

Agenda

HISTORIC DISTRICT COMMISSION

Regular meeting

6:30 p.m. May 6, 2026

Board Meeting Room of Town Hall Annex, 105 E. Corbin St.



Public charge: The Hillsborough Historic District Commission pledges to the community of Hillsborough its respect. The commission asks members of the public to conduct themselves in a respectful, courteous manner with the commission members and with fellow community members. At any time should any member of the commission or community fail to observe this public charge, the chair or the chair's designee will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the chair or the chair's designee will recess the meeting until such time that a genuine commitment to this public charge can be observed.

Public comment guidelines: All meetings shall be open to the public. The public may attend, but public comment shall be limited to those members of the public who have expert testimony or factual evidence directly related to an application on the agenda. Other public comments are permissible at the discretion of the Chair but shall not be used to render the Commission's decision on an agenda item. At the discretion of the Chair, a time limit may be placed on speakers other than the applicant to afford each citizen an equitable opportunity to speak in favor of, or in opposition to, an application.

1. Call to order, roll call, and confirmation of quorum

2. Commission's mission statement

To identify, protect, and preserve Hillsborough's architectural resources and to educate the public about those resources and preservation in general. The Hillsborough Historic District presents a visual history of Hillsborough's development from the 1700s to the 1960s. In 1973, the town chose to respect that history through the passage of the preservation ordinance creating the historic district.

3. Agenda changes

4. Minutes review and approval

Approve minutes from regular meeting March 4, 2026

5. New business

A. COA Application: **115 E. Queen St.**-replace current wood siding with Hardie Board (PIN 9874077669)

6. Adopt updated Rules of Procedure

7. Finalize rescheduled June meeting date

8. General updates

9. Adjournment

Interpreter services or special sound equipment for compliance with the American with Disabilities Act is available on request. If you are disabled and need assistance with reasonable accommodations, call the Town Clerk's Office at 919-296-9443 a minimum of one business day in advance of the meeting.

Minutes

HISTORIC DISTRICT COMMISSION

Regular meeting

6:30 p.m. March 4, 2026

Board Meeting Room of Town Hall Annex, 105 E. Corbin St.



Present: Chair Will Senner, Vice Chair Hannah Peele and members G. Miller, Sara Riek and Daniel Widis

Staff: Planner Joseph Hoffheimer and Town Attorney Bob Hornik

1. Call to order, roll call, and confirmation of quorum

Chair Will Senner called the meeting to order at 6:31 p.m. He called the roll and confirmed the presence of a quorum.

2. Commission's mission statement

Senner read the statement.

3. Agenda changes

4. Minutes review and approval

Minutes from regular meeting on Feb. 4, 2026.

Motion: Member G. Miller moved to approve the minutes from the regular meeting on Feb. 4, 2026, as submitted. Senner seconded.

Vote: 5-0.

5. Written decisions

Written decisions from regular meeting on Feb. 4, 2026.

Motion: Miller moved to approve the written decisions from the regular meeting on Feb. 4, 2026, as submitted. Senner seconded.

Vote: 5-0.

6. New business

A. Certificate of Appropriateness Application: 306 N. Churton St.

Move house from 409 N. Wake St. to the property; add pool and fence (PIN 9874076891).

Senner opened the public hearing.

Motion: Senner moved to recuse himself from hearing the application due to the conflict of interest of being the applicant. Miller seconded.

Vote: 5-0.

Planner Joseph Hoffheimer was sworn in. Kate Senner and Will Senner, the property owners, were sworn in to speak on behalf of the application.

Hoffheimer presented the staff report. He noted that the inventory information, application materials, and applicable design standards would be entered into the record as evidence. He provided the staff comments:

- Hoffheimer said staff could not find information about any structure ever having been built on the lot.
- The structure in question is being relocated to a vacant lot at 306 N. Churton St. Although the proposed location of the structure is unique for a lot on North Churton Street, staff find that the proposed siting on the lot reads as subordinate to the house at 103 E. Queen St.
- The current location of the structure in question is 409 N. Wake St. (although it is accessed from West Orange Street). Demolition of the structure was approved at the December 2025 Historic District Commission meeting, and a 180-day delay in demolition went into effect when the written decision was approved on Feb. 4, 2026.
- Due to the uniqueness of this situation, Relocation Standard 4 may be difficult to meet in its entirety. Staff have not received any other proposals to relocate the structure in question, and the structure's current hilltop location is impossible to feasibly replicate within the historic district. Staff find that the proposed relocation is preferable to demolition and that it meets (or will meet) the other Relocation standards.
- The only elevation included in the application is for the front. However, staff find the photos of the existing building to be a sufficient depiction of the structure (which will retain its current appearance).
- The proposed landscaping and fencing can be approved at the staff level.

W. Senner introduced the application by explaining that the motivation behind the application was to be able to save a house that would otherwise be demolished. He said the applicants had been considering a pool and pool house for some time, and they wanted to take advantage of the opportunity to save and repurpose the house.

W. Senner showed the site plan, saying they had tried to keep the structure clearly subordinate to the primary house on East Queen Street. He said they also tried to tuck the structure as far east as possible while preserving the existing trees. He said some smaller trees would have to be removed, but the larger trees would remain, and the siting of the structure was intended to minimize the impact to the significant trees on the lot.

