

Minutes
HISTORIC DISTRICT COMMISSION
September 6, 2006

MEMBERS PRESENT: Chair Paul Kapp, Vice Chair Max Preston, Barbara Church, Jessica Dockery, Will Moye, and Susanne Vergara.

ABSENT: John MacAulay, absence excused.

STAFF: Stephanie Trueblood.

WITNESSES: Max Preston, Leanne Pasley, Wendy Wagner, Elizabeth Hays, David Roberts, Kay Singer, and Bill Waddell.

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

Mr. Kapp called the meeting to order at 7:00 p.m., and Ms. Trueblood called the roll and confirmed the quorum.

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

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

Mr. Kapp determined that there were no additions or adjustments to the agenda.

ITEM #4: Approval of minutes from the August 2, 2006 meetings.

Ms. Dockery said on page 8, last paragraph it said "Ms. Church said....," and she believed she said that. She said on page 9, third paragraph, Ms. Church actually made that statement. Ms. Dockery said on page 10, second paragraph, again that was Ms. Church instead of her. She said on page 12, second paragraph, she did not make those statements.

Ms. Trueblood stated she would listen to the recording of the meeting and try to determine who was speaking. She said if that could not be determined, then it would be struck from the record of the meeting.

MOTION: Ms. Dockery moved to accept the minutes with the noted corrections.

SECOND: Ms. Vergara

VOTE: Unanimously approved.

ITEM #5: Application for a Certificate of Appropriateness for Orange County Public Works to construct an ADA compliant concrete ramp with metal handrails along at the left side of the front door at 112 North Churton Street (Tax ID 4.30.B.11)

Ms. Trueblood Stated that Wayne Fenton, the Orange County staff person overseeing this project, had planned to attend tonight's meeting but experienced a family emergency and was unable to attend. She said she had talked at length with Mr. Fenton and may be able to answer questions regarding the application.

Ms. Trueblood said 112 North Churton Street was the Clerk of Court's annex, was built in 1960 and is a one-story Colonial Revival brick building with stone trim and pilasters flanking the windows. She said it was originally the Hillsborough Savings Bank and it is considered a non-contributing member in our inventory. Ms. Trueblood said the work proposed was to add a concrete handicap accessible ramp in front of the door. She said currently on the left side of the door the step-up was 6'2", then on the right side there was a grade of over 7 inches. Ms. Trueblood said people had tripped coming out or going into the door, which had prompted this request.

Ms. Trueblood said she had received information from both the NCDOT and Orange County Building Inspections that the proposed ramp did meet ADA requirements, although it was the minimum length required. She said that NCDOT did not object to the ramp being placed in the public right-of-way, and had referred it to the Town. Ms. Trueblood stated that Demetric Potts, the Public Works Director, had seen the plans and had said that as long as Orange County provide the necessary maintenance, then the Town had no objections.

Ms. Trueblood said the ramp would be 6'2" and the landing would be 6'2", along with a step-down on the south side. She said the black metal handrail would be wrought iron and decorated with the same pattern found in the transom above the window, which was present in the ironwork across the street above the brick alley. Ms. Trueblood stated that the opened doorway had adequate turning radius for wheelchairs and there would be 8'6" of sidewalk space remaining to accommodate pedestrians.

Mr. Kapp said he disagreed about the landing. He said he did not believe there was enough space for a four-foot depth ramp, noting you typically needed 60 inches of clear space for the door swing. Mr. Kapp said the door itself did not appear to be compliant, noting it looked to be less than 32 inches. He said those two issues made this non-compliant. Ms. Trueblood noted that the doorway was set back. Mr. Kapp said you would also need to install an automatic opener for the door, and we should look at how that might be installed since it most likely could not be attached to the building.

Ms. Trueblood said that none of the neighbors who had received notification of this application had responded, and the standards that applied were C for exterior materials and for architectural details, I for colors, P for structural soundness, and S pedestrian movement. She said that Mr. Fenton had indicated he would be agreeable if the Commission wanted to add conditions to the application, or to continue it to another time.

Mr. Kapp said based on his earlier comments, this would not be compliant with ADA and we should probably continue this to our next meeting. Ms. Trueblood said she would ask Mr. Fenton to come back with a drawing to show that it was ADA compliant. She said Mr. Fenton had given her his word that Orange County Building Inspections had signed off that this was ADA compliant. Mr. Kapp said judging by the drawings the doorway was not ADA compliant, and there was a need for an automatic door

opener. He said he would like for Mr. Fenton to come back with drawings that indicated that the application was indeed compliant.

Mr. Moye asked if those were issues for this Commission. Mr. Kapp said he believed we needed to look at actual design that would actually be built, and there was some overlap into our purview. He said how that door was changed would impact the appropriateness of the district.

The Commission agreed by consensus to table the discussion until Mr. Fenton could be present. Ms. Trueblood said she would contact Mr. Fenton and have this issue placed on the agenda for next month.

ITEM #6: Application for a Certificate of Appropriateness for Paul Williams and Max Preston to install a concrete apron at the end of the shared driveway at 130 and 144 North Wake Street (Tax ID 4.31.D.15, 45.31.D.1)

Mr. Preston recused himself from the discussion. Mr. Kapp swore in Mr. Preston and Ms. Trueblood. Ms. Trueblood provided a brief overview, noting that the Ashe house at 144 North Wake Street was a well-preserved antebellum house built around 1840, and the house at 130 North Wake Street was an early 20th century Victorian house with one-story side gable and late Victorian details. Ms. Trueblood said the owners of the two properties wanted to install a concrete apron in the driveway where gravel tended to wash out.

Ms. Trueblood said that in the past minor alterations to existing drives were generally considered to be minor work. However, she said, the material change triggered this review process. Ms. Trueblood said they had received one letter from a neighbor expressing approval and support. She said the standards that applied were R, F, and P.

