

# ATTACHMENT 4

**Icard, Kevin**

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**From:** Colin, Heather  
**Sent:** Monday, April 24, 2023 11:40 AM  
**To:** Eugene Marks; Icard, Kevin  
**Cc:** Melanie Marks; Steese, Stephen  
**Subject:** RE: Joiner follow up from 4/21 site walk for items below

Eugene –

Kevin updated me on the site visit on Friday to discuss the windows and brick on the Joiner House. We also further discussed this morning and while I agree with you that the HPC did not approve the specific Marvin window, they did state in the approval that the historic material should be used to the greatest extent possible and any replacements must be approved by staff. The approval of the building permit and specifically the Marvin window is staff's approval as a replacement material. The Marvin window better replicates the wood window. If staff were presented the Pella window as you installed as a replacement we would have denied and would have presented to the HPC for their review and consideration.

I support Kevin's decision and direction to allow the construction to continue and permanent power approved as soon as all building safety issues have been addressed; however, the Pella windows will need to go to the HPC as an appeal of staff's decision and a modification to the certificate of appropriateness.

If you would like to discuss, Kevin and I are available for a quick phone call for the next 2 hours or so. I am traveling with my husband out of the country this week.

Sincerely,

Heather L. Colin, AICP  
Assistant Town Manager

Town of Bluffton  
20 Bridge Street  
Bluffton, SC 29910  
Office (843)706-4592  
Mobile (843)540-6946  
[www.townofbluffton.sc.gov](http://www.townofbluffton.sc.gov)



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**From:** Eugene Marks <eugene.marks.jr@gmail.com>  
**Sent:** Monday, April 24, 2023 7:07 AM  
**To:** Icard, Kevin <kicard@townofbluffton.com>; Colin, Heather <hcolin@townofbluffton.com>  
**Cc:** Colin, Heather <hcolin@townofbluffton.com>; Melanie Marks <tenislady2@aol.com>  
**Subject:** Joiner follow up from 4/21 site walk for items below

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I am available to meet today to discuss or talk with Heather by phone.

I also would like to note that HPC did not review original windows.

The Marvin were simply included in building plan and stamped with no specific review.

Thank you.

Eugene Marks  
1-203-726-0090

On Apr 21, 2023, at 2:16 PM, Eugene Marks <[eugene.marks.jr@gmail.com](mailto:eugene.marks.jr@gmail.com)> wrote:

List order below..

Brick Lattice

While we are confident the original house had such brick between porch and steps, in the interest of moving things along, I will have this section demolished as we clear the list.