K. Senner said the crepe myrtle trees at the front of the lot will need to be removed in order to access the site. She said that of the five, the middle three will be removed and temporarily relocated to avoid damaging the roots of the beech tree. They will relocate them temporarily and replant them after the structure is in place.

K. Senner said that some smaller trees on the west side of the neighbors' driveway at 115 E Queen St., will be removed for construction access. She said the neighbors were already planning to remove these trees down as part of plans that were previously approved by the Historic District Commission.

Miller referenced Relocation Standard 4, saying that though this is not an exact replication of the current site of the structure, the site for relocation is far enough uphill from the street that he feels comfortable that it meets that standard sufficiently.

K. Senner said the structure would remain the existing color.

The commissioners reviewed the front elevation, as viewed from North Churton Street. K. Senner and W. Senner confirmed the house will get a new foundation, but nothing else will change.

W. Senner said the entire lot is fenced with a traditional white picket fence. He said they had considered moving the northernmost edge of the pool fence south a bit, away from the existing fence, but it leaves an awkward portion of the yard, so they decided to run the pool fence the entire length of the yard. K. Senner said they hope a 5-foot fence on the west, street-facing view will meet pool fencing mandates since it sits up on a hill and will not need to be as tall. She said the fence will be 6 feet on the north and east edges and 5 feet on the south and west edges.

K. Senner confirmed the new fence will only be around the pool area and the rest of the yard will remain fenced by the existing fence. She said their choice of fencing was meant to allow for as much visibility as possible while abiding by pool fencing regulations.

W. Senner confirmed the material surrounding the pool area will be concrete.

W. Senner said they tried to site the structure as far back from the street as possible given the setbacks on the east side.

Vice Chair Hannah Peele summarized the commissioners' discussion: The project is reusing and relocating an existing historic-era structure, which was otherwise going to be demolished. The applicants will be moving the original house to the new site, which has some similar characteristics of the original site, most notably being uphill. The applicants are not proposing to make any changes to the massing or exterior materials, windows, or doors. The structure is clearly subordinate to the primary residence and is visually appropriate as an accessory structure. The siting is set back from North Churton Street, and effort has been made to minimize the impression of the house and the new fence. The house and fence will be visible from North Churton Street but will be tucked out of view from West Queen Street.

Peele closed the public hearing.

Motion: Miller moved to find as fact that the 306 N. Churton St. application is in keeping with the overall character of the Historic District and complies with all relevant standards of evaluation based on the commission's discussion of the application and the standards of evaluation in Section 3.12.3 of the Unified Development Ordinance because the plans are consistent with the Historic District Design Standards: Relocation; Site Features and Plantings; and Fences and Walls. Member Sara Riek seconded.

Vote: 4-0.

Motion: Miller moved to approve the application with conditions. Riek seconded.

Vote: 4-0.

Condition: Crepe myrtle trees on North Churton Street will be replaced after removal, or another species, approved by staff, will be installed in their place.

7. Review proposed updates to Rules of Procedure

Hoffheimer presented a proposal for updates to the Rules of Procedure

8. General updates

Town Attorney Bob Hornik updated the commissioners about the 117 N. Wake St. case, which had been heard by Orange County Superior Court.

9. Adjournment

Senner adjourned the meeting at 7:03 p.m. without a vote.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph Hoffheimer". The signature is written in a cursive style with a long, sweeping underline.

Joseph Hoffheimer
Planner
Staff support to the Historic District Commission

Approved: Month X, 202X

ITEM #5. A:

Address: 115 E. Queen St.

Year Built: c1786, c. 1810, c1840

Historic Inventory Information (2013)

The main, one-and-a-half-story, Federal-style section of this house is four bays wide and double-pile with beaded weatherboards, three narrow gabled dormers on the façade, and a rubble-stone foundation. Constructed in 1786, the left (west) three bays feature a recessed porch and nine-over-nine wood-sash windows. The right (east) bay, constructed around 1810, has six-over-six wood-sash windows and an exterior, Flemish-bond brick chimney in the gable end. The gabled dormers have plain weatherboards, installed diagonally, and four-over-four wood-sash windows. The six-panel door is sheltered by an inset porch that extends across the original three bays of the façade. There is flush wood sheathing on the façade under the porch, which is supported by Tuscan columns. A two-story, Greek Revival-style wing on the left elevation has a pedimented front-gabled roof with flush sheathing in the gable and a single tripartite, multi-pane window in each story of the narrow façade. Elsewhere in the double-pile wing are nine-over-nine wood-sash windows on the first story and nine-over-six windows on the second. There is a one-to-five common-bond exterior chimney on the left elevation. A shed-roofed wing at the right rear (northeast) has an inset, screened porch. A shed-roofed, screened porch at the rear of the west wing is supported by square posts. There is later stone terracing in the front yard. The core of the house was constructed about 1786 by Sterling Harris. In 1810, it was purchased by Miss Mary W. Burke, who constructed the right bay. In 1837 the house was sold to the family of Dennis Heartt, who named the house Hearttsease and built the 2-story Greek Revival-style wing about 1840. The Hillsborough Recorder, which Heartt published from 1820 to 1869, was one of the most respected and influential newspapers in the state.