Mr. Preston said that they wanted to keep the gravel in the drive, but any time it rained it poured out into and down the street, which they considered to be dangerous. He said they believed the apron would help prevent that, adding it would be of standard thickness and structure.

Ms. Dockery asked if there were other similar aprons on the street. Mr. Preston said there were, one immediately across the street with a full concrete driveway. Ms. Church asked if there were any with a gravel drive and an apron. Mr. Preston said he believed there were. Ms. Dockery asked if those other property owners had trouble with gravel washing out into the street or the sidewalk. Mr. Preston said he believed the same problem existed at those locations as well.

MOTION: Ms. Dockery moved to find as fact that the Paul Williams and Max Preston 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.

SECOND: Ms. Church.

DISCUSSION: None.
VOTE: Unanimously approved.
MOTION: Ms. Dockery moved to approve the application as submitted.
SECOND: Mr. Moye.
VOTE: Unanimously approved.

ITEM #7: **Application for a Certificate of Appropriateness for Leanne Pasley to install 2 wall signs made of cut-out stainless steel letters that read “Indulge Salon and Spa,” mounted on an aluminum back plate at 105 West Corbin Street (Tax ID 4.19.A.11)**
 Mr. Kapp swore in Leanne Pasley. Ms. Trueblood provided a brief overview of the application, noting that this business was located at Sinclair Station in Suite 101. She described the architecture of the structure and the additions to the structure in the past. Ms. Trueblood said the area of the building in question was the original facade. She said each sign would be approximately 89” by 27”, which was 16.7 square feet, and would read “Indulge Salon and Spa” with letters in brushed aluminum.

Ms. Pasley displayed a sample of the brushed aluminum and described the back plate. Ms. Trueblood said the first sign would be hung over the large single-paned window, and the second sign would be hung over the patio. She said the signs meet the size requirements of the zoning ordinance. Ms. Trueblood said she had received no comments from neighbors, but the building owner, Alan Knight, had indicated his approval and support of the application, including the size of the signs which would use a large portion of the available signage square footage allowed for the entire building.

Ms. Trueblood said the standards that applied were C for materials, I for colors, and O for appurtenant features.

Ms. Pasley said the sign would be attached directly to the facade of the building. She described the color part of the sign, noting that the word “Indulge” would be in the brushed aluminum.

Mr. Preston asked if the entire space on the front of the Sinclair Station going to be the Salon space. Ms. Pasley responded yes. Mr. Preston said then it would not be misleading that the sign was on both sides. Ms. Pasley said yes, noting that the rest of the office space was the brick two-story section behind her space, which would be where the other tenants of the building were located.

Mr. Preston said the sign would actually be covered with the line of stucco that recessed. Ms. Pasley said it would actually be somewhat above it, because that line was 23” where the sign was 27” high. She said she had run into problems because the actual rectangular areas above the windows and on the patio were all different sizes.

Mr. Preston asked was there a way to reduce the width of the sign so that it fit inside the recessed area so that the line of the stucco recession was still visible.

Mr. Kapp asked to see the vicinity map. He said that because of the way the building was oriented on the corner of Corbin and Churton Streets, was it even necessary to have signs on the two shorter sides since you don't see the sides as much as the front. Ms. Trueblood pointed out on the map where the two signs would be placed.

Ms. Vergara said it seemed that the signs were out of balance with the entire building. She said the lettering and style did not seem to blend with the architecture of the building. Mr. Kapp said he believed that one sign was appropriate, but that two next to each other were not. Ms. Church commented that this business would have one large sign where the other businesses would have only a small directory. Ms. Pasley remarked that her space was unique and separate from the brick building on the other side, and both were completely different styles. She said because of the way the building was situated on the lot, it was necessary to have a sign on both sides in order to identify her business.

Mr. Kapp pointed out what he believed was the most prominent face of the building. Ms. Pasley commented that she had wanted the signs to be visible from all different driving directions, and she had considered placing the sign on the front but it seemed that the most visible areas were adjacent to each other.

Mr. Preston asked if the signs were different heights from the graph. Ms. Pasley said they had tried to keep the roofline on the left side straight. Mr. Preston asked if the landscaping would cover part of the sign. Ms. Pasley said no, that the plan was for a small ornamental tree.

Ms. Church said this was now being considered as one of the gateway buildings to Hillsborough. So now, she said, we have this area where people were coming into the main part of Town, and the first thing they would see are these two signs. Mr. Kapp disagreed, noting these signs would not be visible coming from the north.

Ms. Vergara said she believed one sign was sufficient, and two might be overkill, when considered in balance with the rest of the building. She said there were no other signs similar to this on the building, so these would be predominant signs for that space. She said it seemed too modern.

Mr. Kapp said as tenants fill this building and want more visibility, how would a sign scheme work on the facade of the building based on the ordinance. Ms. Trueblood said the way it was figured was on the entire length of that facade. She said the ordinance requires that the measurement include two sides of this particular building to figure out the total amount of signage allowed on that side of the building. Ms. Trueblood said even though they were not in alignment they were considered as one façade or side. So, she said, one sign placed where proposed did significantly diminish the amount of overall signage that could be placed on that side of the building as well as on the front facade.

Ms. Church said once a sign like this was installed, other tenants may want to place similar signs on the building as well. Ms. Trueblood said if these signs were approved, then there would be roughly 30 square feet left for other signs to be posted on that front side. Ms. Pasley said she could not imagine anything every going on that side, but if it did it would be something that said "Sinclair Station."

MOTION: **Ms. Dockery** moved to find as fact that the Leanne Pasley 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.

SECOND: **Mr. Moyer.**

VOTE: Unanimously approved.

DISCUSSION: Ms. Dockery asked was there a reason the sign had to be that tall as opposed to shrinking it about four inches. Ms. Pasley replied she did not think it would be an issue because she could reduce the side of the back plate by four inches in needed. Ms. Dockery said that the height was a concern, noting she believed the sign should fit in that area and this one looked too large. She said she understood why the sign had to be large, but she wanted it to fit more appropriately. Ms. Pasley said if she could reduce the size of the back plate, then she did not see a problem. She said she would carry that revised dimension over to the other sign as well.