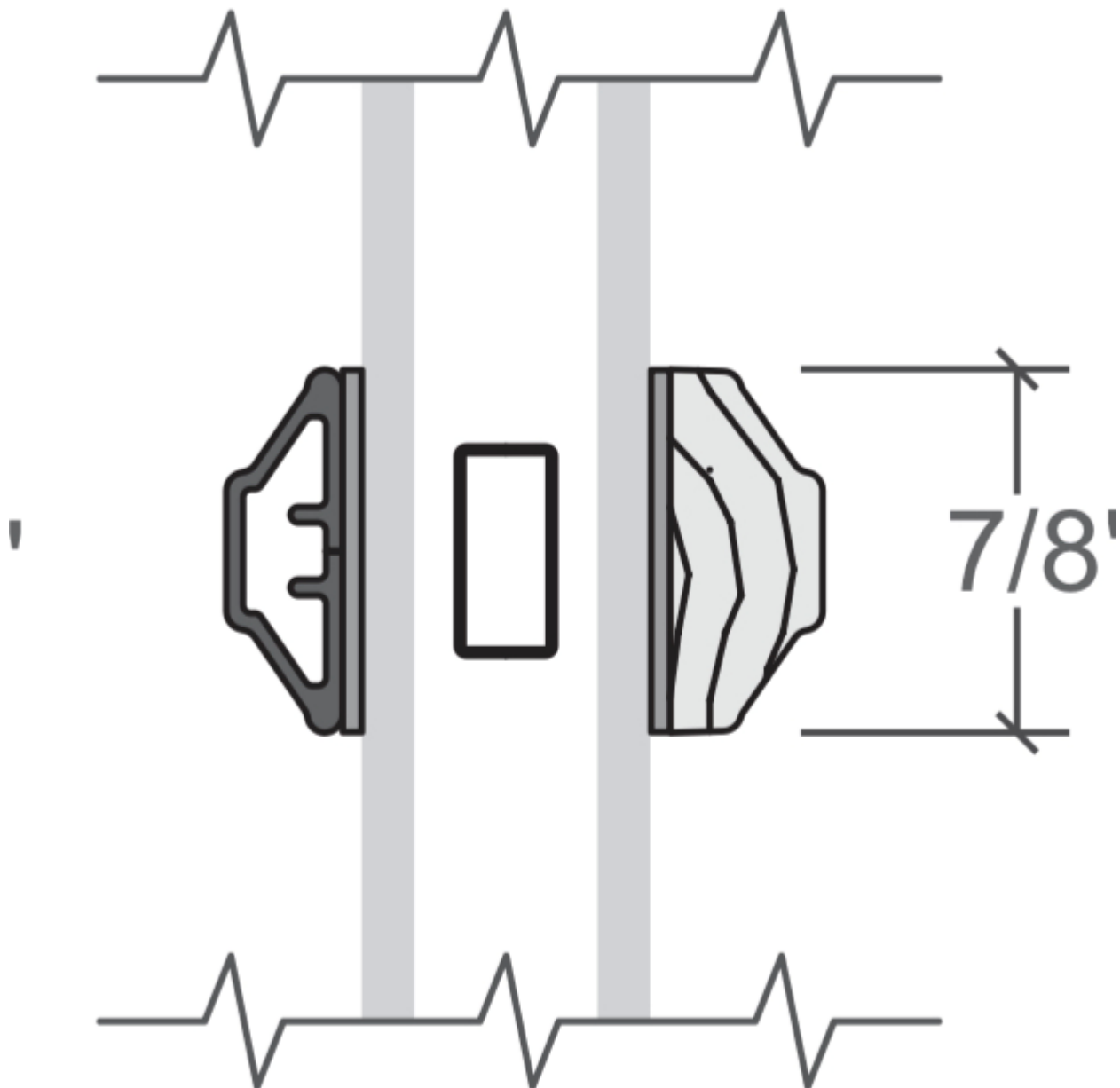
Windows

The Pella and Marvin have exactly the same Simulated Divided Lite - SDL and divider system.

I think you took pictures from inside.

This is Pella view with the spacers we included.

# Divided Lights



with Optional Spacer

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- Fixed applied divider interior and exterior.

Visual separator between glass to complete traditional look.

No vinyl or snap on things.

You were focused on the exterior corner seams between Marvin and installed Pella.

(Interior is all natural wood frame)

Every window - including all wood original will have seams of some type. Particularly wood with age.

This shows the original frame when we tested for lead.

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I just don't feel the seam aspect rises to a level to ask for window replacement of about \$30,000. The windows will have screens anyway - covering sashes like original. Plus in the context of the very stressed original siding - these seams as lost in the views.

Like bricks, in the spirit of moving things forward I hope we can accept these windows.

## Doors

We agreed you will inspect the custom mahogany doors next week before installation. I will advise when on site.

## Permanent Power

Once Marcus clears his sign off - hopefully Monday, power can proceed.

Separately, I will raise the stair rail issue with Richard given approved plan maintained historic elevation.

We need to know if Richard wants new added railings.

I'm assuming if Richard requires railings, Historic folks have to agree?

It will change the feel of the original house but we will abide by Town decision.

Thank you for your time and we hope from here we can proceed to CO with a clear slate and ongoing communication.

Eugene and Melanie



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On Apr 20, 2023, at 5:00 PM, Icard, Kevin <[kicard@townofbluffton.com](mailto:kicard@townofbluffton.com)> wrote:

Eugene,

While you have sent emails after this one, I'm responding to this one with the understanding that it will answer all.

I can make myself available tomorrow around 1pm.

While I do not want to get into a debate over email, your email from February 10<sup>th</sup>, refers to harassment and legal action. I asked staff to not visit your site or correspondence based on your wishes.

## Items for Discussion

1. Brick Lattice – No communication on original building when discovered. Approved plans show horizontal panel. If you would like to appeal, here is the link <https://www.townofbluffton.sc.gov/DocumentCenter/View/1328/Board-of-Zoning-Appeals-Application-and-Narrative>
2. Windows – Marvin was approved based on fiberglass material, verses Pella – unknown material. Provide spec sheets for Pella. The intent of a fiberglass window was to try to keep the integrity of the contributing structure verses having a vinyl window that is used on most all tract built homes.
3. Doors – specs and material. Will review in the field. Concern is that doors were unknown because only dimensions were provided. While mahogany is more expensive door, this was not known until this week.
4. Address – Spoke to Chief of Inspections, Marcus Noe, he agrees that it should be 'just' 9 Bruin Road. I will work with Customer Service and GIS to update.
5. Permanent Power – Based on Marcus' inspection, there were numerous electrical issues to resolve. They are independent of Planning review and Permanent Power can't move forward without their approval. After our meeting, we can determine if conditional approval to move forward is possible.

I'll see you around 1pm tomorrow.