Proposed work

- Replace current wood siding with Hardie Board
- Replace wood corner boards with Miratec

Application materials

- Certificate of Appropriateness (COA) application
- Narrative
- Existing and example photos
- Material list

Applicable Design Standards

- *Wood:* 1-3, 6-9
- *Exterior Walls:* 1-7, 9, 10

Staff Comments

- A COA was issued in 1988 for the replacement of termite-damaged wood siding and sills, and the work was completed in 1990. In addition, the house already has some presumably newer Hardie Board siding (that may have been installed without approval). It is unclear how much (if any) of the current siding or trim is historic.
- Hardie Board (with the smooth side facing outward) is allowed as a substitute material on a case-by-case basis. Miratec trim is allowed by the compatibility matrix but still requires a COA.

Submittal Requirements

The following documents and plans are required to accompany your COA application in order for it to be deemed complete and scheduled for commission review. Planning staff will determine when all submittal requirements have been met. The first FOUR complete COA applications submitted by the deadline will be heard on any HDC agenda.

All applications must include the following documents and plans:

(Provide a digital copy if plans are larger than 11"x17")

- Detailed narrative describing the proposed work and how it complies with all adopted standards.
- Existing **and** Proposed Dimensioned Plans {see below):
 - Site Plan (if changing building footprint or adding new structures, impervious areas or site features, including hardscaping)
 - Scaled Architectural Plans (if changing building footprint or new construction)
 - Scaled Elevations (if adding or changing features of a structure)
 - Landscaping Plans (required for all new construction and for significant landscaping or tree removal and re-planting)
 - Tree Survey (required for new construction when trees over 12" diameter at breast height are on site - show both existing and those to be removed)
 - Sign Specifications (if adding, changing, or replacing signage)
- Itemized list of existing and proposed exterior materials including photos and specifications, colors, etc. (Siding, trim and fascia, roof and foundation materials, windows, shutters, awnings, doors, porch and deck flooring, handrails, columns, patios, walkways, driveways, fences and walls, and signs, etc.).
- Photographs, material samples, examples of comparable properties in the district (if using them as basis for specific designs), plans, or drawings that will help to clarify the proposal, if applicable, or if required by staff as part of the review.

Currently the home has a variety of siding currently installed, with large sections of it being rotted or curling leaving the home susceptible to infestation and rot. The main type of siding installed is wood beaded siding that is no longer manufactured at a commercial level. There is however a type of siding that has been manufactured to replace this outdated version of siding which is the James Hardi smooth beaded siding. On the visual level the two are identical from the curb but with the Hardie board being a modern siding option designed with this purpose in mind. I've attached several photos of the home showing how the siding is curling and rotted in several sections of the home beyond the point of simple repair. It will be our mission to update the siding to current standards while maintaining the historic visual appeal that is maintainable for decades to come.





The above photo shows a section of the home that is currently using wood and Hardie siding. The below photo shows an up close section of rotted wood which can be found in nearly 50% of the siding around the home.



The following is the itemized list of materials that will be removed and replaced;
All of the beaded wood siding and corner boards around the home will be removed.
OSB backing will be installed with synthetic vapor barrier installed over the OSB.
James Hardie smooth beaded siding will replace all the beaded wood siding.
Miratec Corner boards will be installed at all corners and around all windows.
The home will be painted to match the current home color.



