

CITY OF HENDERSONVILLE
Historic Preservation Commission

Minutes of the Meeting of February 15, 2023

Commissioners Present: Cheryl Jones (Chair), Jim Welter (Vice-Chair), Ralph Hammond-Green, Crystal Cauley, Chris Battista, Jim Boyd, Anthony Baltiero and Jane Branigan

Commissioners Absent:

Staff Present: Alexandra Hunt, Planner I, Daniel Heyman, Staff Attorney, Matt Manley, Planning Manager

- I **Call to Order.** Chair called the regular meeting of the Hendersonville Historic Preservation Commission to order at 5:03 pm.
- II **Public Comment.** None.
- III **Agenda.** A motion was made by Commissioner Jim Welter and seconded by Commissioner Crystal Cauley to approve the agenda.
- IV **Minutes.** On motion of Commissioner Hammond-Green and seconded by Commissioner Jim Boyd the minutes of the meetings of December 18, 2022 and January 18, 2023 were approved.
- V **Old Business.**
- V(A) **Certificate of appropriateness,** Kathryn Vickers, 1304 Hyman Heights (H22-105-COA). Alexandra Hunt, Planner, stated Staff received a Certificate of Appropriateness application from Kathryn Vickers for the replacement of 17 existing windows at the subject property located at 1304 Hyman Ave (PIN:9569-72-0766). The application was heard at the December 21, 2022 regular meeting. During the December meeting this Commission requested that the applicant work with staff to further determine the extent of the deterioration of each of the windows and to better determine whether the replacement was required and if so, to replace in kind matching the design and material or with a substitute material other than the proposed vinyl windows The Applicant agreed and asked that the application be continued to the February meeting.

A vicinity map was shown with the subject property highlighted in green.

An aerial view was shown with the parcel outlined in red.

The subject property is a contributing, Colonial Revival Style two-story house constructed ca. 1922 and formerly known as the Roy C. Bennett House. The windows are described as three-vertical-over-one with multi-light casement windows at the attic. Photos were shown of the property's existing conditions which are included in the staff report.

Ms. Hunt stated that on January 26th Staff met with the Applicant and her contractor at the subject

property to inspect the windows as agreed upon during the December 21, 2022 meeting. During this visit approximately 25 windows were examined and it was determined that 4 windows needed to be replaced due to the extent of the deterioration. Ms. Hunt stated that the Applicant is proposing to replace 4 windows and indicated to the diagram in the submitted staff report which shows the 4 windows circled in green. The Applicant is proposing to use aluminum clad wood windows to replace the 4 original windows. The Applicant has also stated that they will salvage any usable windows to reuse in the repair of other windows in the home.

The Design Standards that are applicable to this COA application were shown and are also included in the staff report.

The Chair asked if there were any questions for Staff.

The Chair asked Ms. Hunt if the COA application now is for replacement and repair or just replacement. Ms. Hunt stated that this application would just for the replacement of the 4 windows and that repairs would fall under normal maintenance and repair and would not require a COA application.

Commissioner Welter asked if the Staff meant to state aluminum clad wood windows and not aluminum wood clad windows. Ms. Hunt stated that yes, it should be aluminum clad wood windows.

The Chair asked the applicant to address the Commission.

Ms. Vickers stated that she responded to Ms. Hunt's email and that the attic windows need to be replaced as well even though they were not inspected during the January 25th meeting with staff.

Ms. Vickers goes on to explain the deterioration of the attic windows.

The Chair asked for the description of the attic windows. Ms. Hunt showed the image of the attic windows that is also included in the staff report.

Commissioner Welter asked if Ms. Vickers was asking for 6 windows now. Ms. Vickers stated that she emailed Ms. Hunt and requested 8.

Ms. Hunt stated that she did not receive an email from Ms. Vickers.

The Chair asked if Ms. Vickers if she wanted to amend the application to add two additional windows and to identify those windows.

Ms. Vickers stated it was the two windows facing Elizabeth Street on the first story.

The Chair clarified with Ms. Vickers the total number of windows requesting to be replaced and that the application is being amended to include 8 windows.

The Chair asked Ms. Vickers what is she proposing to replace the windows with and if she has any specifications to the material and design.

Ms. Vickers stated that she emailed Ms. Hunt quotes from Lowes. The quote was for 20 windows in total.

The Chair asked Ms. Hunt if she received the quote from Ms. Vickers. Ms. Hunt stated it was for aluminum clad wood windows.

