



**OAK RIDGE HISTORIC PRESERVATION COMMISSION
SEPTEMBER 19, 2018 – 7:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Members Present

Debbie Shoenfeld, Chair
Caroline Ruch, Vice Chair
Kristin Kubly
Brian Hall
Barbara Engel, Alternate (Sitting)

Staff Present

Sean Taylor, Planning Director
Sandra Smith, Town Clerk

Members Absent

Paul Woolf

1. CALL MEETING TO ORDER

Chair Debbie Shoenfeld called the meeting to order at 7:00 p.m. She welcomed meeting attendees and reminded them to sign in. Shoenfeld then explained the purpose and goals of the Commission, which are to see that any proposed changes are compatible with the special character of the Historic District and surrounding buildings.

2. APPROVE AGENDA

Barbara Engel made a motion to approve the meeting agenda. Kristin Kubly seconded the motion, and it was passed unanimously (5-0).

3. APPROVE MINUTES

Kristin Kubly made a motion to approve the minutes of the April 18, 2018 and May 16, 2018 meetings. Barbara Engel seconded the motion, and it was passed unanimously (5-0).

4. OLD BUSINESS

A. Town Council report.

Shoenfeld said that she presented the Commission's activities at the September Town Council, and she also agreed to make the Commission's report at the October Town Council meeting.

B. COAs reviewed/ approved at staff level.

None

C. COAs approved but not completed.

None

D. Design review meetings.

None

E. Historic District violations.

Broken trees in the Historic District as a result of recent storms.

5. NEW BUSINESS

- A. Reading of N.C. Senatorial Statement:** Shoenfeld read aloud a statement that was presented on the N.C. Senate floor congratulating Oak Ridge on its 20th anniversary of incorporation. Caroline Ruch, who is also a member of the Special Events Committee, presented Commission members with a 20th anniversary T-shirt.

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Shoenfeld stated that the Design Guidelines are designed to provide recommendations for design aesthetics within the Oak Ridge Historic District and are intentionally broad to allow applicants a broad pathway toward compliance, with the goal of ensuring that approved projects are compatible with the District and the surrounding buildings. Shoenfeld said the Commission would be conducting a quasi-judicial evidentiary hearing, which means each Commission member acts an independent judge. She said Commission members are each tasked with being impartial. She asked Commission members to cite the applicable sections of the Design Guidelines in their deliberations. Shoenfeld said the Commission should take the evidence presented, apply the standards outlined in the Historic District Design Guidelines, making findings of fact, and render a decision. The Commission may approve, deny or continue consideration of a COA request, but a decision must be made within 180 days of the date the application was submitted. Appeals from the Commission are heard by Oak Ridge Board of Adjustment; appeals from the Board of Adjustment are heard by Guilford County Superior Court.

Shoenfeld then explained what constituted a conflict of interest: A fixed opinion; undisclosed ex parte communications with anyone about the case; a close familial, business or other relationship with an affected person; or a financial interest in the outcome of the case. She asked if any Commission members had such a conflict with either of the COAs being presented that night. Barbara Engel, Kristin Kubly, Caroline Ruch, Brian Hall and Shoenfeld each individually indicated that they had no conflicts associated with either COA Case #18-08 or COA Case #18-09. Shoenfeld did indicate that she had a conversation with Town Manager Bill Bruce on both cases.

- B. COA-18-08:** JPC Monroe LLC requests a COA to construct a new accessory outbuilding located at Near 2205 Oak Ridge Road, behind Oak Ridge Commons shopping center. The property is Guilford County Tax Parcel 0166230, Oak Ridge Township, zoned RS-30 (Residential), SC (Scenic Corridor Overlay Zone), Historic District Overlay Zone.

Shoenfeld read the property description into the record, then asked the Commission members to confirm the eligibility of the project and whether they had enough information to make findings of fact and render a decision. Commission members agreed by consensus that they did.

Shoenfeld asked Planning Director Sean Taylor if he had anything to add to his staff report, which is hereby incorporated by reference and made a part of the minutes; Taylor said no, but he was available to answer any questions the Commission might have. Shoenfeld asked to incorporate the staff report into the minutes.

Brian Hall asked if there would be any exterior lighting, and Taylor said no. Hall asked if there would be any exterior mechanical equipment installed outside the building, such as a generator. Taylor said not at this time. Hall asked whether the applicant would be installing a new access road to the building or using the existing gravel drive. Taylor said he assumed that the applicant would use the existing driveway.

Town Clerk Sandra Smith swore in the applicants for both COAs: Philip Cooke of JPC Monroe LLC and Bill Bruce, Oak Ridge town manager.