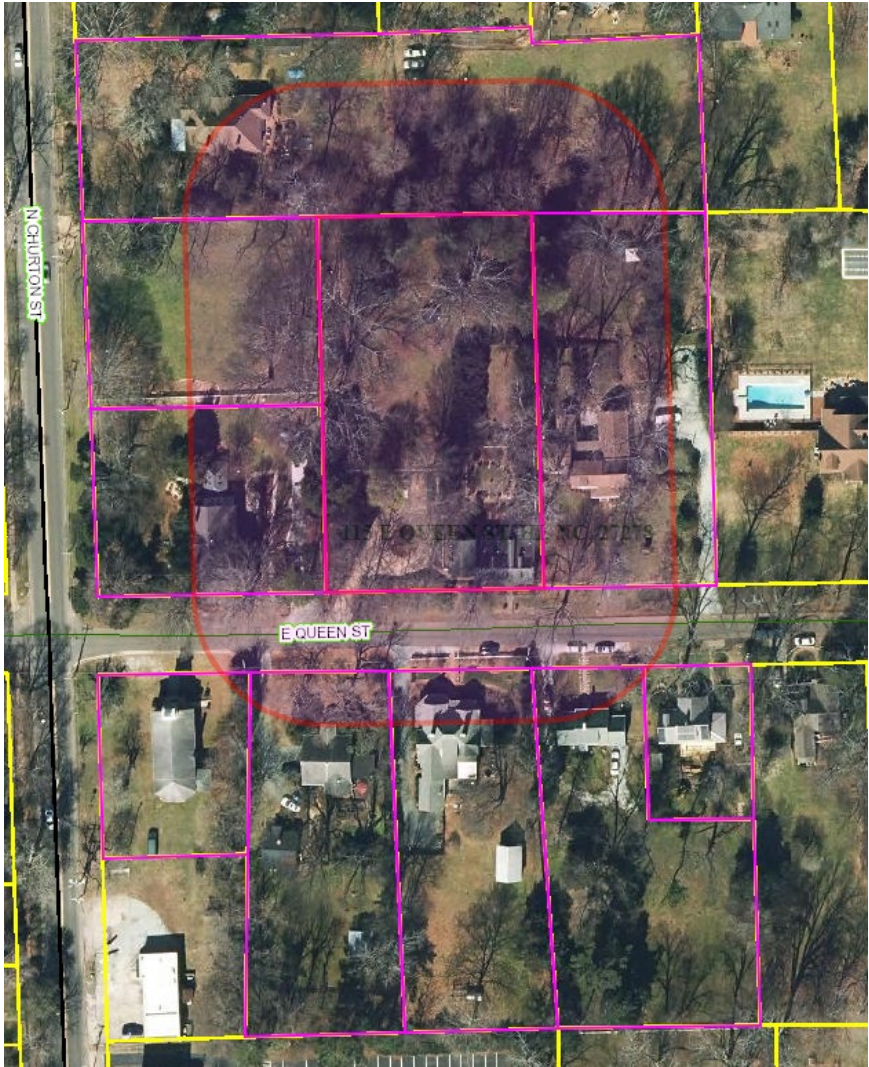
Above is an image of another home with the Hardie siding as mentioned. Prior to painting.

I, Joseph Hoffheimer, hereby certify that all property owners within 100 feet of and the owners of PIN 9874077669 (the affected property) have been sent a letter of notification of the Certificate of Appropriateness application before the Historic District Commission by first class mail in accordance with the Hillsborough Zoning Ordinance.

4/22/2026
Date

Joseph Hoffheimer
(for Hillsborough Planning Department)

PIN	OWNER1_LAST	OWNER1_FIRST	OWNER2_LAST	OWNER2_FIRST	ADDRESS1	CITY	STATE	ZIPCODE
9874076318	DICKERSON	CHAPEL			PO BOX 736	HILLSBOROUGH	NC	27278
9874076697	SENNER	WILLIAM B	SENNER	KATHRYN M	103 E QUEEN ST	HILLSBOROUGH	NC	27278
9874076891	SENNER	WILLIAM B	SENNER	KATHRYN M	103 E QUEEN ST	HILLSBOROUGH	NC	27278
9874077312	QUARLES	ANNE SMITH			106 E QUEEN ST	HILLSBOROUGH	NC	272782138
9874077669	MORRELL	TODD	MORRELL	ELISABETH	115 E QUEEN ST	HILLSBOROUGH	NC	27278
9874077859	BELLINGER	DWIGHT ALLEN	BELLINGER	SUSAN AILEEN	312 N CHURTON	HILLSBOROUGH	NC	272782125
9874078332	SOLOMON	MARK	SOLOMON	JENNIFER P	110 E QUEEN ST	HILLSBOROUGH	NC	272782138
9874079350	CHESHIRE	CARL D			114 E QUEEN ST	HILLSBOROUGH	NC	27278
9874079720	NIEDBALSKI	ROBERT P			327 ST MARYS RD	HILLSBOROUGH	NC	27278
9874170421	SCHIRO	JEROME F	SCHIRO	SHARON E	118 E QUEEN ST	HILLSBOROUGH	NC	27278



Historic District Commission Rules of Procedure

1.0 Purpose

To establish procedures for organizing the business of the Hillsborough Historic District Commission, hereafter termed "Commission", and processing applications for Certificate of Appropriateness for (1) Changes in the exterior appearance of existing structures and/or streetscapes: (2) the design of new structures and additions to existing structures: and (3) for demolition of existing structures within the Hillsborough Historic District, hereafter called "District", and to establish procedures for the Commission's review of potential "landmarks" and applications for certificates of appropriateness for such "landmarks".

1.1 *Mission Statement.* To identify, protect, and preserve Hillsborough's architectural resources and to educate the public about those resources and preservation in general. The Hillsborough Historic District presents a visual history of Hillsborough's development from the 1700s to the 1960s. In 1973, the town chose to respect that history through the passage of the preservation ordinance creating the historic district.

1.2 *Public Charge.* The Hillsborough Historic District Commission pledges to the citizens of Hillsborough its respect. The commission asks members of the public to conduct themselves in a respectful, courteous manner with the commission members and with fellow citizens. At any time should any member of the commission or any citizen fail to observe this public charge, the chair or the chair's designee will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the chair or the chair's designee will recess the meeting until such time that a genuine commitment to this public charge can be observed.

2.0 General Rules

The Commission shall be governed by the terms of the Town of Hillsborough Unified Development Ordinance (UDO), the Hillsborough Historic District Design Standards, and by the terms of G.S. 160D-940 through 160D-949, as they may be amended or revised. For procedures not covered by these rules, the Commission shall follow the rules contained in the current edition of Robert's Rules of Order.