The Chair asked Ms. Vickers if she could describe the proposed replacement windows. Ms. Vickers stated they will match the design of the original windows which are three-vertical-over-one and that they are aluminum clad wood windows and there are vinyl inserts that will go into the frame and would not be seen from the exterior or interior.

Commissioner Welter asked the Applicant if the two attic windows would match the design and be the same materials as the other three-vertical-over-one windows. Ms. Vickers confirmed.

Staff stated that the Commission could make a condition to the motion for approval that the Applicant

The Chair closed the public hearing.

Commissioner Welter moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H22-105-COA and located within the Hyman Heights Historic District, if replaced according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is not incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards (Residential) for the following reasons: (1) The existing windows are deteriorated and in need of replacement. [Sec. 3.7.6]; (2) The proposed windows match the design and dimension of the original sash or panels, pane configuration, architectural trim, and detailing. [Sec. 3.7.6]; (3) The proposed aluminum wood clad replacement windows are a compatible substitute material because original material is not technically feasible[Sec. 3.7.6]; with the following Condition: (1) Applicant shall provide the replacement window unit design and material specifications to Staff for approval prior to installation of the eight (8) window units. Commissioner Baltiero seconded the motion which passed unanimously. The application was approved.

VI New Business

VI(A) Certificate of appropriateness, Eric Lombardo, 1306 Hyman Avenue (H23-005-COA). Prior to the opening of the public hearing, Chair announced that any persons desiring to testify at any of the public hearings must first be sworn as witnesses and will be subject to cross-examination by parties or persons whose position may be contrary to yours. A copy of the protocol for a quasi-judicial hearing is provided on the back table next to the agenda. Since this is a quasi-judicial hearing, it is very important that we have an accurate record of what goes on. Therefore, we must ask that you refrain from speaking until recognized by the Chair and, when recognized, come forward to the podium and begin by stating your name and address. Anyone who wishes to testify during the public hearings should come forward to be sworn in. Chair swore in all potential witnesses.

Chair opened the public hearing.

Alexandra Hunt, Planner, stated that the City is in receipt of an after-the-fact COA application from Eric Lombardo for the addition of a 10' x 12' shed at the subject property located at 1306 Hyman Ave having a PIN: 9569-72-0812. The subject property is approximately 0.16 acres and is zoned R-6 High Density and is located in the Hyman Heights Historic District. This COA application is considered a Major Work according to the standards of the Residential Historic District Design Standards.

A vicinity map was shown with the subject property highlighted in green.

An aerial view was shown with the parcel outlined in red.

Ms. Hunt stated that according to the 1922 Sanborn maps, no home has ever existing on the subject property and that the construction of the current single family home was approved at the October 2021 regular meeting of the Commission. Construction of the single-family home was completed sometime in 2022.

Photos were shown of the shed that were submitted by the Applicant and are included in the staff report.

Photos were also shown of the property taken from Hyman Avenue.

Ms. Hunt referenced the Design Standards Section 2.5.7 that state it is not appropriate to introduce a new accessory building if it is not compatible in size, form, height, proportion, materials and details with historic accessory structures in the historic district, or unless screened from view from the street

The Design Standards that are applicable to this COA application were shown and are also included in the staff report.

The Chair asked if there were any questions for Staff.

The Chair asked staff if Section 2.5.7 states if the accessory structure cannot be easily visible from the street then the other requirements in that section do not apply. Ms. Hunt stated that is correct.

The Chair asked the applicant to address the Commission.

Commissioner Welter asked the Applicant when he purchased this home did he know he was in a historic district.

Mr. Lombardo stated that he was aware but did not have any context as to what that meant or that he had to use COA's.

The Chair asked if the shed was on a permanent foundation or on blocks. Mr. Lombardo stated it was on blocks.

Commissioner Hammond-Green asked if the color of the shed matched the color of the house.

Mr. Lombardo stated that it is black and white like the house.

Commissioner Boyd asked what the shed was constructed of.

Mr. Lombardo stated that the shed was constructed out of plywood and standard building materials.

Commissioner Baltiero asked that unless you are standing at a certain part of the street, Hyman Avenue,

you only see the very top point of the shed.

Mr. Lombardo stated that is correct.

Commissioner Welter asked if this was a pre-fabricated shed.

Mr. Lombardo stated it was built on site because it was unable to be delivered as one building.

The Chair read Section 2.5.7 again to inform the Applicant that is why they are asking such specific questions.

The Chair asked if there was anyone present who was opposed or for the application.

