

**Minutes of the Burlington Historic Preservation Commission
January 12th, 2021**

The Burlington Historic Preservation Commission met on Tuesday, January 12th, at 7:00 p.m.
Via Zoom. ~~Building-~~

Members Present:	Members Absent:	Guests:
Lori Bryan	Edith Smith	
Kristina Meinking	Justin Snyder	
Molly Whitlatch		
Brian Pennington		
Russ Vandermass-Peeler		
Jim Euliss		

Staff Present:

Jamie Lawson, Principal Planner
Conrad Olmedo, Planning Manager

I. Call Meeting to Order (7:01 PM)

Lori Bryan called the meeting to order at 7PM on January 12th, 2021. Due to the Coronavirus Pandemic, this meeting is being held via Zoom platform. Please note this meeting is being recorded.

II. Approve Minutes

Lori Bryan opened discussion about the minutes for the November 10th and December 8th meeting. The commission acknowledged and agreed to the edits of the November 10th meeting from Ms. Molly Whitlatch. There were no further comments from the commission.

Molly Whitlatch made a motion to approve the minutes for November 10th with proposed changes.

Brian Pennington seconded the motion.

Approved Unanimously.

Mr. Jim Euliss made a motion to approve the December 8th meeting.
Mr. Vandermass Peeler Seconded the motion.

Approved Unanimously.

Brief Discussion with consultants for the approved grant.

Ms. Jamie Lawson stated, the grant was approved by city council and the state requested a proposal and the proposal was granted to Heather ~~SlainSlane~~ with her as the consultant. The time frame for work will be from January to August.

Ms. Heather ~~SlainSlane~~ stated, that she has a coworker she will be working with. Normally there would be a public meeting at the start of the surveys, or the consultants attend a meeting. ~~I'm Heather and I am based in Durham.~~

Ms. ~~SherriCheri~~ Skybronski stated ~~she, I'm SherriCheri Skybronski and Heather and I~~ has ~~ve~~ been working on projects like this ~~since~~ for a few years. I used to live in Hillsborough, and I was the director of Preservation Chapel Hill and a few years ago I moved back west to Michigan.

Ms. Heather ~~SlainSlane~~ stated, your project is narrow in terms of the geography. It is located around the ~~w~~West Davis St./Fountain ~~P~~lace, it is a small part of ~~W~~estern Burlington and the survey is really focusing on updating the files for the ~~b~~Buildings in the historic district and then looking at things around the historic district for potential expansion of the national register district, not the local district. Updating the history and architecture from 1940 the 1970's. Commission and staff need to notify members of the district and include Covid protocol which requires masks and social distancing. ~~They~~ ~~We~~ are looking at other buildings in the area that may be national register eligible ~~so if you have buildings in that study area, south church, west web and Tarleton, if there are buildings or anything in the area that the commission or staff believes we should take a look at just let me know because we are adding new things to the survey too, not just updating what's already in the district. If you know any one that has lived in the area for a long time, its often hard to find published historic information about what was happening in the 40's, 50's and 60's so speaking with people who had lived there will really help with in terms of how that was happening.~~ ~~SherriCheri~~ is in the process of pulling together a bibliography of resources from the May library and Elon and other sources. ~~I'm not sure if we are going to be able to get to those resources so if any of you have books, articles, files or things related to the history of Burlington especially from the 20th century that you would be willing to share with us that would be great or if you have an in with a librarian or archivist or someone we can call in a favor with that would be helpful. Access things that are not able to be checked out of libraries.~~

Ms. Molly Whitlatch stated, ~~I have~~ a lot of those resources available in hard copies, there is also a local historian name Walter Boyd and he has done a ton of research and he has a lot of old photographs that he has in his private collection and also a collection that was bequeathed to him when another local historian based away. He will be the best resource to start with.

Ms. Heather ~~SlainSlane~~ stated, ~~I will put my information in the chat, o~~One of the first things we will do is a windshield survey ~~to we will~~ drive around and identify, what we want to survey when ~~we they~~ get to that point, so I can do a porch pick of resources.

Ms. Molly Whitlatch stated, I live in the Historic district.

Ms. Heather ~~SlainSlane~~ stated, perfect.

Mr. Brian Pennington asked, when looking for structures to be added to the national historic register, what are you looking for, what is the criteria.

