



OAK RIDGE HISTORIC PRESERVATION COMMISSION MEETING
MAY 14, 2014 - 7:00 P.M.
OAK RIDGE TOWN HALL

MINUTES

Members Present

Ann Schneider, Chair
Debbie Shoenfeld, Vice Chair
Mac McAtee
Michelle Ungurait

Staff Present

Bruce Oakley, Town Manager

Members Absent

Ron Simpson

1. CALL MEETING TO ORDER

Ann Schneider called the meeting to order at 7:00 p.m.

2. APPROVE AGENDA

Mac McAtee made a **motion** to approve the meeting agenda. **Debbie Shoenfeld** seconded the motion, and it was passed unanimously (4-0).

3. APPROVE MINUTES

Debbie Shoenfeld made a **motion** to approve the minutes of the August 21, 2013, meeting as well as the January 8, 2014, and April 15, 2014, meetings. **Mac McAtee** seconded the motion, and it was passed unanimously (4-0).

4. NEW BUSINESS

- A. Request for COA.** William and Tracy Burkart, 5905 Billet Road, Oak Ridge, NC, request a COA to construct a fence. The property is Guilford County tax parcel 0165268 and the zoning classification is RS-40.

Schneider read a statement explaining the Commission's duties. Schneider asked if any Commission members had any conflict of interest regarding the case, and none were stated.

Town Manager Bruce Oakley swore in Bill Burkart. Burkart stated he and his wife were purchasing the property and would close on it the following week. The couple has two dogs and would like to install the same type fence, which was constructed by Piedmont Fence, as they have at their current home in Kernersville. He noted photos of the fence in the Commission's information packet, and added that he takes great pride in his property and would work to make sure it was one of the best looking properties in the neighborhood.

McAtee clarified that the Commission is considering a wood rail fence with a wire mesh, and Burkhart agreed and said the fence would have three wooden rails with the wire mesh on the inside. He said the rails are actually 2-inch-by-6-inch boards, and added that the house next door has the exact same type of fence. There are different options for posts, and Burkhart said he had chosen the Colonial design.

Schneider clarified which neighbor had the same type of fence. Burkhart said he intended to construct a standard 4-foot high fence that would be nicely done.

Shoenfeld asked if the fence Burkhart wanted to have constructed was exactly like the photos of the fence at his home in Kernersville, and that there is a fence like it already in the neighborhood where he was moving, and Burkhart said yes. He also said there was another house in the neighborhood with the same type fence.

McAtee asked if the wire mesh was galvanized, and Burkhart said yes, and that it would not rust. McAtee asked if the fence was 48 inches high, and asked if it would be a problem if only a 42-inch fence could be installed. Burkhart said he thought it was a standard 4-foot fence that the company would build. Burkhart said if the fence could only be 42 inches tall, he didn't think that would be a problem as his dogs would not jump it. McAtee said the Design Guidelines stipulate a front yard fence can only be 42 inches in height, but he was unsure if this would be considered a front yard fence. Shoenfeld said she thought it would if Burkhart installs the fence at the front corner of the house; Oakley said from a zoning standpoint, the Town would not consider a fence to be a front yard fence if it extends out from the side of the house and is in line with the front of the house.

Schneider asked for clarification about the front walkway location on the drawing, which seems to be incorrect. She and Shoenfeld said on Option 2 that was provided by Burkhart, they would consider the fence that is in line with the front building line of the house to be a front yard fence. Oakley again said that for zoning purposes, the Town would only consider the fence to be front yard fence if it extends past the front building line of the house. Schneider then clarified that neither of the options presented by Burkhart in the application would be considered a front yard fence.

Regarding the Historic District Guidelines, Schneider said the appearance of the house from the front is always of primary concern. Burkhart said the main reason he would like to bring the fence up to the front corner of the house is because he thought it would look better aesthetically; in Option B, he said his primary concern was safety and he wanted to enclose the air conditioning unit and access to the crawl space within the fence as a deterrent to thieves. He related a recent news story in which a thief hid in someone's crawl space, then dug up through the floor and robbed the house while the homeowner was a work. Schneider asked if both options presented by Burkhart would enclose the air conditioning unit and crawl space, and he said yes.

Shoenfeld asked again about the height of the fence, and Burkhart said it would be 4 feet. She asked about the color of the wood, and Burkhart said it would be treated lumber; he added that he likes the look when the wood ages, so that it turns a shade of gray. He said the neighbor has their fence stained a darker color.

McAtee asked if Burkhart had considered planting shrubbery along the front of the fence, and Burkhart said he would be willing to do that. He said he had thought about planting some apple trees along the side of the fence near the driveway. He said he could also have pickets installed along the fence on the front side of the house, although he did not prefer that option.

Michelle Ungurait welcomed the Burkharts to Oak Ridge, and said the Commission members' questions were just part of the procedure required in the Historic District. She asked if the Burkharts were in violation of any codes, and Schneider said no.

Schneider asked McAtee if his questions about planting shrubbery were tied to any requirements in the Design Guidelines, and McAtee said no; he said the photos make it difficult to tell how obvious the wire inside the fence is, but his thought was some shrubs planted in front of the fence might make the wire less obvious. Burkhart said the wire really does not stand out and the fence is attractive.

Regarding the wire, Shoenfeld asked about its size, and Burkhart said he was not sure. Shoenfeld asked about the shape of the openings, and Burkhart said they were rectangular; McAtee said the photo looked like the openings were about 2 inches by 3 inches, and Burkhart agreed. Shoenfeld said she just wanted to make sure it was not chicken wire, and Burkhart said it was not.