Ms. Vergara asked if there were any guidelines as to the kind of lettering or the style of lettering that signs needed to abide by when they were on a particular style of building. Ms. Trueblood said that was the Commission's discretion in terms of finding congruity within the district and within the architectural style.

Mr. Moyer asked how would the sign be attached to the building. Ms. Pasley said by screw mounts directly into the side of the building. Mr. Moyer asked what were the colors. Ms. Pasley said the color of the word "Indulge" would be a metal-brushed finish, and with reddish-orange on the back plate to provide contrast.

Mr. Preston said signs this large seem to detract from the quality of the building, and he was not in favor of two signs. He said Ms. Pasley could choose which side she wanted her sign, but if it went on the side with the recessed area, then the sign should fit into that recess. Ms. Pasley said she was attempting to have the signs visible from all directions. Mr. Preston said he believed one sign was enough.

Ms. Church said she understood the desire for two signs, and understood that the odd angle at which this building sat would be a

competitive disadvantage without two signs. She said she believed the sign would look better if it complied with the indentation in the building.

Mr. Kapp summarized the comments thus far. He said there was an issue with two signs like this being adjacent to each other on perpendicular surfaces. Mr. Kapp there was the main issue of having too much signage in this area. He said there was also the issue of having the sign placed in a recessed area, which for this being was where signage was traditionally placed. Mr. Kapp said he did not believe there was an issue with the design of the sign or with the overall appearance of the sign. He said he would like to have a motion crafted to approve the application with conditions.

Ms. Church asked Ms. Pasley if she had considered placing a small amount of lettering on the window instead of a big sign above the window. Ms. Pasley responded there were breaks in the window framing which made that difficult or impossible. Ms. Vergara said she was afraid that as tenants moved into the building they would want competing signs for their businesses. Ms. Pasley replied that the other tenants would be in offices, and their logos and names were on the windows and doors, along with a sign out front.

Mr. Kapp suggested that the owner of the building come and present a scheme for how this building would be signed, since there would be multiple tenants who would want signage. He said there seemed to be some concern about the amount of signage that would be on this building. Ms. Vergara said that was particularly true since each tenant would want to use his or her own style of sign.

Ms. Church said that was a good idea, but we needed to deal with this application tonight. Mr. Kapp said he was suggesting that this application be tabled until Mr. Knight could come in with a signage plan. Ms. Church said she believed this application was unique because the building was unique. She said Ms. Pasley would be the only tenant in the old part of the building, and the new tenants would all be in the new addition. Ms. Church said Ms. Pasley had a business plan and was ready to go forward. Mr. Kapp stated that the front part of the building would be the “eye attraction” for the rest of the tenants in the building. He said there was the possibility of a temporary sign. Ms. Trueblood said the applicant could hang a “grand opening” banner for up to 30 days as provided in the zoning ordinance.

Ms. Church said if the Commission wanted to go in that direction, what about approving one permanent sign tonight and then

considering additional signs once Mr. Knight presented an overall plan.

Mr. Kapp asked if the Commission was in agreement that they would approve one permanent sign along with the 30-day banner as allowed by the zoning ordinance.

Ms. Trueblood said the Commission could attach any conditions it wanted, but it could not require that Mr. Knight appear and present an overall signage plan. She said that Mr. Knight was aware of this application, that he had been through it, had seen all of the measurements, and had signed off that Ms. Pasley's sign was what he wanted on the front of his building.

Mr. Kapp suggested approving one sign and if Ms. Pasley wanted to return next month and apply for the second one, she would be welcome to do so. Mr. Preston said he would be willing to approve the one sign if it was placed in the indentation. Mr. Kapp suggested having the motion as stated with the condition that Mr. Knight and the applicant have the opportunity to come back and continue the application for a second sign. Some discussion ensued regarding how to word the motion.

MOTION: Ms. Dockery moved to approve the application as modified with the condition that the sign on the southeast elevation fit within the indentation, and the second sign is removed from the application.

SECOND: Mr. Preston.

VOTE: Unanimously approved.

ITEM #8: **Application for a Certificate of Appropriateness for Willie Young/Brian Keller to install non-illuminated, oval aluminum signs that reads "Cardinal State Bank" in red letters on a white background in an interior window facing the street at 100 South Churton Street (Tax ID 4.30.C.3)**

Mr. Kapp swore in Wendy Wagner. Ms. Trueblood provided a brief overview, noting that last month the Commission had approved an awning at this location that carried the name of the bank. She said this two-story brick building dated from the late 1920's or early 1930's with large six over six sash windows. Ms. Trueblood provided further description of the building and its facade. She said the proposal was to install two non-illuminated signs that were 5'4" wide x 2' tall oval signs inside the window facing out that would have the bank logo.

Ms. Trueblood said the reason this interior sign had some before the Commission was because the signage ordinance indicated that if an interior sign could be seen from the street right-of-way then it was considered a sign. She said the signs proposed were compliance with current regulations for the Central Commercial District that allowed 3% of the total square footage of the building facade or 32 square feet, whichever is less. Ms. Trueblood said the proposed signs were 10'6" square feet each.

Ms. Trueblood said no comments were received from neighbors of the property, and the standards that applied were C for exterior materials, I for colors, and O for appurtenant features.

Ms. Dockery asked if the drawing provided was at scale. Ms. Trueblood said no. Ms. Dockery said a two-foot tall, five-foot wide sign was a big sign at that window, and two of them plus the awning would be highly visible.

Ms. Church asked if these signs were to allow for advertising from every direction. Ms. Wagner commented that when you were traveling northbound you have difficulty seeing the awning, so we were more concerned about the 100 South Churton Street view. Ms. Dockery said she understood the need for an additional sign facing South Churton Street, but not one that large on King Street.