3.0 Jurisdiction

The Commission's jurisdiction for requiring Certificates of Appropriateness is mandated by the Town of Hillsborough Historic District Section 4.3.1 of the Unified Development Ordinance ("UDO") in accordance with the Zoning Map. In addition, The Commission's jurisdiction with respect to "landmarks" is established by Section 2.5 and Section 3.12 of the UDO.

4.0 Members, Officers, and Duties

The Commission shall be composed of seven members, whose terms of office are set by the Hillsborough Board of Commissioners

- 4.1 *Chair.* A chairperson shall be elected by the members of the Historic District Commission. The chair shall decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Commission in session at a time. The chair shall appoint any committees found necessary to investigate any matters before the Commission.

Historic District Commission Rules of Procedure

- 4.2 *Vice-Chair.* A vice-chairperson shall be elected by the Commission from among its members in the same manner as the chair. The vice-chair shall serve as acting chair in the absence of the chair, and at such times shall have the same powers and duties as the chair. Should both the chair and the vice-chair be absent, any member may serve as chair with the consent of the majority of those members present.
- 4.3 *Secretary/Staff Support.* A member of the staff designated by the Hillsborough Board of Commissioners or the Zoning Officer shall serve as ~~secretary-staff support~~ to the Commission. The ~~secretary-staff support~~, subject to the direction of the chairman of the Commission, shall keep records, conduct all correspondence of the Commission, and generally supervise the clerical work of the Commission. The ~~secretary-staff support~~ shall not be eligible to vote upon any matter.
- 4.4 *Elections.* Whenever practical, election of officers shall be held at the first regular meeting in October. The ~~secretary-staff support~~ shall make the election of officers a standing agenda item for the first regular meeting in October. The ~~Secretary-staff support~~ shall assume the chair for the purpose of administering the election of the chair. The ~~Secretary-staff support~~ shall open the floor to nominations for the chair by Board members. Nominees must be present at the organizational meeting in order to be eligible for nomination. The ~~Secretary-staff support~~ shall then entertain a motion to close the floor to nominations. After the motion has been seconded, but before the Board acts on the motion, any nominee may decline a nomination. Election of the chair shall be by roll call vote. A majority of the quorum of the Board present at the organizational meeting shall be required for election of the chair. Once a chair has been elected, the newly elected chair of the Board shall assume the duties of the chair and shall proceed immediately to the election of the vice chair. The election of the vice chair shall follow the same procedure as set forth above for the election of the chair.
- 4.5 *Disqualification of a voting member.* Pursuant to G.S. 160D-109 "A member of any board exercising quasi-judicial functions pursuant to this Chapter shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection." For the purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.
- 4.6 *Qualification to vote.* No Commission member shall vote on any matter deciding an application or a request to reconsider unless that member shall have attended the Commission's previous deliberations on such application, or shall have read the minutes

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of the meetings at which the application was discussed and is thoroughly familiar with the facts and details of the proposal.

- 4.7 *General Knowledge.* Each member of the Commission shall be thoroughly familiar with all statutes, laws, ordinances, and rules of procedure relating to the District and the Commission as time and circumstance permit.
- 4.8 *Required Training.* Each member of the Commission shall be thoroughly familiar with all statutes, laws, ordinances, and rules of procedure relating to the District and the Commission as time and circumstance permit. At least two members per fiscal year shall attend required training to meet the Town's Certified Local Government (CLG) training requirements at the direction of staff.
- 4.9 *Vote.* The majority of those members present or a concurring vote of at least three (3) members of the Board, if only 5 or less members are present, shall be necessary in order to decide in favor of the applicant or any matter upon which it is required to pass by this Ordinance. A tie vote on the Findings of Fact does not halt procedure deliberation on an application. A tie vote on a Motion does not constitute a majority of the board members present and therefore the Motion fails.
- 4.10 *Member Conduct.* Membership on the Commission is a privilege in service to the Town of Hillsborough and shall be treated as such. All members of the Commission shall at all times:
- A. Provide leadership to the Commission and the Town of Hillsborough, by personal example, in support of the Commission's mission statement.
 - B. Respect others and not bully, insult, threaten, or attempt to bully, insult, or threaten any member of staff, the Commission, or the General Public.
 - C. Respect the confidentiality of information which you receive as a member by not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and not obstructing third parties' legal rights of access to information.
 - D. Conduct themselves in a manner which will prevent the Commission from being held in disrepute.
 - E. Use their position as a member acting only in the public interest, and not for personal advantage, including financial gain.
 - F. Apply the Commission's Design Standards, where any deviation from the adopted Design Standards shall be based on sound reasoning in accordance with the Commission's mission statement.
 - G. Exercise independent judgement, making decisions only for the public good, and making no decisions that would knowingly jeopardize the Town's Certified Local Government status or put the Town in a legally indefensible position.

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H. Do nothing that causes the Commission to act unlawfully.

