



**OAK RIDGE HISTORIC PRESERVATION COMMISSION
JANUARY 16, 2019 - 7:00 P.M.
OAK RIDGE TOWN HALL**

MINUTES

Members Present

Debbie Shoenfeld, Chair
Caroline Ruch, Vice Chair
Kristin Kubly
Paul Woolf
Barbara Engel, Alternate (Sitting)

Staff Present

Sean Taylor, Planning Director
Sandra Smith, Town Clerk

Members Absent

Brian Hall

1. CALL MEETING TO ORDER

Chair Debbie Shoenfeld called the meeting to order at 6:59 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 as amended after continuing item 5.B. COA-19-01, since the applicant was not present at the meeting. 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 September 19, 2018 regular meeting and October 16, 2018 special meeting. Caroline Ruch 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 January Town Council meeting, and Ruch agreed to make the Commission's report at the February Town Council meeting.

B. COAs reviewed/ approved at staff level.

Dead trees at the Charles Benbow House have been removed. A tree at the Chester Redmon House will need to be removed because it is hollow.

C. COAs approved but not completed.

The COA for work at Maple Glade, for which Oak Ridge Military Academy received a Historic Heritage Grant, is still outstanding.

D. Design review meetings.

None

E. Historic District violations.

Shoenfeld had requested that the planters, as required by the COA, be installed at the outdoor patio at Craft & Vine. Planning Director Sean Taylor said they have now been installed, but plants have not been put in because it is still winter.

5. NEW BUSINESS

A. Annual Election of Chair and Vice Chair

Kristin Kubly nominated Debbie Shoenfeld as chair.

With no other nominations, the vote for Debbie Shoenfeld for chair was unanimous.

Debbie Shoenfeld nominated Caroline Ruch as vice chair.

With no other nominations, the vote for Caroline Ruch for co-chair was unanimous.

* * *

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; the goal is to ensure that approved projects are compatible with the District and surrounding buildings. Shoenfeld explained that the Commission would be conducting a quasi-judicial evidentiary hearing, which means each Commission member acts an independent judge. She said Commission members are 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. Shoenfeld said 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 the COA being presented that night. Barbara Engel, Kristin Kubly, Caroline Ruch, Paul Woolf and Shoenfeld each individually indicated that they had no conflicts of interest. Shoenfeld did disclose that she had a conversation with Planning Director Sean Taylor.

- B. COA-19-02:** Meredith and Lionel Shoffner request a COA to construct a new, single-family residence at 8536 Scoggins Road, Oak Ridge, NC. It is Guilford County Tax Parcel 228481, Oak Ridge Township, and is zoned AG (Agricultural), 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 said typically a landscape plan is required in this type of case, but she felt the Commission had enough information to continue.

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 that while he does not typically make a staff recommendation for quasi-judicial cases, he had offered advice in the staff report.

Paul Woolf asked Taylor to confirm that the house would be built behind three lots that are not in the Historic District, but that the house itself will be in the Historic District. Taylor explained that the three lots to which he referred – and in fact all lots on Scoggins Road except the one at the corner of Linville Road and Scoggins Road – are not in the Historic District. He said the right of way and the flag portion of the lot are not in the District, but that where the house would be built – behind the ranch-style house on Scoggins Road – is. Woolf asked if Taylor's contention was that the house would not be able to be seen from the road. Taylor said yes, and pulled up an image on Google Earth that showed where the property is located and how two of the properties in front of it will likely never be developed because they are landlocked and there are no easements or access to them.

Ruch asked if the two lots Taylor was referring to were buildable lots; Taylor said yes, but said it would be difficult to build on them. Ruch asked if the Shoffner's proposed house would ever be able to be seen from the road, and Taylor said no. Ruch said even though the house would be categorized as a major work, knowing that the house would never be seen from the road caused her to think the Commission needed to approve it before it could be built, but she felt like that was all that was required. Taylor said that determination was up to the Commission.

Woolf said the question is that Commission is always looking for whether something is congruent based on being able to see it from the street, but if there is no visibility from the street, is congruence to the Guidelines still a requirement? Taylor said since the decision was up to the Commission, that was why he had included the information about synthetic siding in the staff report.

Shoenfeld said the part of the Design Guidelines that Taylor had referred to actually came from Section A and referred to exterior changes on existing structures, but the case before them was new construction. Shoenfeld said since the house was in the Historic District, she felt like the Commission needed to go through the usual process. She compared the house to one constructed on a flag lot on Linville Road and said that applicant was required to go through the process. Woolf said in this case he thought the Commission should consider the application, but also look at it with a degree of flexibility due to the circumstances.

Shoenfeld welcomed the applicant and invited them to come to the podium and make a statement. Town Clerk Sandra Smith swore in Lionel Shoffner.

- Lionel Shoffner, 230 Blandwood Avenue, Apt. 4, Greensboro, said they believed the design and placement of the house met the Primary Design Concepts, and that siting, shape, height, width, building materials and colors were appropriate for the Historic District. He said the farmhouse style of the house and the details are appropriate, and the roof, windows, doors, colors, lighting and landscaping fit with the surrounding area. Shoffner pointed the Commission to photos of a house built according to the same house plan, but said theirs would be white with dark blue shutters and a charcoal gray roof. He said although the house would have vinyl siding, that is allowed by the Design Guidelines when a house is not located near the street. He said the property is unique in that the majority of it is located in the Historic District, but that it would not be visible from either Linville Road or Scoggins Road.

Ruch asked to confirm that the only difference between the house in the photo and the one the Shoffners planned to build was just the color; Shoenfeld confirmed that was correct.