Barry O'Brien, 102 Elizabeth St., spoke in favor of the Applicant and has no objections at all.

The Chair closed the public hearing.

Commissioner Welter moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H23-005-COA and located within the Hyman Heights Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is not incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards (Residential) for the following reasons: (1) The shed is compatible with the traditional relationship of accessory buildings to the main structure and the site in the district. [Sec. 2.5.7]; (2) The shed is compatible in size, form, height, proportion, materials, and details with historic accessory structures in the historic district. [Sec. 2.5.8]; and The shed is screened from view from the street. [Sec. 2.5.8]. Commissioner Boyd seconded the motion which passed unanimously. The application was approved.

V(B) **Certificate of Appropriateness.** Dunlap Construction, LLC, 225 N Main St. (H22-120-COA).

Chair opened the public hearing.

Ms. Hunt stated staff was Staff is in receipt of a Certificate of Appropriateness application from Dennis Dunlap of Dunlap Construction (applicant) and Hendersonville Holdings LLC (property owner) for the addition of side and rear windows to the second-floor residential unit at the subject property located at 225 N Main St. containing PIN 9568-77-8673.

The subject property is zoned C-1 Central Business and is located in the Main Street Historic District. This COA application is considered a Major Work according to the standards of the Main Street Historic District Design Standards.

A vicinity map was shown with the subject property highlighted in green.

An aerial view was shown with the parcel outlined in red.

The Subject property is a contributing, two-story Neo-Classical structure constructed Ca. 1920 for the People's National Bank. It currently houses two residential units on the second story and two retail shops on the first.

Photos were shown of the subject property and are included in the staff report.

Elevations submitted by the Applicant were shown and are included in the staff report.

Photos were shown of compatible side facades with existing windows in the Main Street Local Historic District and are included in the staff report.

The Design Standards that are applicable to this COA application were shown and are also included in the staff report.

Chair asked if there were any questions for staff.

The Chair asked the applicant to address the Commission

Dennis Dunlap, Dunlap Construction,

The Chair asked if there were ever any existing windows that were filled in and the property owner is wanting insert windows in the existing openings.

Mr. Dunlap stated that there were never any existing windows on that side of the building.

The Chair asked about the other examples of buildings with windows on the second story if they are being shown to show that windows should be allowed.

Mr. Dunlap stated that the second floor of the subject property is residential.

The Chair asked if the windows on the building shown next to the Peoples National Bank is actually a separate building and not part of the same building that the subject property is a part of.

Mr. Dunlap confirmed that it is actually a separate building directly adjoining the bank building.

Commissioner Welter asked the applicant to put windows on the side that will be seen on the south side that will match what is shown on the other building adjoining the bank building. So for aesthetics it will look like one building.

Commissioner Hammond-Green stated as a practical matter no side windows on a home that it was not intended to be used as a residence.

The Chair stated that it was built for a commercial purpose and then later came to be a residence.

Commissioner Welter asked about the back of the building that will be mostly glass and asked whether the fire escape will be staying.

Mr. Dunlap stated that the property owner is looking at installing an elevator.

The Chair asked if the existing window on the rear will stay.

Mr. Dunlap stating that it will not and that the proposed ellipses style window will take up the most of the rear of the second story.

The Chair asked to confirm that the materials of the proposed windows is aluminum clad wood windows and if they would be flush on the side.

Mr. Dunlap confirmed they are aluminum clad wood windows and that they would be flush. Mr. Dunlap also stated that the entire building is constructed out of concrete and that they would repair the wall with the same finishes once the windows are installed.

The Chair asked about the integrity of the wall if there would be any risk to the rest of the wall.

Mr. Dunlap stated that the wall is leaking now and it is coming from the wall itself and not the roof. Mr. Dunlap went on to explain that there are concrete sections or concrete beams that are filled in with concrete panels. Mr. Dunlap stated that a structural engineer has inspected the structure and made repairs as needed.

The Chair asked if cutting holes into the wall would comprise the structure or cause even more deterioration.

Mr. Dunlap stated that it is building as concrete post and steel beams with the concrete panels located in-between those beams. That the concrete panels are cosmetic and could be removed without damaging the structural integrity of the wall.

The Chair asked about the rear façade.

Mr. Dunlap stated that the entire building is constructed the same way including the rear.

The Chair then asked if the brick on the rear is a façade.

Mr. Dunlap stated that it is a façade and is in front of all that concrete structure.

The Chair asked when that was put on and Mr. Dunlap stated he does not.

Mr. Manely asked Mr. Dunlap if he will seal the wall to prevent continuous water leaking.