Philip Cooke, 1692 NC 68 North, took the podium. In answer to Hall's question, Cooke said there would be no additional driveway installed to access the building. He stated that a generator was required by the Department of Environment and Natural Resources. Cooke said the outbuilding was needed to store equipment and allow them to make the site neater. He said they were currently storing equipment in a concrete block building nearby, which houses equipment for the wastewater treatment plan and that has become a fire hazard.

Ruch asked Cooke if there would be any outside lighting, and Cooke said there were no plans for any additional exterior lighting at this time. He said there is already exterior lighting in the area for the wastewater treatment plant that provides a lot of exterior lighting, which he thought would be adequate.

Kubly asked if the building's proposed location would enclose the units next to the pond or if it would be next to them. Cooke explained the building Kubly was referring to is the wastewater treatment plant; the proposed outbuilding would be roughly behind the two units between the two ponds, and flags marked the location on the site.

Shoenfeld directed the Commission to refer to the section of the Design Guidelines on outbuildings, which begins on page 56.

Kubly asked Cooke if trees would block the view of the building from Meadows Road. Cooke said yes, that there was no way the building would be seen from the road.

Shoenfeld reminded Commission members to site the Guidelines in their discussions, and suggested using the format of the staff report as a guide for discussions. She said she had discussed with Town Manager Bill Bruce that the primary structure on the property was the retention ponds, and the proposed structure was an accessory to them. She said the only thing she found not included in the staff report is number 5 from page 56, which says bona fide farms have many structures that are not for farm use. Shoenfeld added that that item is not applicable, since this is not a bona fide farm.

Hall said item 4 on page 56 of the Design Guidelines refers to prefabricated buildings, but said that item is not applicable since the structure will not be visible; Cooke said it would be a metal-sided building on a concrete slab, and the building is not prefabricated in that it is not trucked in and assembled onsite. He said it was more like a house that has prefabricated aluminum trusses. Hall disagreed with whether the building was prefabricated, but said he thought that item number 4 was not applicable since the building would not be seen from the right of way.

Caroline Ruch made a motion to accept the staff report as part of the findings of fact, and to add that Section C, part L., item 4, regarding prefabricated metal sheds and carports is applicable because it is a prefabricated building, but that the structure will not be visible from the street. She also added item 5 is not applicable because the property is not a bona fide farm. Kristin Kubly seconded the motion, and it was passed unanimously (5-0).

Caroline Ruch made a motion to approve the COA based on the findings of fact identified for COA-18-08 to allow a new accessory outbuilding located at Near 2205 Oak Ridge Road, behind Oak Ridge Commons shopping center. The property is Guilford County Tax Parcel 0166230, Oak Ridge Township, zoned RS-30 (Residential), SC (Scenic Corridor Overlay Zone), Historic District Overlay Zone. The scope of the work is to be as described in the COA application dated August 15, 2018, and as described in the applicant's presentation and responses to the Historic Preservation Commission at its meeting on May 16, 2018 using drawings, materials, samples and photos as presented. Brian Hall seconded the motion, and it was passed unanimously (5-0).

- C. COA-18-09:** Town of Oak Ridge requests a COA to remove two non-contributing accessory structures from 8300 Linville Road, Guilford County Tax Parcel 0165094, Oak Ridge Township, zoned RS-30 (Residential), Historic District Overlay Zone.

Shoenfeld read the property description into the record, then asked to confirm the eligibility of the project and whether the Commission had enough information to make findings of fact and render a decision. Commission members agreed by consensus that they did.

Shoenfeld asked Planning Director Sean Taylor if he had anything to add to his staff report, which is hereby incorporated by reference and made a part of the minutes; Taylor said no. Shoenfeld asked to incorporate the staff report into the minutes. She then asked the applicant to come forward.

Bill Bruce, town manager for the Town of Oak Ridge, said when the park property was purchased, it granted a life estate to Linda Redmon. When she passed away recently, that terminated the life estate. He said the Town was looking at options for the property, of which the Commission would be a part. Bruce said currently the Town was cleaning up the site: it had done some interior demolition, and the above-ground storage tank was removed and the soil under it remediated. He said the Town Council now wanted to dispose of the accessory buildings on the property. He said the Town would solicit for someone to remove the buildings, and if that was not possible, they would most likely be demolished. Bruce said there did not appear to be much in the Design Guidelines that was applicable, but the Town felt the Commission should approve the request to remove the storage buildings. He said once they were removed, the Town would clean up the area and plant grass. He said there was no intention to remove the significant trees on the site.

