

North Carolina Department of Natural and Cultural Resources State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Josh Stein
Secretary Pamela B. Cashwell

Office of Archives and History
Deputy Secretary, Darin J. Waters, Ph.D.

March 3, 2025

Mark Bowles
Baker Residential
7001 Weston Parkway, Suite 150
Cary, NC 27513

mbowles@bakerresidential.com

Re: Construct residential development, 3228 Olive Chapel Road, Apex, Wake County, ER 24-2547

Dear Mr. Bowles:

Thank you for facilitating the meeting of February 21, 2025, which included representatives from Baker Residential, the Town of Apex, Capital Area Preservation, and the HPO. The discussions held during this meeting were productive and allowed for a deeper understanding of the project and Baker's intent to preserve elements of the historic H. T. Lawrence Farm (WA1047). We appreciate the time of all parties who were present.

The following points of discussion were addressed during the meeting and have been recorded in our project files.

Lawrence Farm Boundary

At the time of the meeting, the historic farm property was represented by a single point on our HPOWEB platform, and was not an accurate representation of the historic property boundaries which should be considered during Section 106 review. A review of the record for WA1047, recent context studies, and aerial imagery was used to determine an appropriate boundary for the historic farm as it exists today. A boundary polygon, as shown in the image on the right, has been added to the farm's GIS data, and encompasses the main farmhouse, extant outbuildings, and the agricultural acreage necessary to retain integrity of setting; HPOWEB updated as of Feb. 28th.



Relocation and Preservation of Farmhouse and Outbuildings

We note that Baker Residential proposes relocating the farmhouse and one to two outbuildings to a parcel on the south side of Olive Chapel Road. The intent is to donate the land and structures to Capital Area Preservation (CAP) and for it to be sold as a residential property. To effectively maintain stewardship of the historic farm elements CAP requires the execution of a preservation easement. CAP provided a sample land donation agreement for the parties to review. You confirmed that Baker Residential would formalize the execution of a donation agreement with CAP as soon as possible.

Section 106 - Adverse Effect Mitigation

As of the meeting, it is unconfirmed as to whether a permit from the U.S. Army Corps of Engineers will be required for the development. Baker residential intends to submit documentation to the Corps once the Town of Apex has provided comment on the proposed zoning application. Should the proposed development plan require a federal permit and the issuing agency determine that the action will have an adverse effect on the historic farm property, then Section 106 would require resolution of the effect through mitigation.


The proposed donation and relocation could be considered as mitigation for Section 106 purposes. Based on the good faith effort shown by Baker Residential's consultation with CAP and your stated intent to enter into the donation agreement, HPO would not object if the current plan was proposed during the development of a memorandum of agreement (MOA) to resolve adverse effects to the Lawrence Farm. Specifics of the mitigation strategy would also include Baker's responsibility for the action of moving the structures, site work, and rehabilitation needed. All details of these requirements would be evaluated and agreed upon prior to executing the MOA.

Thank you again for providing our staff with the opportunity to discuss the project and proposed preservation of the farm's elements with the interested parties. Please reach out to Katie Harville, Environmental Review Specialist, at katie.harville@dncr.nc.gov, with any questions, corrections, or future consultation meeting requests.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or environmental.review@dncr.nc.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,


for Ramona Bartos, Deputy
State Historic Preservation Officer

cc June Cowles, Town of Apex
Katie Harville, NCHPO
Gary Roth, CAP

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