Ms. Heather ~~Slain~~Slane stated, the main thing we are looking for is places where the national historic district can be expanded. In terms of individual listings, the things we are looking for have to have material integrity so a lot of original exterior materials and then they have to have some area of significance. The national register has four areas, the first is significance for events or broad patterns in history and that is usual what the historic districts tend to be listed for, the second is association with a significant person, the third one is architecture and the fourth is archaeology ~~which I can't imagine we are going to find~~. Listing for archaeology is very complicated and requires a different skill set. We are really looking for things that either an important event happened there or most likely we are going to find things that are significant for their architecture. Unique examples of modernist architecture or some really intact high styles of architecture those are what we would be looking for visually.

Mr. Brian Pennington stated, what kind of plans may be in place for notification of residence we have talked about this in previous discussions and didn't know if Jamie or Conrad had anything to add to that, if there is any other plan in place the commission might want to be informed about.

Mr. Conrad Olmedo stated, staff has been working with the communications office to align communication on our end, so we will be using social media. ~~I'm not sure if we want to do actual mailers to the people in the district.~~

Ms. Molly Whitlatch stated, what about the newsletter that goes out with the water bills?

Mr. Conrad Olmedo stated, we could employ that, staff will be relying on our communications office for this.

Ms. Heather ~~Slain~~Slane Stated, we just want to get it started, the town of sent out mailers and everyone knew we were coming. If there is a neighborhood group that we could be a listing on, some communities do mailers, and some do post cards, letters, or yard signs.

Ms. Jamie Lawson stated, if anyone has any ideas after the meeting you can email me.

Ms. Molly Whitlatch stated, ~~Jamie~~Burlington Preservation has a list serve.

Mr. Brian Pennington stated, it is important that the community knows the work that is being undertaken, the reasons for which it is being undertaken. People are appearing in their neighborhoods and looking around taking photos.

Mr. Conrad Olmedo stated, ~~H~~heather will be attending work session so the message will be spread to ~~C~~city ~~C~~ouncil.

Ms. Heather ~~Slain~~Slane stated, ~~we have a little time I have to look at the schedule, I think~~ March is when the field work will start ~~and there is~~, ~~we have~~ 6 weeks before we will be on the ground and we will see if ~~Cheri~~ Sherry will be on the ground then. If not, I will be out there by my-self but

that will depend on what happens in the next 6 weeks. Some-one will be out there, but we have some time.

III. HD-20-56: A request by Patrick Robinson for roof repair consisting of replacing shingles on the second floor roof and replacing gaskets and flashings that are allowing water intrusion, located at 1004 West Davis Street, PID 126696, in the Medium Density Residential (MDR) and Historic Overlay District (HOD).

There are no conflicts of interests with this item.

Ms. Jamie Lawson stated, the request by Patrick Robinson for roof repair consisting of replacing shingles on the second floor roof and replacing gaskets and flashings that are allowing water intrusion, located at 1004 West Davis Street, PID 126696, in the Medium Density Residential (MDR) and Historic Overlay District (HOD).

The staff report includes findings of fact that we have found relevant to this case as well as our recommendation, the attachments have been included which is the application the supporting materials and the site map and the applicant is on the call and is able to answer any question.

Mr. and Mrs. Robinson affirmed that they would speak the truth to the best of their abilities.

Mr. Patrick Robinson stated, the roof is need of repairs, shingles being replaced, the point in question is the area around the eaves around the front of the house that were this old brown mod bit that is a rolled shingle material that was used in the 90's and it is going to be replaced by a white membrane the majority of our flat roof is south facing and we are trying to change it to a white material to try to offset some of the cooling issues during the summer and it is purchased by the roll so it becomes cost prohibitive to piece what is already there. That will be the only change and unnoticeable.

Ms. Molly Whitlatch stated, where on the roof will it be located.

Mr. Patrick Robinson stated, it will be to the far right of the front of the house above the sunroom.

Ms. Molly Whitlatch asked, where are the shingles going and where is the flat roof going.

Mr. Robinson stated, the shingles are going where they are currently located.

Ms. Molly Whitlatch stated, at the very top, so you are replacing your whole roof, everywhere. Jamie is there a reason why this wasn't a staff approval?

Ms. Jamie Lawson stated, the issue was, there was a change in the material and also a change in the visual appearance where currently you would see brown it would become a white roof material so we felt like that was something that was not minor and required the commissions approval. Staff did not receive any calls or public input about this application.

Mr. Brian Pennington stated, so the brown that is on the bottom picture will become white. I have no issues with this application.

Mr. Patrick Robinson stated, correct and the same material will go around the front cortical, but it is not visible from the street.