I. Take no action that would be incongruous with the special character of Hillsborough's historic district.

4.11 *Violation of Rules of Procedure.* Members found to be in violation of one or more of the Rules of Procedure outlined in Sections 1.2, 4.5, 4.6, and/or 4.10, shall be, at the discretion of the Planning Director, Mayor, and/or Town Board, subject to either counseling, coaching, probation (with a final opportunity to correct the adverse action), or dismissal from the Commission. The severity of the violation as it relates to carrying out the duties of the Commission, shall determine the appropriate action to be taken by the Town.

4.12 *Reappointment and Resignation of Members.* Members in good standing desiring to serve a second consecutive term on the Commission shall notify staff a minimum of 60 calendar days prior to the expiration date for their current term. Staff will then consult with the Chair and the Planning Director to determine whether a second term will be recommended. Among the factors to be considered in making this determination will be the Member's attendance record, regular participation in discussion at meetings, member conduct at meetings, and whether the Town has other applicants seeking to serve on the Commission. Should a member be recommended for reappointment, he or she will be permitted to serve a second consecutive three-year term in accordance with Town ordinance. Should a member in good standing voluntarily decide not to serve a second term, he or she will be permitted to re-apply after a one-year period lapses between terms. Should a member voluntarily resign prior to completion of his or her term without providing staff proper notice, he or she will be ineligible for reappointment for a period of no less than 1 year following the date of resignation. Finally, should a member not be recommended for reappointment for any reason, he or she may serve the rest of his or her current term, after which a new appointee shall begin his or her service to the Commission.

5.0 Meetings

5.1 *Regular meetings.* Regular meetings of the Commission shall be held on the first Wednesday of each month at 6:30 pm at the Town Annex Board Meeting Room; provided, that meetings may be held at some other convenient place and/or time if directed by the chair, if proper notification is given in advance to both the Commission and the public, and if posted at the scheduled meeting place.

5.2 *Special meetings.* Special meetings of the Commission may be called at any time by the chair. At least 48 hours' notice of time and place of special meetings shall be given by the secretary or chairman to each member of the Commission, and the public as required by NCGS. Evidentiary hearings cannot be conducted without the statute required notice.

5.3 *Cancellation of meetings.* If there are no quasi-judicial cases to be heard or other business before the Board, if there is a weather emergency or similar situation, or if so many members indicate that they will not be able to attend that a quorum will not be available, the staff support may cancel a regular meeting by giving written or oral notice to all Board members. If feasible, notice of cancellation shall be made not less than 24

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~~hours before the time set for the meeting. The staff support shall post a notice of the meeting cancellation at the regular meeting location. Whenever there is no business for the Commission, the secretary may dispense with a regular meeting by the giving of notice to all members and the public not less than 24 hours prior to the time set for the meetings.~~

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- 5.4 *Quorum.* If the meeting has not been cancelled per Section 5.3 and no quorum is present after the Secretary-Chair does the roll call, then the Chair may call for adjournment of the meeting.
- 5.5 *Conduct of meetings.* All meetings shall be open to the public. The public may attend, but public comment shall be limited to those members of the public who have expert testimony or factual evidence directly related to an application on the agenda. Other public comments are permissible at the discretion of the Chair but shall not be used to render the Commission's decision on an agenda item. At the discretion of the Chair, a time limit may be placed on speakers other than the applicant to afford each citizen an equitable opportunity to speak in favor of, or in opposition to, an application. The order of business for regular meetings shall generally be as follows unless otherwise modified: (1) Call to order; (2) Roll call; (3) Confirmation of a quorum; (4) Mission statement; (5) Agenda changes; (6) Minutes review and approval; (7) Old business items; (8) New business items; (9) Election of officers (if applicable); (10) Updates; and (11) Adjournment.
- 5.6 *Agenda.* The Secretary shall prepare the agenda for the meeting consistent with the order of business listed above. The agenda shall include complete application materials submitted for review and other supporting material for discussion items. Each member shall receive a copy of the agenda, and it shall be available for public inspection and/or distribution when it is distributed to the Commission members. The Commission may, by majority vote or consensus, add an item that is not on the agenda, but cannot add evidentiary hearing items that have not been properly noticed.

6.0 Landmarks

From time to time, the Commission may be asked to consider recommending to the Town Board the adoption of an ordinance designation of a building, structure, site, area or object, as a landmark, or that such landmark designation be revoked or removed for cause. The following rules shall guide the Commission in the process.

- 6.1. When a building, structure, site, area or object is proposed for designation as a landmark, the Commission shall cause an investigation to be made concerning the historical, architectural, pre-historical, educational or cultural significance thereof. The investigation may include review of existing written reports, assessments, analyses and other similar documentation concerning the building, structure, site, area or object.
- 6.2. The results of the investigation conducted pursuant to paragraph 6.1 above shall be compiled into a report, which shall be reviewed by the Commission and, upon the Commission's approval, shall be forwarded to the Office of Archives and History, North Carolina Department of Cultural Resources, for its review and comment.
- 6.3. The Commission shall conduct a public hearing either jointly with the Town Board or separately, on the proposed ordinance. Notice of the public hearing shall be mailed to the owner(s) of the building, structure, site, area or object at least ten (10) but not more than twenty-five (25) days prior to the public hearing, and notice shall also be mailed to adjoining or nearby property owners as stated in paragraph 7.3 below.

