said the Planning Department had permitted it as a temporary use.

Ms. Trueblood explained the criteria required to meet the definition of a temporary use, and the art work had met that criteria. She said after that, there was no authority to regulate art work. Mr. Preston said there should be such a body, because now art was placed wherever someone wanted to place it. Ms. Trueblood said the Planning Department faced this kind of dilemma often because there were not regulations about art. She said as the Zoning Ordinance was rewritten she believed there should be a provision for some kind of public art commission that was staffed by people who had training in the arts and knew how to review requests for public art and how that art might affect that environment. Ms. Vergara said such a body should consider how public art would affect the historic district. Ms. Trueblood said such a body should have a broad perspective on art, because everyone's idea of what was art was different.

Mr. Rhoades asked if the retaining brick walls in front of the museum was a closed issue or still outstanding. Ms. Trueblood said she had told the Public Works Department that the Commission would like to see a stone retaining wall. She said the Public Works Department had done a bid estimate and did not have the ability in the budget to use stone.

Mr. MacAulay asked how the Commission could get into the decision-making loop before something like that happened again. Ms. Trueblood said that process was not clear. She said the Planning Director had originally approved the brick wall as part of a road improvement, which did not have to come before the Commission. Ms. Trueblood said it had now been communicated clearly to the Public Works Director that a road improvement could not contain a retaining wall, and that a retaining wall would have to come before the Commission in the future.

ITEM #14: Adjourn.

Ms. Dockery adjourned the meeting at 9:54 p.m.

Respectfully submitted,

Stephanie Trueblood, Secretary