Ms. Church asked if they had considered following the example of other businesses along the street in having a sign that hanged outside perpendicular to the wall. Ms. Wagner if they did that, they probably would not put up these signs at all because of the awning. She said the awning gave them that same look at the front entrance door. Ms. Wagner said the only window they were concerned about was the one that faced Churton Street. She added they did not want to put an additional sign such as that in front due to the awning.

Mr. Preston asked if that window was the same size as the others. Ms. Wagner said they were the same size. Mr. Preston asked how the signs would be attached. Ms. Wagner responded they would be attached to chains to hang from their laminate wood ceiling.

Ms. Vergara agreed that no sign was needed in the King Street window because the awning took care of that. She agreed with Ms. Dockery's concern about the size the sign in the Churton Street window, and asked if the bank would consider reducing the size. Mr. Kapp said it would be helpful to have an actual representation of the sign drawn to scale. Ms. Vergara said she wanted to see, in relation to the window, how much space the sign would actually take up.

Mr. Kapp said he would like to see this issue continued until the Commission could consider that scale drawing.

Mr. Preston asked if the sign would cover the entire window. Ms. Wagner responded that it was the bank's intention to leave two panes on either side of the sign open for security reasons.

Mr. Kapp asked about the height of the sign if you were sitting, noting it looked like it might be about at his chin level. Ms. Wagner said if the sign were moved to the Churton Street side, it would be more appropriate on height because the grade was different. She asked what the Commission was looking for, such as the scale or size.

Several Commission members noted they wanted the sign smaller, and only on Churton Street. Ms. Wagner said she would bring back a drawing to scale for the new proposed sign.

ITEM #9: Application for a Certificate of Appropriateness for David Roberts and Elizabeth Hays to build a 300 square foot covered trellis/walkway between the house and garage made of a pressure-treated wood frame and a plywood and rubber membrane roof at 324 West King Street (Tax ID 4.29.E.21)

Mr. Kapp swore in David Roberts and Elizabeth Hays. Ms. Trueblood provided a brief description of the Hays House and its surroundings. She said it was built in 1921 and was a typical Craftsman bungalow with attached porch that had undergone extensive renovations including the construction of an addition, and a two-car garage and a guesthouse that was approved but had not been built.

Ms. Trueblood said the house had undergone extensive renovations and there were approved plans to build the two-car garage and guesthouse. She displayed the current approved plans and pointed out the area in question. Ms. Trueblood said the applicant was proposing to construct an L-shaped 300 square foot covered walkway with pressure treated wood frame with a plywood and rubber membrane roof. She said it was planned to be six feet wide and about 50 feet long.

Ms. Trueblood said no concerns had been received from nearby property owners, and the standards that would apply are C for exterior materials, F for architectural detail, H for roofing, I for exterior color, K for general form and proportion, and P for structural soundness. She displayed elevation drawings of the proposed addition.

Using the elevation map, Ms. Hays pointed out what would actually be seen of the new addition. She said they had thought the trellis had been approved when the garage and guest house were approved, and had learned it had not. Mr. Kapp said that was of concern, but he did not believe they were looking at a finding of fact of the design. He said he was seeing a whole master plan design, with a garage and guest house. Ms. Hays stated that what they were trying to accomplish was to provide some shelter as you exited the house, but in keeping with a Craftsman bungalow by adding a trellis to prevent from looking like more of the house.

Mr. Preston asked for a description of the side view of the trellis, from King Street. Ms. Hays said the structure would look like a wooden trellis. She said it would have an open design, with posts and keyholes. Ms. Hays said there would be 8 feet, 8½ inches between each support. She said the roof would contain wooden slats with a rubber membrane.

Mr. Roberts stated that the upper of the trellis, with consisted of 2 x 6's, would be attached to the house where the double doors were located. He said the roof would have only a quarter-inch slant to allow for water runoff.

Mr. Preston asked what the flooring would consist of. Ms. Hays said it would be stone to blend with the stone area behind the chimney, so that stone would continue around the house.

Mr. Kapp asked if the rafter tails of the trellis would contain some sort of scroll or design. Ms. Hays replied they had not decided, but she had envisioned a traditional slant that was slightly curved, but they had not decided on that. She said she did not want an ornate design, but a simple one that looked finished on the ends.

Mr. Preston asked how the membrane was attached. Mr. Roberts said it would rest on a double layer of plywood with a copper flashing wrapped around the perimeter.

Mr. Kapp asked if the wood would be stained or left natural. Ms. Hays said it would be left natural. Mr. Roberts said there would be a T-111 underneath for the first layer, 4" on center, that would be stained.

Mr. Preston asked if the frame at the side on the top would be untreated, unpainted wood. Mr. Roberts said yes, and Ms. Hays added the only staining would be what you would see if you were standing beneath the trellis. Mr. Preston asked what color the building was that the trellis would attach to. Ms. Hays replied it was sage green.

Mr. Moye said from the profile, would you be able to see the membrane. Mr. Roberts said no, because it sat up on a hill.

MOTION: Mr. Preston moved to find as fact that the David Roberts and Elizabeth Hays application is in keeping with the overall character of the district and complies with all relevant standards of evaluation and based on the discussions of the application and the standards of evaluation in Section 21.6.3 of the zoning ordinance.

SECOND: Ms. Dockery.

DISCUSSION: None.

VOTE: Unanimously approved.

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

SECOND: Mr. Moye.

VOTE: Unanimously approved.