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- 6.4 After the public hearing, and after either (a) receipt and consideration of comments from the State Historic Preservation Officer in response to the report submitted pursuant to paragraph 6.2 above, or (b) the expiration of 30 days from submission of the report by the Commission without any response or comments by the State Historic Preservation Officer, the Commission shall make a recommendation to the Town Board concerning the adoption of an ordinance designating the building, structure, site, area or object as a landmark.

7.0 Application Procedures

- 7.1 *Filing of Application.* A complete application must be filed with the secretary on forms provided at least 15 working days prior to the next meeting of the Commission, accompanied by all submittal requirements as deemed necessary by the staff, including but not limited to site plans, elevations, a narrative, and an exterior materials list. The application must comply with the requirements of the Unified Development Ordinance and the Hillsborough Historic District Design Standards. Applications shall be accompanied by the required fees and supporting information. Review and permits needed from other Boards should be secured before an application is heard by the Commission unless otherwise determined by staff. If the other Board(s) tables an application, the Commission should also table any such application until approval is received unless the Commission feels as though a decision can still be made on the item without concurrence from another Board. If the permit(s) are denied, the application to the Commission shall be considered withdrawn.
- 7.2 *Agenda Scheduling.* Applicants are encouraged to submit complete application packages as early as possible, as the Commission allows a maximum of four major certificate applications on each agenda, unless otherwise approved by staff. Any applications that are incomplete or received after the first four deemed complete by staff may be moved to the next agenda with available space. Complete applications for work deemed to be minor, but which still requires commission review, will be added to agendas as space is available at staff's discretion.
- 7.3 *Notice to Neighboring Property.* The secretary shall notify all of the property owners within 100 feet on all sides of the subject property by mail, which shall bear postmarks not less than 10 days prior to the date of the meeting at which the application is to be heard.
- 7.4 *Pre-application Meetings.* It shall be the policy of the Commission in regard to applications involving extensive new structures or alterations or additions to existing structures that the Commission shall be available to meet with the applicant and or representative at some early stage in the design process in order to advise them informally concerning the Commission's standards and guidelines, the nature of the area where the proposed construction is to take place, and other relevant factors. The Commission, collectively and individually, shall refrain from any indication of approval or disapproval, but shall not, for this reason, be barred from reasonable discussion of the applicant's proposals. No advice

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or opinion given, or reported as having been given, by any member of the Commission at such informal meeting shall be in any official or binding upon the Commission at any future time. Notice of the need for such a conference shall be given to applicants by the secretary at the earliest possible time. Such conferences may also be requested by the applicant.

- 7.5 *Decision Timeline.* All applications for certificates of appropriateness shall be reviewed and acted upon within a reasonable time, not to exceed 180 days from the date that a complete application for a Certificate of Appropriateness is filed, unless an extension of time is agreed to by the applicant.
- 7.6 *Approved Application.* If the application is approved, the secretary shall transmit a Certificate of Appropriateness clearly describing the nature of the work which has been approved within 7 business days from the date of approval.
- 7.7 *Denied application.* If the application is denied, a letter describing the reasons for denial shall be sent to the applicant by the secretary within 7 business days from the date of denial. The minutes of the meeting shall also be made available at the Planning Department.
- 7.8 *Revocation of Certificate of Appropriateness.* The Zoning Officer shall revoke any Certificate of Appropriateness where the project is not completed in the same manner as approved by the Commission. Revocation of a Certificate of Appropriateness constitutes a violation of the Unified Development Ordinance and shall be handled as such.

8.0 Consideration of Applications

Any party may appear in person or by agent or attorney at the meeting. All persons addressing the Commission shall be sworn in.

The order of business for consideration of applications for Certificates of Appropriateness shall be as follows:

1. The secretary shall give a presentation of the application including all supporting material submitted.
2. The applicant shall present additional information in support of the application.
3. Statements or arguments in favor or in opposition of the application will be entered into the record by sworn testimony.
4. The chair, or such person as he or she directs, shall summarize the evidence which has been presented, giving all parties an opportunity to make objections or corrections.
5. The Commission shall thereafter proceed to deliberate whether to grant the Certificate or deny the application.

The Commission may, at its discretion, view the premises and obtain additional facts concerning the application before arriving at a decision. All decisions of the Commission shall be supported by appropriate findings of fact, and where necessary, shall be accompanied by such conditions and or recommendations as it may determine to be reasonable under the circumstances.

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In considering an application, witnesses may be called, and factual evidence may be submitted, but the Commission shall not be limited to considerations of such evidence as would be admissible in a court of law.

9.0 Reconsideration of Applications which have been denied

The order of business for reconsideration of applications for Certificates of Appropriateness which have been denied shall be as follows:

1. Notice of possible reconsideration shall be given to the Secretary in advance of the meeting so that the item can be researched and included in the agenda packet. Notifications required in Section 7.3 shall also be made prior to Commission reconsideration.
2. The chair shall entertain a motion from a member of the Commission that the applicant be allowed to present new evidence in support of the request for reconsideration. Such evidence shall be limited to that which is necessary to enable the Commission to determine whether or not there has been a substantial change in the facts, evidence, or conditions relating to the application; provided, however that the applicant shall be given the opportunity to present any other additional supporting evidence, if the Commission decides to reconsider his or her application.
3. After receiving the evidence, the Commission shall proceed to deliberate whether or not there has been a substantial change in the facts, evidence, or conditions relating to the application which would warrant reconsideration. If the Commission finds that there has been such a change, it shall thereupon treat the request as a new application received at that time.
4. Staff shall provide written notice of the Commission's decision on reconsideration to the applicant within 7 business days of the date of the meeting at which the decision was made.