Thanks,

Kevin P. Icard, AICP  
Director of Growth Management

Town of Bluffton  
PO Box 386  
20 Bridge Street



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**From:** Eugene Marks <[eugene.marks.jr@gmail.com](mailto:eugene.marks.jr@gmail.com)>  
**Sent:** Thursday, April 20, 2023 1:12 PM  
**To:** Icard, Kevin <[kicard@townofbluffton.com](mailto:kicard@townofbluffton.com)>; Colin, Heather <[hcolin@townofbluffton.com](mailto:hcolin@townofbluffton.com)>; Peterson, Katie <[kpeterson@townofbluffton.com](mailto:kpeterson@townofbluffton.com)>; Umberger, Glen <[gumberger@townofbluffton.com](mailto:gumberger@townofbluffton.com)>; Richardson E. LaBruce <[erlabruce@fingerlaw.com](mailto:erlabruce@fingerlaw.com)>; Brandon Edwards <[brandon@elementcp.com](mailto:brandon@elementcp.com)>  
**Subject:** Joiner Doors follow up

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Below is the background - with pictures, around the doors.

These specification sheets are what we are crafting to exactly replicate what is in the pictures. Including mahogany wood and safety glass.

If this is not sufficient, you are welcome to visit Joiner to inspect before install.

As included below, I asked for door direction in the email with no reply.

Thank you.

----- Forwarded message -----

**From:** Eugene Marks <[eugene.marks.jr@gmail.com](mailto:eugene.marks.jr@gmail.com)>  
**Date:** Fri, Feb 10, 2023 at 11:31 AM  
**Subject:** Joiner  
**To:** Heather Colin <[hcolin@townofbluffton.com](mailto:hcolin@townofbluffton.com)>  
**Cc:** Brandon Edwards <[brandon@elementcp.com](mailto:brandon@elementcp.com)>, Icard, Kevin <[kicard@townofbluffton.com](mailto:kicard@townofbluffton.com)>, Melanie Marks <[Cthousehistories@aol.com](mailto:Cthousehistories@aol.com)>, Richard.Spruce

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<[Richard.Spruce@townofbluffton.com](mailto:Richard.Spruce@townofbluffton.com)>, Umberger, Glen  
<[gumberger@townofbluffton.com](mailto:gumberger@townofbluffton.com)>, Amanda  
<[amanda@pscottarch.com](mailto:amanda@pscottarch.com)>, H Scott <[pearce@pscottarch.com](mailto:pearce@pscottarch.com)>, Katie  
Peterson <[kpeterston@townofbluffton.com](mailto:kpeterston@townofbluffton.com)>, Richardson LaBruce  
<[erlabruce@fingerlaw.com](mailto:erlabruce@fingerlaw.com)>

Download full resolution images  
Available until Mar 12, 2023

Heather

I need your involvement and assistance.

Staff again showed up on site today unannounced even-though I asked either myself or Element be informed to assure productive communication.

Further, even though I have sent multiple emails to staff relating to windows, doors and siding - providing detailed plans - each such staff visit workers on site are being asked same questions around why, what... in an intimidating fashion.

We have abided by the approved plans and materials plus offered up to date correspondence to the Town.

- By the way I never get replies to my email staff communications with the exception from Richard - who I feel is practical and working in the spirit of the project.

I'm happy to send you all my responsible correspondence.

This is an untenable situation and harassment.

We must immediately find a predictable basis to complete this project. If not and these unannounced and unproductive visits continue I will need to take legal action to end this harassment.

I'm available to discuss as soon as possible.

Eugene Marks  
1-203-726-0090

On Jan 31, 2023, at 6:32 PM, Eugene Marks  
<[eugene.marks.jr@gmail.com](mailto:eugene.marks.jr@gmail.com)> wrote:

Thank you Amanda.