ITEM #10: Application for a Certificate of Appropriateness for Kay Singer to renovate and make material changes at 120 East Union Street (Tax ID 4.19.F.4)

Mr. Kapp swore in Kay Singer and Bill Waddell. Ms. Trueblood provided a brief overview of the application, noting the structure was built in 1947 and was a 1 ½ story brick veneer bungalow. She said it had a large shed dormer on the east wide and a front gabled porch, which was originally supported by tapered round brick columns. Ms. Trueblood said the house was renovated in 1989 that changed what was currently in the Town's inventory. She said the proposed work including changing the columns as well

as some material changes. Ms. Trueblood displayed drawings of the proposed elevations of each side once the renovations were completed, as well as a series of photographs from before the 1989 renovations as well as after.

Ms. Trueblood said the renovations proposed included:

1. replacing the siding on the 1989 addition, which was currently Masonite with hardy plank siding.
2. enclosing the breezeway between the house and garage to be converted into interior living space.
3. replacing all windows with energy-efficient aluminum or vinyl clad windows with six over one pane configurations to match the original windows in the house. Currently, there was a mix of wood, vinyl and metal windows all over the house, and the applicants wanted to make the house consistent by using wood frame with some sort of cladding.
4. remove the existing deck and add a screened porch in its place with a slightly larger footprint.
5. remove an auxiliary chimney no longer in use.
6. replace the cylindrical columns on the front porch with seamed PVC square tapered columns with dimensional stock wood profiles. Those columns would be more consistent with the original columns on the house, which were tapered square brick columns.
7. install two new skylights with black metal frames on the rear side of the house above the screened porch and the above the rear family room.

Ms. Trueblood stated they had received two contacts from neighbors. She said Betty and Jerry Eidenier of 127 East Union Street wrote in support of the application and stated they believed the proposed work would enhance the property and benefit the Town. She said that Brenda Garrison, a neighbor, sent an email in support of the application and in particular the materials to be used.

Ms. Trueblood said the standards that applied were C for exterior materials, D for texture of exterior materials, F for architectural details, G for shape and proportion, H for roofing material, K for general form and proportion, P for structural soundness, and Q for walls. She said the applicant had provided the results of a hardy plank survey results and published in one of the Alliance magazines several years ago, where Hillsborough's Planning Director had stated that Town had allowed hardy plank only on new freestanding buildings and outbuildings and additions, but not on historic buildings. She said that was consistent with how the Commission had treated hardy plank in the past, adding that the hardy plank was proposed for the 1989 addition where the Masonite was currently located.

Ms. Singer stated she would like to put hardy plank on the front gables to be consistent. She said they had experienced difficulty with the Masonite. She said the house had been remodeled in 1982 when they moved in but with no structural changes, and again in 1989 to include the addition.

Mr. Kapp said what we were looking at was a request for an addition to the rear of the building in the form of a porch, and then an addition of four skylights in the 1989 section, replacement of all wood-appearing materials, and a replacement of windows and replacement of the columns on the front.

Ms. Dockery asked if a drawing was available of what the columns would look like. Ms. Singer said that the elevation drawing contained a rendition. She said their purpose was to enhance the architectural appearance of the house, noting that in 1982 when they purchased the house it did not have an attractive exterior. Ms. Singer said they had improved the exterior considerable, but had made some mistakes. She said they wanted to enhance the architectural appearance by giving it more of a bungalow look, and the white square-tapered columns would help with that.

Ms. Vergara asked which type of windows they preferred. Ms. Singer responded they would prefer either aluminum or vinyl. Mr. Kapp asked if they would decide tonight which they would prefer. Mr. Waddell responded it was a cost issue, so if a decision were needed tonight he would suggest using vinyl, since they would hold up as well and have the same appearance.

Ms. Vergara said she understood that there was no uniformity now in the windows, and they were trying to make them all have the same look. Ms. Singer said that was correct.

Mr. Moye referred to pictures numbers 9 through 14. Ms. Singer noted that figure 9 was a part of the house, but the others were not. She said figure 10 included the casing around the window on the addition, proposed to be replaced with casing more like that shown in figure 11, which was from the house across the street. Ms. Singer said figures 12, 13, and 14 were pictures taken by Mr. Waddell of a hardy plank-sided house in Durham. Mr. Waddell said that was one of the few houses in the region where historically accurate details were applied using modern materials. He said the pictures were to show how a house using modern materials could hold to the historical perspective better than was typically seen in standard built houses.

Mr. Waddell stated that the existing house at the time it was built the windows were trimmed out with standard brick mold, and the idea was to bring it back to how it would have been built at the time. Ms. Singer said that was part of correcting past mistakes with the house. She stated that she saw the request for hardy plank on this house as different than hardy plank on the Webb house or even on an addition to the Webb house, because this was replacing material placed on the house in 1989, and it was a 1947 house and not a 18th or 19th century house. Ms. Singer said they wanted to use modern materials that were considered green building materials to bring their house back to more of an historic look. She said they were replacing materials that were not only historic, but were subject of a national class action suit against Masonite.

Mr. Preston asked about the appearance they would have with respect to the hardy plank. In terms of the siding and width, what look did they expect to have. Mr.

Waddell said six inch exposure, traditional horizontal lap siding. Ms. Singer said they would be using smooth hardy plank painted white. Mr. Preston said that hardy plank would be an upgrade to the house, and he was pleased with what they were doing to the windows. He said the materials suggested that where hardy plank was allowed, the Commission would generally like them to use real wood.

Mr. Preston asked where the skylights at the back would be seen. Ms. Singer said only from the sides of the house, and would not be seen at all from the street. Mr. Preston asked for a description of the pedestal for the proposed columns. Mr. Waddell said the pedestals already existed, and were brick with a concrete pad. Mr. Preston asked what was the proportion at the cap at the top. Mr. Waddell said there were two alternatives, one which was to use standard wood profiles and the other to use columns that were fabricated with true profiles that were of the same material. He said he had learned of a company that could make an exact replica of what was traditional at that time, and he had suggested to the Singers that they use one of all the same material.