10.0 Modifications of Applications

A pending application for a Certificate of Appropriateness may be modified during the Commission's deliberation. Such modifications shall be accompanied by elevations, plans, and sketches where necessary. If the Commission finds that the modification constitutes a substantial change which might affect surrounding property owners, it shall request the Secretary notify affected owners following the procedure set out in Section 7.3 before acting on the application. The Commission shall thereupon treat the request in the same manner as any other application as outlined in Section 7.0.

An approved Certificate of Appropriateness may be modified upon consultation with the Zoning Officer. If he/she finds that the modification constitutes a substantial change which might affect surrounding property owners, he/she shall request that a new application be made to the Commission. Upon re-application, the project shall be treated in the same manner as any other application as outlined in Section 7.0.

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11.0 Extensions and Re-Applications

The Certificate of Appropriateness is valid for a period of twelve months from the date of issuance. If the work approved by the issuance of a Certificate of Appropriateness has not commenced within twelve months, the Certificate becomes inactive. A new Certificate of Appropriateness may be issued by the Zoning Officer if he/she can determine that there have been no changes to the application or significant changes in the neighborhood or regulations during the past twelve months. If the Zoning Officer cannot make this determination, the applicant shall re-apply for a new Certificate of Appropriateness with notification and review procedures the same as a new application.

If the work approved by the issuance of a Certificate of Appropriateness has not been complete within twelve months, the Certificate expires, and the applicant shall apply for an extension to the original application. This extension may be approved by the Zoning Officer if he/she can determine that there have been no changes to the application or significant changes in the neighborhood or regulations in the past twelve months. If this determination cannot be made, the application will be considered with the standard notification and review procedures by the Commission. This review is to ensure that no significant changes have taken place in the neighborhood or regulations in the past twelve months that would make the project unacceptable or incompatible.

A new Certificate of Appropriateness requires payment of a new application fee; however, an extension issued by the Zoning Officer does not require payment of the standard fee.

12.0 Design Standards

In 2021, the Town adopted the updated Hillsborough Historic District Design Standards, which is designed as an interpretive document for the Standards of Evaluation listed in Section 3.12.3 of the Unified Development Ordinance. Applications for Certificates of Appropriateness will be weighed for compatibility against the Hillsborough Historic District Design Standards. ~~Applications for changes to Landmark properties will be evaluated against the Secretary of the Interior Standards for Rehabilitation.~~

12.1 *Amending the Design Standards.* Any member of the Commission wishing to propose an amendment to the Design Standards shall, at any regularly scheduled meeting, ask the Chair if he or she will call for a motion and a vote to direct staff to research and draft said amendment. Upon a majority vote in favor in the presence of a quorum, staff shall prepare any amendments as directed by the Commission and shall consult with the Town attorney prior to presenting the amendments to the Commission for adoption. Upon review and approval of the language by the Town attorney, the Commission shall act upon the proposed amendment at its next regularly-scheduled meeting. A majority vote of the Commission in favor of adoption in the presence of a quorum shall ~~pass the amendment forward~~ the amendment for consideration under Section 3.7 of the Town of Hillsborough Unified Development Ordinance.

13.0 Appeals Procedure (per Section 3.12.12 of the Unified Development Ordinance)

A decision of the Commission on an application for a Certificate of Appropriateness may be appealed on procedural grounds to the Orange County Superior Court by an aggrieved party. Such an appeal shall be made within 30 days of the filing of the decision in the Planning Department or the delivery of the notice required in Section 3.12.11 of the Unified Development Ordinance, whichever is later. Such appeals to the Orange County Superior Court are in the nature of certiorari and the court shall determine such appeals based on the record generated before the Commission.

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14.0 Amendments to the Rules of Procedure

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than four members of the Commission, provided that such amendment shall first have been presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote was taken.

Initially approved by the Commission on the 2nd day of December 1982.

Revised and readopted by the Commission the ~~3rd~~^{1st} day of ~~May~~April

202~~6~~³.

Amended:

- November 7, 1989
- June 6, 1990
- July 18, 1990
- March 20, 1991
- January 15, 1992
- July 17, 1996
- September 5, 2007
- July 3, 2013
- August 6, 2014
- November 5, 2014
- January 7, 2015
- November 1, 2017
- April 4, 2018
- May 2, 2018
- August 22, 2018
- December 6, 2018
- September 6, 2019
- December 4, 2019
- May 5, 2021
- April 5, 2023
- May 3, 2023
- April 1, 2026

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Hannah Peele

4/1/2026~~5/3/2023~~

Vice-Chair, Historic District Commission Date