Shoenfeld read from the Design Guidelines, which say fences and walls should be evaluated in terms of appropriateness of design, materials, design dimensions, architectural details, finish and location. She said she felt like the application had been reviewed in terms of those factors.

Regarding items a. through i. in the section on fences in the Design Guidelines, Schneider said it had been determined that this was not a front yard fence so it was not required to be only 42 inches tall, and it is not a privacy or screening fence, which should be softened with plantings; although it would be in the spirit of the Guidelines to soften the appearance with plantings, it would not be required, she said.

McAtee said the requirement that chain link fencing be limited to back and side yards also did not apply. Schneider said the wire was not as heavy as chain link, and McAtee agreed.

Schneider said if the Commission thought it had sufficient information to render a decision, she would entertain a motion.

Debbie Shoenfeld made a **motion** to approve the COA application to allow a wood and wire fence to be installed for William and Tracy Burkhart at 5905 Billet Road in Oak Ridge, NC per the information submitted. **Mac McAtee** seconded the motion, and it was passed unanimously (4-0).

B. Applications for HPC. Consideration of Caroline Ruch and Cara Townsend as HPC alternates.

Schneider said the Commission is to be made up of five regular members and two alternates, and currently there are no alternates. She said the Town Council makes the appointments to the Commission, and state statute says a majority of Commission members shall have designated special interest, experience or education in history, architecture, archaeology or related fields. All members must reside in the Town of Oak Ridge. The Board's role would be to review applications and speak with the applicants, and then make a recommendation to Town Council regarding the appointments.

Caroline Ruch introduced herself and told why she was interested in serving on the Commission, which included her love of local history. She said she thought her degree in textiles would be an asset because she has an appreciation of design, color, texture, etc. She answered questions from the Commission.

Cara Townsend introduced herself and gave her background. She said she also has a love of history, loves the appearance of Oak Ridge, and is interested in preserving the character of the community. She said she had read the Design Guidelines, and also answered questions from the Commission.

Mac McAtee made a **motion** to recommend to the Town Council that Caroline Ruch and Cara Townsend be appointed as alternates to the Historic Preservation Commission. **Debbie Shoenfeld** seconded the motion, and it was passed unanimously (4-0).

5. OLD BUSINESS

- A. **Town Council report.** Schneider said she had given the report at the Town Council meeting in May, and had invited everyone to the historic marker dedication at the Stafford-Benbow House at 5 p.m. on June 1. Considerations for markers next year will include Ai Church, the J.L. Sawyer House, and Linville Chapel at Oak Ridge Military Academy. Schneider said she and Shoenfeld would handle the report to be given to Town Council in June.
- B. **COAs approved/reviewed at staff level.** Schneider referred to Smith's staff report, and said no new COAs were approved by staff.
- C. **COAs approved but not completed.** Schneider again referred to Smith's report, and said she felt sure Oak Ridge Military Academy is moving forward appropriately on completing the requirements for the COA at Holt Hall.

6. COMMITTEE REPORTS/UPDATES

- A. **Budget update.** Schneider referred to Smith's report, and said a "happy surprise" has occurred with the account at the Northwest Observer, so that a larger credit is available than first believed. Regarding the purchase of the display case, McAtee said the local options were above the budgeted amount, and upon approval Smith had said she would order the selection chosen earlier by the Commission. McAtee suggested asking if the company allows any discount to municipalities and asking about ways to possibly defray shipping costs.

- B. Historic inventory/markers.** Schneider said one of the property owners that had been selected for a historic marker had decided they did not want a marker, so the subcommittee had recommended installing a marker at Linville Chapel at ORMA instead next year. Text has been completed for the markers at Ai Church and the J.L. Sawyer house, and Schneider said she would send text to Commission members for Linville Chapel as soon as it has been completed. The text will then be sent to the Town Council and the property owners. Shoenfeld said marker at Ai Church would be more visible on the property owned by Ai cemetery; trustees of the cemetery have been contacted. Schneider said she hoped the president of Preservation Oak Ridge would encourage the cemetery trustees to approve the marker placement.
- C. Communications outreach.** An ad has been placed in the Northwest Observer regarding the historic marker dedication at the Stafford-Benbow House.

McAtee asked Oakley about the proposed bill that would prohibit municipalities from having tree protection standards. Oakley recommended those with concerns contact their legislators because, as written, the bill would remove the Town's authority to regulate tree preservation and planting. Oakley said he would send out additional information including the bill number.

Schneider said she had contacted the state about the appearance of the state historic marker at ORMA. She was pleased that the marker had been removed, cleaned and has now been reinstalled.

McAtee asked Oakley for an update on the CrossFit/CMT Commons legal issues. Oakley said at a recent court hearing, the judge had recommended the two parties try to reach some type of agreement. The Town said it would agree to entertain a proposal, but one was not submitted by the deadline. The next court appearance is May 19, and the judge will set a time to hear the case then. Commission members asked that they be notified as soon as the time for the hearing is scheduled.

7. CITIZEN COMMENTS

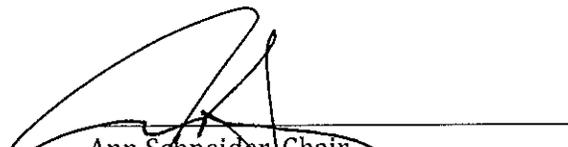
None

8. ADJOURNMENT

Debbie Shoenfeld made a **motion** to adjourn the meeting at 7:55 p.m. **Mac McAtee** seconded the motion, and it was passed unanimously (4-0).

Respectfully Submitted:


Sandra B. Smith, Town Clerk


Ann Schneider, Chair