Mr. Kapp asked what the structure dividers would be made of. Mr. Waddell said pressure treated lumber, but with a screen system over it of white vinyl. Mr. Kapp asked if the segmented arch would be vinyl as well. Mr. Waddell said it would. Mr. Kapp asked if the rafter would be PVC. Mr. Waddell said it was proposed to be hardy trim, or Miratec, which was a smooth five-quarter board. He noted there would be a hardy panel under the overhangs. Mr. Kapp asked if any screening was proposed underneath the porch. Mr. Waddell said not a constructed screening, but they would use landscaping.

Ms. Trueblood reminded the Commission that the application included removing a chimney. Ms. Singer said they were enlarging the kitchen and the chimney was in a wall that they were removing. She said it was formally a coal-burning fireplace that was no longer used and was covered up.

Ms. Singer reminded the Commission that the house was non-contributing. Mr. Kapp took issue with that statement, stating that the home was "a mutt of a building." Ms. Singer remarked she did not believe that was a compliment. Mr. Kapp asked for a chance to explain his comment. He said the house had various building periods in it, with the original being built in 1947 with a 1989 addition, which prompted his characterization of the house as "a mutt." Mr. Kapp said if the applicant were applying for tax credit, it could be a physical resource in the historic district, even though it was not registered in our 10-year-old survey as contributing.

Ms. Trueblood said if a new nomination was completed, a house of this age could potentially be considered contributing if our period of significance were moved. But, she said, a house covered in Masonite would be most likely very difficult to designate as contributing on the inventory. Mr. Kapp said that point was well taken, but if the applicant were upgrading to such a point that that was corrected, then it could become contributing. Ms. Trueblood said possibly, but the additions would put in into a

category that was just a difficult to get placed on the inventory. Mr. Kapp replied, "Because of its muttness."

Ms. Trueblood said the columns had been changed, and we did not know what the original columns had looked like in 1947. She said this home would still be considered non-contributing when the inventory update was complete and would continue to be until the nomination was updated, which at the current time is not scheduled. Ms. Trueblood said even if our new period of significance was extended to include a house of this age, it would still be difficult to register this house as contributing due to the material changes and additions.

Mr. Preston said all of the houses on the south side were non-contributing, but the ones across the street were contributing. Ms. Trueblood said the houses on either side and directly across the street were non-contributing, but there were contributing houses one "ring" out. Mr. Preston said the Garrison house was contributing. Ms. Singer noted it was behind their house one street over, on Queen Street. Mr. Preston asked what was the material used in those houses. Ms. Trueblood said she did not know. Ms. Singer said the Strayhorn house was built shortly after their home, and it was an all brick house. She said the Moore house had recently sold and was also brick, but was much newer than their home. Ms. Singer said the Price house was all brick as well.

Mr. Preston asked if they would be removing the siding before placing the hardy plank on. Ms. Singer said that was correct.

Mr. Kapp asked for Commission deliberation. Mr. Preston said we had deliberated these types of issues, particularly with historic houses, to keep them as historic as possible. He said the applicant was attempting to do something significant to improve the property, which would not make it into an historic house since it would remain non-contributing. Mr. Preston said they had struggled with hardy plank and how it had begun to inch into historic houses. He said he was inclined to go along with hardy plank with the siding as described by the applicant, but that the corner boards, door and window trim, and cornice facade must be of wood. Mr. Preston said he was also inclined to go along with the columns as described, as well as with the upgrade to the windows. He asked if the backdoor would remain the same. Mr. Waddell said it would be replaced and would likely be a painted fiberglass door.

Ms. Dockery said she did not like the idea of a fiberglass door, and would like it replaced with a wood door. She said she did not believe the Commission had ever allowed a fiberglass door in the historic district. Mr. Waddell said the type of door they were discussing was identical in appearance to a wooden door, without the maintenance issues. Ms. Dockery said once they allowed one in the historic district, then it became a problem.

Ms. Church said she was concerned about the fiberglass door, noting the house was on the verge of being in the next round of consideration for becoming contributing. She said there were substantial tax benefits for properties that were placed in the coveted

category of contributing, and such things as materials would weigh against its inclusion in that category. Ms. Church said the savings you might experience from using vinyl doors or windows might well be offset by enormous tax credits later.

Ms. Trueblood disagreed, stating they could not receive tax credits no matter what they did because the period of significance is through 1939. Ms. Church said even so, she remained concerned about the use of other materials being used, noting that the National Register placed much weight on materials.

MOTION: **Mr. Preston** moved to find as fact that the Kay Singer application is in substantial compliance with the overall character of the district and substantially 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, particularly in respect of it being a non-contributing structure.

SECOND: **Ms. Vergara.**

DISCUSSION: None.

VOTE: The motion was adopted 4-2, with Ms. Dockery and Mr. Kapp voting Nay.

MOTION: **Mr. Preston** moved to approve the application as submitted with the following conditions: that the hardy plank siding will have 6” exposure and replace the masonite; the hardy plank is to be used in the dimensions as discussed and will be smooth; that everything else that is not siding would be of wood; the windows would be wood with vinyl cladding; and the rear door is to be of wood.

SECOND: **Ms. Vergara.**

VOTE: The motion was defeated 3-3, with Ms. Dockery, Ms. Church and Mr. Kapp voting Nay.

DISCUSSION: Mr. Kapp said he was not in favor of the incongruity of materials for the project, noting he believed everything should be of wood. Ms. Dockery said even though the structure was non-contributing, it was still in the historic district and the front gable should be consistent with the historic district and not be hardy plank. Ms. Singer offered to use wood on that front gable, and hardy plank on the additions. She added that would follow current guidelines. Ms. Dockery said she would be fine with that.

RESTATED

MOTION: **Mr. Preston** moved to find as fact that the Kay Singer application is in substantial compliance with the overall character of the district and substantially 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, particularly in respect of it being a non-contributing structure.

SECOND: **Ms. Vergara.**

DISCUSSION: None.