Ms. Molly Whitlatch stated, the guidelines say that white or very light shingles weren't allowed but these aren't shingles they are proposing and if you look in the open paragraphs of the roofs section it talks about the reason white shingles are disfavored is white and light colored rooves lose some of their definition and become less attractive because the shingle joints stand out more as they become discolored over the years so that doesn't seem to be a concern here where you are just talking about a numbering on a limited flat portion of a roof. The guideline appears to be targeting white shingles as an architectural feature. So, I see that as a distinguishing factor.

Mr. Russ Vandermass- Peeler stated, I'm having a hard time see how it would affect the look of the house.

Ms. Molly Whitlatch stated, agreed, I don't have a problem with it as long as the shingles that are going on the main slope of the roof are going to remain the same color and they are just doing like for like up there I don't have a problem with it. Are you going to change to an architectural shingle? I can not tell what it is now.

Mr. Robinson stated, the contractor is going to match what is there I'm not sure what the material is.

Findings of Fact:

The applicant has stated that grey shingles will be replaced with the same matching shingles for the second floor because of the deterioration on the first floor flat roofs they are going to replace it with a white EPDM which shouldn't be visible to the street except for a couple of small places the findings of fact that apply to this case are :

C5-1. Original roof forms, pitches, rafter details, molding, trim, and soffit boards should be retained.

C5-2. Historic roofing materials, such as clay tiles, slate, standing seam metal, wood shingles or embossed metal shingles, should be preserved if feasible.

C5-3. Raising or lowering the roof pitch, or removing original features, such as dormers, turrets, balustrades, bargeboards, quarter round, cornices, brackets, weathervanes, or lightning rods are not allowed.

C5-4. Features such as dormers or balustrades may be added if they are appropriate for the style of the building.

C5-5. Deteriorated roof covering should be replaced with new materials that are compatible with the old in composition, size, and texture after reestablishing the structural stability of the roof. Replacement roofs should be dark in color. White or very light shingles are not acceptable.

C5-6. Specialty roofing materials, such as "mission tiles" or patterned slate, should not be replaced with composition shingles.

C5-7. Exposed tarpaper rolls should not be used as roofing material.

C5-8. Metal flashing should be installed behind siding or roofing and in the open valleys on roofs. The flashing should blend in color with the roof or chimney color. Roofing tar is not an acceptable substitute for properly installed metal flashing.

Ms. Molly Whitlatch made a motion to approve the findings of fact.

Mr. Russ Vandermass- Peeler seconded the motion.

Approved unanimously

Ms. Molly Whitlatch made a motion to approve the application request as submitted.

Ms. Kristina Meinking seconded the motion,

Approved unanimously.

IV. HD-20-58: A request by Jennifer and Bert Klein for the installation of a front yard fence on a corner lot, located at 1031 West Davis Street, PID 125081, in the Medium Density Residential (MDR) and Historic Overlay District (HOD).

Ms. Jamie Lawson stated, is a request by Jennifer and Bert Klein for the installation of a front yard fence on a corner lot, located at 1031 West Davis Street, PID 125081, in the Medium Density Residential (MDR) and Historic Overlay District (HOD).

Mr. Bert and Mrs. Jennifer Klein affirmed to speak the truth to the best of their abilities.

Mr. Bert Klein stated, the application is to put up metal fencing in the side and back yard. It is the second part after the pool, need to enclose the pool and also apart of the side yard for the dogs to run around. It will be 54 inches, possibly up to 60 inches because there are some availability issues. The plan is for it to match other fences in the historic district, especially went to Durham to see what was done there and this was the style and pattern that seemed to be predominant.

Ms. Lori Bryan stated, my only concern is that in the guidelines it says that fences in the side and back yard should be constructed of white wood picket, brick stone or cast iron and the fencing proposed is aluminum.

Mr. Klein explained that the fence will not obstruct the view of the house.

Ms. Lori Bryan stated, I don't think it matters as far as the material that is being used.

Mrs. Klein stated, we looked into the aluminum fencing it is the exact same fence that is used two houses down, that was put up a year and a half ago.

Ms. Molly Whitlatch stated, the guidelines say it is 3 feet in the front and 4 feet in the side yard. Is that right.

Mr. Klein stated, we believe in the side backyard it can be up to 7 feet, we can't have it 3 feet because that is not pool approved.

Mrs. Klein stated, the shading is for the original footprint of the house and the fencing will be well behind that.

Ms. Molly Whitlatch stated, it is my understand that the front of the house is considered the midpoint of the side.

Mrs. Klein stated, right so the fence will be at the midpoint of the original footprint.

Ms. Molly Whitlatch stated, the survey must not be drawn to scale because it does not look like the fence will be within the 50% mark of the house it looks like 1/3.