Ruch said she was glad to hear the large trees would not be disturbed. Bruce said there may be a way to get a vehicle in to pick up and remove the smaller building and some smaller vegetation around the buildings may have to be removed, but there was no plan to remove any trees over 8 inches in diameter that require a COA.

Ruch asked why the Town would relocate rather than simply demolish the accessory buildings. Bruce responded that they were an asset to the Town, which would require it to invite bids from those interested in the buildings. He said if no one was interested and the buildings were deemed to be worthless, the Town would just dispose of them.

Ruch said if the buildings were demolished, the metal siding and other materials might be desirable to someone. Hall asked if the Town had considered accepting bids for salvaging the materials, and Bruce said that might be a good option. Shoenfeld asked if the Town intended to remove the debris, reseed the area and make it consistent with the other park property, and Bruce said yes.

Shoenfeld asked the applicant to be seated while the Commission discussed the application. She then requested Commission members state the applicable Design Guidelines in their conversation. She suggested using the format of the staff report for discussions.

Kubly referred the Commission to the second of the Guidelines regarding relocating structures. Shoenfeld said the Guidelines really refer to contributing structures and these were noncontributing. She said if the wooden shed were instead an old tobacco barn, the Commission would definitely want to photograph it before it was demolished. Kubly said she was curious as to how long the buildings had been on the property, particularly the wooden one. Taylor said the wooden building was prefabricated and was similar to one that would be purchased from Lowe's or Home Depot. He added that he thought the building was likely around 20 years old, due to the amount of deterioration.

Hall asked if the property was surveyed when the Town purchased it, and then said the survey of the property might give the original location of the structures on the property. Bruce agreed, but said the survey was only around 10 or so years old.

Kubly said the Guidelines give three principal reasons for relocating structures, one of which is for flexibility of the grounds. She asked that the reason be added to the findings of fact.

Shoenfeld stated that the Guidelines in Section D on page 62 only refer to demolition of contributing structures, and there are no Guidelines regarding demolition of noncontributing structures. The Commission then summarized the findings of fact.

Caroline Ruch made a motion to accept the staff report as findings of fact, and to add that the Town plans to reseed and beautify the grounds with consistency to the park. She also stated that on page 61, Section D, number 3 of the Design Guidelines, it says in the case of outbuildings, one reason to relocate them was to gain flexibility and use of the grounds. Debbie Shoenfeld asked to make a friendly amendment to the motion to say the primary reason for relocating buildings or historic structures in the case of outbuildings is to gain flexibility in the use of the grounds; Ruch accepted the friendly amendment to the motion. Ruch added that on page 62, item 2, there is no reference to noncontributing structures. Brian Hall seconded the motion, and it was passed unanimously (5-0).

Caroline Ruch made a motion to approve the COA based on the findings of fact identified for COA-18-09 to allow the removal of two non-contributing accessory structures at 8300 Linville Road, Guilford County Tax Parcel 0165094, Oak Ridge Township, zoned RS-30 (Residential), Historic District Overlay Zone. The scope of the work is to be as described in the COA application dated September 12, 2018, and as described in the applicant's presentation and responses to the Historic Preservation Commission at its meeting on September 19, 2018 using drawings, materials, samples, photos and colors as presented to the Commission. Barbara Engel seconded the motion, and it was passed unanimously (5-0).

6. COMMITTEE REPORTS/UPDATES

- A. **2017-18 budget update.** Two purchases had been made: a sign to announce a marker dedication date and a marker post; committee members are working on a stand using the post so a sample marker can be displayed at events. The stand was not budgeted, so the funds will need to come from another line item.
- B. **Heritage Day.** The Commission would have a tent at the event on September 29.
- C. **Grant program.** Shoenfeld said she had spoken to Rev. Marcia Isley of St. James AME Church regarding the progress of their grant project. No word had been received from the Old Mill about their grant project. Shoenfeld said she was working on ads to appear in the Northwest Observer in February and March.
- D. **Historic inventory/Markers.** Shoenfeld thanked the Special Events Committee and said more people attended the marker dedication for the Town's 20th anniversary than had attended any other than at Oak Ridge Elementary School, when the entire student body and staff attended. She thanked Holden Ruch for supplying the music at the event, and said the boundary plaque would be installed at the marker soon.
- E. **Training.** None scheduled at this time

F. Communications outreach. Ads had been placed in the Northwest Observer to inform residents what the Commission does for the community.

G. Display case. No report

7. CITIZEN COMMENTS

None

8. ADJOURNMENT

Kristin Kubly made a motion to adjourn the meeting at 8:00 p.m. Barbara Engel seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:

Sandra B. Smith, CMC, NCCMC
Town Clerk

Deborah D. Shoenfeld
Chair