- VOTE:** The motion was adopted 4-2, with Ms. Church and Mr. Kapp voting Nay.
- MOTION:** **Mr. Preston** moved to approve the application as submitted with the following conditions: that the hardy plank siding will have 6” exposure and replace the masonite; the hardy plank is to be used in the dimensions as discussed and will be smooth; that everything else that is not siding would be of wood; the windows would be wood with vinyl cladding; the rear door is to be of wood; and the siding on the front gable is to be of wood, and all remaining items are approved as submitted.
- SECOND:** **Ms. Vergara.**
- VOTE:** The motion was adopted by a vote of 4-2, with Ms. Church and Mr. Kapp voting Nay.

After a brief break, the Commission discussed the importance of consistency within the historic district, particularly when using hardy plank. Ms. Trueblood noted that hardy plank had never been approved on a contributing house. She said you had to look at the house in question for its individual character, look at the inventory, and then to look at how it related to neighborhood. Ms. Trueblood said that was the fine line that a Commissioner had to walk.

Ms. Trueblood said the decision made on the Singer application with a 4-2 vote was a tender vote. She said the Commission needed more training and information, and it would be better to have a well-established policy for this type of issue. Ms. Trueblood said tonight’s vote was consistent with what had been done in the past based on the standards and the guidelines.

Ms. Trueblood commented that the person hired to come in and update our inventory would have no authority to look at any homes older than 1939, so the Singer house would not be examined for contributing or non-contributing features. She said until our period of significance and nomination was updated from 1939, then at that time houses built after 1939 could be inventoried.

Responding to a comment by Mr. Kapp, Ms. Trueblood said she believed what he would like to see was a material policy that stated that whether a structure was contributing or non-contributing, certain materials applied. She said that was possible, but would require a text amendment to the Ordinance. Ms. Trueblood said if the Commission wanted to move towards that, then it needed to be an established policy. Mr. Kapp said he favored natural historic materials, whether on new, old, or in-between structures, and that was the direction he believed the Commission should go.

Ms. Trueblood said that in May she had distributed to the Commission a recommendation package that listed the items that the staff believed should be addressed in the next six months. She said the first item on that agenda was the submittal requirements and the process outline for the website, and until that was voted

on they would not proceed to step 2, which was determining procedures for the treatment of contributing and non-contributing buildings.

Mr. Kapp said the issues raised tonight were good examples of why this issue should be addressed now. He said the submittal criteria that had been recommended were what he believed we should approve. Ms. Trueblood said that was the same criteria she had distributed two months ago, with a minor revision to align the language. She said the process outline was also the same with the comments from Ms. Dockery and Mr. Preston incorporated. Ms. Trueblood said she would prefer having those voted on so that the next time someone brought drawings that were not to scale she would have the authority to do something about that, noting she did not now have that authority.

MOTION: Ms. Dockery moved to approve the submittal criteria and the process outline as submitted by Ms. Trueblood.

SECOND: Mr. Moye.

VOTE: Unanimously approved.

Ms. Trueblood said the process outline could be immediately placed on the website. She said the submittal criteria would have to be placed on the Town Board's agenda as a recommendation for a change to the ordinance.

Mr. Kapp asked about change the fee structure. Ms. Trueblood said she believed they should wait until the Strategic Growth Plan was released in November, which would have a recommendation from the consultants regarding the fee structure. She said we could probably wait to see what that recommendation was since the consultants had looked at other jurisdictions of relative size.

Mr. Kapp said the fee for an application was "pathetic" at \$10. He said he believed there should be a fee for minor work and then a larger fee for major work. Ms. Trueblood suggested asking other jurisdictions to email her their fee schedule so that the Commission could look at that as a comparison. Mr. Kapp said that would be helpful.

Mr. Kapp said he believed the Commission should look at how to prioritize and stage review. Ms. Trueblood said that fell under Staff Updates, so she could move to that and the Commission could discuss item #11, Preservation Awards, after that. The Commission agreed by consensus.

ITEM #12: Staff updates.

Ms. Trueblood said one of her suggestions to the Commission and other boards was that administrative review of particular sized projects could remove much of the pressure from the board. She said the list of exempt and minor work in the back of the Design Guidelines allowed her to make an administrative decision on the items on that list. Ms. Trueblood said because the Commission was seeing so many small applications come up, the Commission might want to look at expanding that list. She said she had prepared a page that contained the exempt and minor works, and then on the back was a

list of what Raleigh had on their exempt and minor works list. Ms. Trueblood asked the Commission to look at the Raleigh list to see if any of those items might possibly be placed on our list for administrative review and return with comments at the October meeting.

In response to a comment that Raleigh had more staff to conduct such reviews, Ms. Trueblood said it would take less of her time to look over and approve or deny a minor project than it would to prepare the application to be placed on the Commission's agenda.

Mr. Kapp said in the event that people would move towards a Board of Adjustment appeal, would it be better for the Commission to review the staff's recommendation on a small project and approve it in the form of a consent agenda. Ms. Trueblood said the point of this was to keep such small projects off the Commission's agenda, such many of them were easy to apply standards or conditions to and come to an administrative decision. She said anything that felt controversial to her would be sent to the Commission in any case, but her point was to filter out the minor applications for administrative review so that the Commission did not have to spend time on them.

Ms. Trueblood said Mr. Preston's application earlier this evening was a good example of what the Commission should not have to spend its time reviewing. She said the thirty minutes it took her to prepare it for the agenda packets was a waste of time when it was obvious it was appropriate and should be approved. Mr. Kapp suggested that perhaps the staff person and the Chair could conduct the review. Ms. Trueblood said that such reviews would either have to be Commission review or administrative review, not a combination of the staff and a Commission member. She said they would need to expand their minor works list, or staff review list, to encompass any items that the Commission believed would be appropriate for staff review. Ms. Trueblood said any issue that was controversial would come before the Commission in any case.