Mrs. Klein stated, it is right at the half, I may have shaded more than the original structure. It is 68 feet from the front street. The problem if we put it to far back it will run through the middle of the side porch.

Ms. Molly Whitlatch asked, the pool approval has to be the same height all the way around.

Mrs. Klein stated, it has to be 4 feet all the way around and these fences are actually a little higher because they have spears. The top picture is a picture of a yard in Burlington that we liked with the pillars we would like to mirror and that is the fence that we would like but is 60 inches tall and the bottom is 54 inches tall.

Ms. Molly Whitlatch stated, you are proposing the brick pillars as well, and the brick would match the house.

Mrs. Klein stated yes.

Ms. Molly Whitlatch stated, how tall will the pillars be.

Mr. Klein stated, the brick will be 6 inches taller than the fence.

Ms. Molly Whitlatch asked, you are asking for approval of a 60 inch fence.

Mrs. Klein stated, we like the way the 60 inch looks better, but between the 54 and 60 depending on availability of the material and those pillars will be 18 feet apart.

Mr. Klein stated, just across the Davis Street side.

Ms. Jamie Lawson stated, staff did not receive any calls or emails about the application.

Ms. Molly Whitlatch stated, the guidelines are more restrictive of what is in the front yard, we are a lot more flexible if it is in the back yard. So, I don't have a problem with the 60 inch or the 54 inch

because like you said it can go up to 7 feet. It just says it must not extend beyond the midpoint of the building. So as long as the fence is at the midpoint, I don't have a problem with it.

Mr. Brian Pennington asked, has staff confirmed it is at the midpoint.

Ms. Molly Whitlatch stated, I understand the distinction they are making they are going from the midpoint of the original structure.

Ms. Jamie Lawson stated, it is up to the commission on how you want to proceed and add that in as a condition.

Mr. Brian Pennington stated, I also want to add that if the fence went beyond the side porch it will look weird.

Ms. Klein stated, we have a Chamelia at the fence line by the porch, so we are going to preserve that Chamelia. So, there will be a little variance on whether it will go on the left or the right side depending on what the builder things would do less damage to the chamelia, but it will be beyond the midpoint.

Findings of Fact

Ms. Lori Bryan stated, this applicant wants to install fencing around the back part of the house for the pool they are going to add. The findings of fact are:

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B6-1. Fencing should follow the Standards found on pages V-14 - V-16 and should screen the pool from the public right-of-way. According to City Code, a fence surrounding a swimming pool must be a minimum of 48 inches tall, and all gates or doors must be equipped with self-closing and latching features. Vegetation can be used to soften the visual impact of the fence.

B6-2. Fencing should follow the Standards found on pages V-14 - V-16 and should screen the pool from the public right-of-way. According to City Code, a fence surrounding a swimming pool must be a minimum of 48 inches tall, and all gates or doors must be equipped with self-closing and latching features. Vegetation can be used to soften the visual impact of the fence.

B11-1. Fences in front yards are discouraged. Retaining walls constructed of stone or brick should be retained and encouraged.

B11-5. Fences in the front or front side yards should be constructed of wood picket, brick, stone, or cast iron. They should not be over three feet high. Pickets should be stained or painted.

B11-6. Solid fences which block the view of the property are not allowed in front yards. Split rail, basket weave, and horizontal board fences are inappropriate styles and must not be used.

B11-7. Materials and styles of fences should coordinate with appropriate nearby buildings and fences. Wood fence designs should be in keeping with the character of the house.

B11-10. Vertical privacy fences are acceptable inside and rear yards. They should not be over seven feet high. The structural member of any fence should be turned to face the property of the person erecting the fence.

B11-11. Privacy or security fences along a side yard must not extend beyond the midpoint of a building. Those along the side street must not be over four feet high, according to City zoning code.

Ms. Molly Whitlatch stated, I believe the applicant is requesting to do a 54_inch up to 60_inch, the application only says 54_inches.

Ms. Jamie Lawson stated, with the pillars being 6 inches greater than that is that correct.

Mr. Klein stated, that is correct.

Mr. Jim Euliss made a motion to approve the findings of fact with the addition of the fence being from 54_inches up to 60 inches and that the pillars will be 6 inches higher than the fencing.

Ms. Molly Whitlatch seconded the motion.

Approved unanimously.

Ms. Molly Whitlatch made a motion to approve the application with the option to extend the metal portion of the fence up to 60 inches and on the condition that the fence not extend beyond the midpoint of the original historic structure.

Mr. Russ Vandermass- Peeler seconded the motion.

Approved unanimously.