Woolf said it seemed to him that the Commission just needed to ascertain whether the use of vinyl siding is allowed. Shoenfeld said that the Design Guidelines on page 52 under New Construction, item E. Building Materials, say it is not appropriate to use simulated stucco, artificial brick siding, synthetic siding or trim, artificial cast stone or brick veneer, oversized brick, terra cotta or glass bricks, loud or unusually colored brick, wall shingles, metal, broken tile or stone material. She said the Commission had allowed aluminum and cementitious siding. She asked how the Commission felt about this application, given that the house was trying to "hide." Woolf said the Design Guidelines do not say that vinyl siding is not allowed. Shoenfeld said the Guidelines say synthetic siding is not appropriate. Kubly asked if there were other homes with vinyl siding, and Taylor said yes. Shoenfeld said clapboard is what is generally seen in the Historic District, but Scoggins Road also had homes with vinyl siding. Ruch added that she felt like because of the location, there could be some leniency allowed because the house will not be visible from the street. Shoenfeld said in the Findings of Fact, the Commission could state the

Guideline, but add that because it will not be seen from any road, the Commission believes vinyl siding is OK and is in favor of it in this case.

Shoenfeld said she had gone through the Design Guidelines and looked at the roof, windows, shutters, pitch, porch railing, dormer and style of the house. Said the architecture is a modern version of a Craftsman style, and that Craftsman houses are located in the Historic District. She said in those terms, she thought it meets the Guidelines. Kubly agreed, saying she thought the style of the house was completely appropriate in the Historic District.

Woolf asked what material the shutters were made of. Shoffner said he believed they were vinyl, and that he wished the builder had been available to come to the meeting. Commission members said vinyl shutters had been allowed. Woolf said the size of the shutters looked as though they would cover the window. Shoenfeld said shutters were supposed to be sized so as to appear operable for the window, and were not supposed to overlap.

Woolf asked if there were any details available on the landscaping, and Shoffner said not at this time. Woolf asked if the landscaping plan could be considered separately, and Shoenfeld said she thought so. She said there were many trees on the site currently, so the Guidelines that would affect the plan were in the Landscaping section on page 38, Section D. Additionally Applicable to Site Improvement or New Construction, item b., which says "Front new foundations with complementary shrubbery plantings." Taylor pointed out the boxwoods planted along the front of the foundation in the photos of the other house built according to this plan in the Commission's packet; he asked if the builder indicated that is what he planned to install, would that be sufficient for the Commission? Woolf said he felt if the applicant would come back to staff and ensure the plantings were congruent with the Historic District, he thought that was sufficient and the applicant did not need to come back before the Commission for a separate COA.

Shoenfeld summarized the following Findings of Fact:

- The Commission believes the plan meets the Design Guidelines.
- The Design Guidelines on page 52, item E.4. say it is not appropriate to use synthetic siding, but there are examples of aluminum and cementitious siding in the Historic District; the Commission feels that because this house is sufficiently hidden, it would approve the use of vinyl siding.

Woolf added that the staff report should also be included in the Findings of Fact.

Caroline Ruch made a motion to accept the staff report as Findings of Fact, and to include page 52 of the Design Guidelines under the New Construction section, part E.4. in which the Guidelines say that it is not appropriate to use synthetic siding. However, because the home will not be visible from the street, the Board will allow vinyl siding on this home. Kristin Kubly seconded the motion, and it was passed unanimously (5-0).

Caroline Ruch made a motion, based on the Findings of Fact approved by the Commission, to approve the Certificate of Appropriateness for COA-19-02 to allow for the construction of a new, single-family residence. The property is located at 8536 Scoggins Road in Oak Ridge Township, zoned Guilford County Tax Parcel 228481, AG (Agricultural), Historic District Overlay Zone, and owned by Lionel and Meredith Shoffner. The scope of the work is to be as

described in the COA application dated January 10, 2019, and as described in the applicant's presentation and responses to the Historic Preservation Commission at its meeting on January 16, 2019 using drawings, materials, samples, photos and colors as presented to the Commission. The work is conditional on the following stipulation:

- *That staff approve a landscape plan prior to construction and installation. Paul Woolf seconded the motion, and it was passed unanimously (5-0).*

Shoenfeld congratulated the applicants, and other Commission members welcomed them to Oak Ridge.

6. COMMITTEE REPORTS/UPDATES

- A. 2017-18 budget update.** No update.
- B. Grant program.** Grant letters are scheduled to go out this month and the updated application needs to be added to the website.
- C. Historic inventory/Markers.** Shoenfeld asked HPC members to suggest possible locations for a Historic Marker this year.
- D. Training.** None scheduled locally at this time. The Preservation North Carolina annual conference will be held in Wilmington. Taylor said in the past, he had attended training sessions conducted by the National Preservation Institute, which has trainings all over the United States. He said he would send information out to Commission members about upcoming training sessions. Shoenfeld reminded Commission members that they are all requested to attend one training session per year.
- E. Communications outreach.** Shoenfeld said she had scheduled an ad in the 2019 Northwest Finder, which comes out in February. An ad about the grant was scheduled to run in the January 31 edition of the Northwest Observer, along with two Save the Date classified ads.
- F. Display case.** No report

7. CITIZEN COMMENTS

None

8. ADJOURNMENT

Paul Woolf made a motion to adjourn the meeting at 8:00 p.m. Caroline Ruch seconded the motion, and it was passed unanimously (5-0).

Respectfully Submitted:

Sandra B. Smith, CMC, NCCMC
Town Clerk

Deborah D. Shoenfeld
Chair