Mr. Dunlap stated that they will seal the wall and will place a new roof on to prevent leaks.

The Chair asked if there was anyone present who was opposed or for the application.

Larry Hogan, 229 N Main St., was present and stated he would like to make a comment and that he is neither in favor or against the application.

Mr. Hogan stated that he would like to address the commission about his experience with the building. Mr. Hogan stated that he bought the building in the 1970's and gave a brief history about the commercial use of the building and stated it was not built to be divided into three spaces. Mr. Hogan owns the space in the middle. Mr. Hogan stated that when he remodeled his space he had to build a building within the shell of the existing building.

Mr. Hogan stated that he planned to put new windows in the rear of the building and when they started cutting the wall completely collapsed. Mr. Hogan stated that he is okay with this project as long as a structural engineer is involved because if the wall comes down then the whole building is compromised because the whole building is poured as one piece.

Commissioner Welter asked if Mr. Hogan owns the center part of the building.

Mr. Hogan stated that he does own the part of the building in the center.

The Chair asked when the rear brick façade was added.

Mr. Hogan stated it that it was put on after the wall came down when they attempted the renovation in 1978 or 1979.

The Chair closed the public hearing.

The Chair re-opened the public hearing.

Ms. Hunt stated that Mr. Manley remembered that there is a building that fronts N Main Street with a similar style window as the one the applicant is proposing to use on the rear façade. Ms. Hunt asked that the Google Map Street view of 423 N Main St. be considered as part of the record.

The Chair asked if it is staff's job to find these examples and whether it should be on the Applicant to show these examples.

Mr. Manley stated that staff will look for examples as part of their research.

Mr. Dunlap stated that the radius view on the Google Map Street View faces N. Main St. and that there is another facing an alley.

The Chair asked if the one shown on N Main St. on the Aveda building is an original opening.

Mr. Dunlap stated it has been so long he cannot quite remember.

The Chair closed the public hearing.

The Chair re-opened the public hearing to address a comment from staff.

Ms. Hunt stated that she spoke with the applicant and the structural engineer could be made available at the next meeting to address any concerns of the structural integrity of the wall and building if the Commission wanted to continue the application.

Commissioner Welter if the original south elevation has a protective covering.

Mr. Dunlap stated that there is a protective coating on the exterior of the wall.

Mr. Manley stated that the south side structure is concrete but there is a covering on the concrete like

stucco.

Mr. Dunlap stated no there is not a stucco on the wall and there is a membrane on the wall.

Mr. Hogan stated that there is nothing on the side of the wall on the south elevation but concrete and paint. Mr. Hogan also stated that there is a mark on the side wall that was a hotel that burned in 1917 and the subject property kept the rest of the town from burning down. Mr. Hogan stated that the building looked that way for 100 years.

Mr. Manley asked if the side of the subject property was originally covered by the hotel that went up four stories.

Mr. Hogan stated he has a picture of it but that it was 4 stories and sloped down.

The Chair asked if there were any other questions or comments.

The Chair closed the public hearing.

Commissioner Welter moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H22-120-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards (Residential) for the following reasons: (1) The subject property is a contributing structure; (2) The proposed windows diminish the original design of the building or damage historic materials and features [Sec. 3.4.2.10]; and (3) The proposed windows do not retain and preserve historic façade details and materials on side and rear elevations [Sec. 3.1.1]. Commissioner Baltiero seconded the motion and the motion passed unanimously. The application was denied.

VII Other Business.

VII(A) Update on Staff Approved COA's

Ms. Hunt updated the following staff approved COA's:

1306 Hyman Ave – After-the-fact COA for addition of a wooden fence

414 N Main St. – After-the-fact COA for removal of a damaged awning

451 N Main St. – Replacement of two existing acrylic awnings in-kind for a new business

VII(B) Fire Station 1 – Boyd Park Memorial Elements.

Ms. Hunt provided a memorandum to the Commission from Lew Holloway, Community Development Department Director, about the current status of the project and what has been completed to preserve elements of the original mini-golf to be included in the Edwards Park development.

The Chair stated for context that she received some emails about the demolition that had begun at the Fire Station 1 location and about what happened to the original Boyd Park elements.

The Chair asked if staff could provide some additional information about what exactly was saved from

the original Boyd Park and what is going to be used.

Ms. Hunt stated that staff will gather that information and provide the Commission with an update.

VIII ***Adjournment.*** The Chair adjourned the meeting at 6:50 p.m.

Chair

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