V. New Business

Ms. Jamie Lawson explained there were two administrative approvals.

HD-20-55: A request by Kristina Meinking and Jason Husser for chimney screen and foundation repointing at 420 West Front Street, PID 126696, in the Medium Density Residential (MDR) and Historic Overlay District (HOD).

HD-20-27: A request to restore the existing front door at 911 West Davis Street, PID 125558, in the Medium Density Residential (MDR) and Historic Overlay District (HOD).

~~Ms. Jamie Lawson explained there were two administrative approvals.~~

V. Other Business

Design Review Manual Update

Provide a recommendation of the text changes to the City of Burlington Historic Design Standards to reflect compliance to North Carolina General Statutes Chapter 160-D requirements.

Ms. Jamie Lawson stated, the updated copy will have strike outs with the updated design outlines. There were a couple very minor typos. It is not intended at all to be substantive cChanges. ~~It-it~~ is more of a technical revision to be ~~more~~ consistent with ~~C~~chapter 160-D. We are asking for your consideration of this modification and if you make a motion in favor of it and recommendation, we will move it to City Council for their review and approval as well. We think we found it all but

if you find any spots where we missed it. We were unable to find the original Word document so it is a PDF that was converted to a Word document so the format and your copy will be a little off but we will be working on that as well.

Ms. Kristina Meinking stated, I saw a spot where it said the Commission met at 7:30 on Tuesdays, it doesn't have to do with standards or guidelines just a point of correction.

Ms. Molly Whitlatch stated, it is on page 12.

Mr. Brian Pennington stated, I didn't see a list of the changes.

Ms. Molly Whitlatch stated, I didn't see that either.

Ms. Jamie Lawson stated, I can provide you with the track change document.

Ms. Molly Whitlatch stated, so let's table that and take a look at that at the next meeting.

Ms. Lori Bryan stated, I agree Molly.

Ms. Molly Whitlatch stated, I had a question about the house ~~on West-with~~ Front ~~S~~street that wanted to install front porch and it was denied and I think Conrad was going to look into it because it still looks the same way.

Mr. Jim Euliss stated, I drive past it going to my place and it actually looks really bad, like it is falling apart.

Ms. Molly Whitlatch stated, you had just started and the background is that they had done a day of work and David Beal went out and told them it wasn't approved and then they did a bunch more work knowing that they didn't have approval and then their COA was denied.

Mr. Conrad Olmedo stated, we alerted the ~~C~~code ~~E~~enforcement and the ~~B~~uilding ~~I~~nspections and will have to look more into that. On that note what I am wanting to introduce to you what we are planning to do with code enforcement. I would like next to bring our ~~C~~ehief ~~C~~eode ~~E~~enforcement ~~O~~efficer into the commission meeting next month, ~~to get his officer~~. When we start to talk about in the historic district because they have become issues where houses will have to be demolished if they are not meeting minimum housing standards. There are some properties that are vacant, the property owners aren't living there, they might be in disrepair. There might be special restrictions when it comes to repairing a home in the historic district and once, we have code enforcement with minimum housing standards we have a notice of violation timelines and time frames we have to be considering. We are working to be more proactive in the historic district to accommodate that we have transitioned code enforcement from planning to code enforcement and the tradition has been to be reactionary, so we were complaint driven enforcement. Now that we are moving to a proactive action, we are entering into some sensitive realms. When we enforce the design guidelines, we are enforcing standards that need to be updated.

Ms. Molly Whitlatch stated, I agree with updating the guidelines that is the reason we're doing the survey and how we came to getting the grant because to update the guidelines they had to do a

survey. We have had in recent years where it overlapped into code enforcement and they threatened to demolish an historic structure at the time the Peele Street house as the most recent example but certainly we understand that we need to work together to see how those two sets of rules will impact each other. I think the proactive approach is a good thing. I think ultimately it will be a good thing for the historic district. I don't see minimum housing as much as we did with the Front Street house That is a house that was bought by the contractor to fix up and flip It's not at risk of being demolished it's just not being compliant. The only other business is that preservation Burlington is starting a matching fund, where will match homeowners in the historic district to make exterior repairs. So, if they need new windows or they have a rotten porch or something like that. We are starting a grant this year to where we would match to up to 50% of a certain amount to do those types of restoration projects, we are going to be announcing that.

Mr. Brian Pennington stated, that is great Molly where is the funding coming from.

Ms. Molly Whitlatch stated, it is just the money we raised from architectural salvage operation and historic tour of homes, it's just all fund-raised money we don't have any corporate sponsorships or anything like that unfortunately.

VI. Adjournment

END OF MEETING