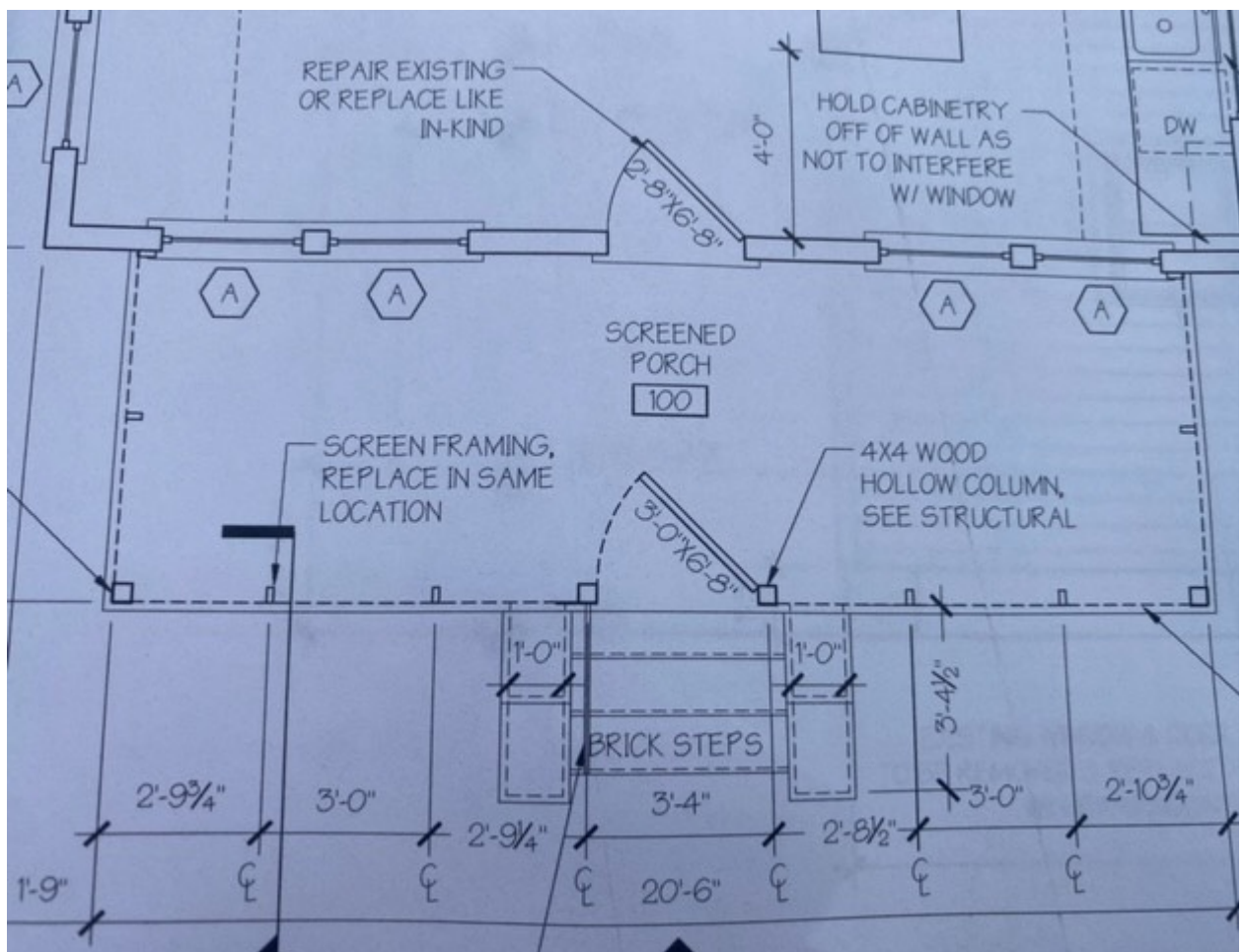
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I would like to respectfully ask if Town Staff plans to walk the site in the future, at least Element Construction be invited as a number of subsequent questions could have been discussed/addressed "real time" vs these follow up emails. I'm always available too.

Regarding the porch..

Here are the approved plans which of course the engineer stamped and so far Element has built to specs.

The porch section was reviewed and discussed a number of times before and during application process. Including the off center gable vent above.



Regarding the exterior doors.

They were tested for lead today as we were preparing for cleaning. They show positive lead in multiple areas.

In prior projects Melanie and I have worked on codes were such that any "friction" surface with lead could not be reused given cover paint would wear off exposing lead surface.

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Please provide direction as we prefer to use new replica doors - distressing them to look period.  
Sturdy for security with safety glass - strong rails.  
These Joiner doors are c1960's.

### Note-

You can see in these pics the condition of the doors including the side rail and other interior structure is rotting. The top of that door has already been extended as shown.

Black mold present.





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We are available to meet and discuss.  
The roof and siding phase will start soon after we get  
the windows delivered and installed.

Eugene and Melanie Marks

On Tue, Jan 31, 2023 at 1:38 PM Amanda Denmark  
<[amanda@pscottarch.com](mailto:amanda@pscottarch.com)> wrote:

Richard and Glen -



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There has been some confusion regarding the front porch column placement.



Attached is a picture of the Joiner house. It looks as though the middle columns on the front porch are in the correct location. The other vertical elements will come after the structural aspect when the screen framing is being done.

Thanks,

**Amanda Jackson Denmark, Assoc. AIA**  
Project Manager  
[6 State of Mind Street, Suite 200](#)  
[Bluffton, SC 29910](#)  
o 843.837.5700  
[amanda@pscottarch.com](mailto:amanda@pscottarch.com)  
[www.pscottarch.com](http://www.pscottarch.com)

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