Ms. Church asked if it could be made clear to an applicant that just because something was on the staff review list, that the staff may at their discretion send it before the Commission. Mr. Kapp said he was somewhat concerned about that as well. Ms. Trueblood said the policy could be worded that way. She asked if everyone could take the Raleigh list and study it along with the existing list, and try to determine what complications might arise from each of the items listed, and then bring those comments back at the next meeting.

Ms. Church said she had already studied the list, and from the existing exempt works list, #15 Mailboxes, was included. She said the Commission had an issue regarding mailboxes around the district come up about two or three years ago, and one was the large mailbox in front of Annie Dillard's home. Ms. Church said they had taken that up with the Postmaster who had informed them that the mailbox was governed under postal regulations. She said at that point, the Commission has asked for a copy of the regulation, but the policy was simply at the discretion of the Postmaster. She said as far

as she had been able to determine, there was no written postal regulation governing mailboxes.

Ms. Church said regarding #10, Replacement/repair of missing, damaged, or deteriorated parts of structure. She said we should add "with like design." Ms. Trueblood commented that this Excel spreadsheet did not and was not intended to contain the exact wording of the ordinance.

Mr. Kapp said when talking about #10, when you were doing a replacement and not changing the material or the geometry, then it was just maintenance. He said that was when staff should make those decisions. Ms. Church agreed. Mr. Preston said the Commission should do as Ms. Trueblood suggested and bring comments back to the next meeting. Mr. Kapp said his primary concern was putting so much weight on the staff in terms of bearing the responsibility. He asked if she could report back to the Commission on the items she had reviewed. Ms. Trueblood said if she gave administrative approval to a minor project, she did not believe the Commission could then go back and make changes to that approval. She said if the Commission wanted to retain full control, then they should leave the list as is. Ms. Trueblood suggested thinking about this in terms of what things the Commission did not need to review.

Mr. Kapp said one easy threshold to look at is whether or not a minor project needed a building permit or not. He said for instance, Ms. Singer definitely needed a permit, where Mr. Preston's project did not. Mr. Kapp said the second threshold would be significant maintenance or replacement issues. He said replacing a wood window with a wood window would be a maintenance issue, but if you were changing the materials or the geometry of that window, then it would be an alteration and would require a Certificate of Appropriateness. Ms. Trueblood said that the materials that could be approved needed to be specified, because there was already a list of materials that staff could approve.

Mr. Kapp said that would bring us to some really nebulous things like signage, mailboxes, landscaping, and others that should be up to the staff. Ms. Trueblood said regarding signage, she could approve a sign that was up to 2 feet x 3 feet in the commercial district, so the Commission might want to look at that size requirement.

Mr. Kapp said he believed there should be an increased window between the deadline for submittals and consideration by the Commission. Ms. Trueblood said that would be a text amendment that would have to go before the Town Board. Mr. Kapp said he would like to make that recommendation, because that was a lot of work to accomplish in just ten days, and if there were more time he believed the applications would be more complete. Ms. Trueblood reiterated her request that the Commission members go through the lists and highlight the items they believed the Commission did not have to review.

Ms. Trueblood noted that on September 25, from 7:30 to 9:30 at the Holiday Inn Express, all of the quasi-judicial boards would be provided training by the Town

Attorney Bob Hornik, on hearing evidence and how we treat that evidence. She said he would answer questions about the legal implications of our role in the community. Ms. Trueblood said he would also talk about appropriate quasi-judicial behavior, treatment of applications, and other issues. She said this training was being conducted at the request of the Town Board, who would also attend the meeting along with the Board of Adjustment, the Planning Board, and this Board. Mr. Kapp asked Ms. Trueblood to email a reminder to the Commission, and she agreed to do so.

Mr. Kapp said he believed that at the meeting on September 18 on the Courthouse, that we should have a fully developed landscape plan, so that the Commission could see how the landscape design worked with their design. He said he had requested that the landscape architect be present at that meeting, and he had agreed to attend. Ms. Trueblood asked the Commission to RSVP to her on both of these meetings.

Mr. Kapp said he was concerned about the amount of time the Commission was putting in, but realized it was important to finish the work on the Courthouse, which required in many cases a special meeting. But, he said, he wanted to move back to the regular schedule of one meeting a month once the Courthouse was completed.

ITEM #11: Discussion and decisions for the Preservation Awards 2006

Ms. Trueblood noted she had sent out a list of the projects that should be considered for awards. Mr. Kapp said he was satisfied with the three projects discussed at the last meeting. Ms. Church agreed, noting there was not that much to choose from this year. Mr. Kapp said he believed the Patrick and Mildred Long addition on Corbin Street should receive the Small Addition Award. He said the new Italian Restaurant, Panciutto, should receive the New Preservation Award.

Ms. Trueblood said September 29 at 7:00 p.m. at the Last Friday event was when they were scheduled to present the awards. She said she would like to have as many Commission members as possible attend the presentations.

Ms. Church asked the Commission to consider the Hays addition as a possible recipient, noting that for a large addition it was well done. She said you could barely see it from the road. Ms. Vergara said if you gave such a project an award, it would only encourage others to “mansionize” their properties. She said 100 years from now people would look at those additions and not realize that once there was only a little house on that property.

Ms. Trueblood summarized the awards the Commission had suggested: Tom Campanella for Restoration, Patrick and Mildred Long for an Addition, and Panciutto for New Construction.

MOTION: Mr. Preston moved to approved the awards as follows: Tom Campanella for Restoration, Patrick and Mildred Long for Sympathic Addition, Panciutto for New Construction.

SECOND: Ms. Dockery.

VOTE: Unanimously approved.

Mr. Kapp noted that next year, these awards would be presented during National Trust Preservation Month, which was in May. Ms. Trueblood commented that a good selection of projects would be available for review by that time.

ITEM #13: Adjourn.

Mr. Kapp adjourned the meeting at 10:14 p.m.

Respectfully submitted,

Stephanie Trueblood, Staff