

CITY OF HENDERSONVILLE
Historic Preservation Commission

Minutes of the Special-Called Meeting of October 22, 2025

Commissioners Present: Jim Welter (Vice-Chair), Jane Branigan, Ralph Hammond-Green, Stan Smith, Edward Sine, John Falvo, Jim Boyd, Lauren Matoian

Commissioners Absent: Cheryl Jones (Chair),

Staff Present: Sam Hayes, Planner II, Daniel Heyman, Staff Attorney

- I **Call to Order.** Chair called the Special Called meeting of the Hendersonville Historic Preservation Commission to order at 5:33 pm.
- II **Agenda.** On motion of Commissioner Hammond Green and seconded by Commissioner Branigan the agenda was approved. (*Commissioner Hammond Green noted there was no one that was here to speak for public comment*).
- III **Minutes.** On motion of Commissioner Hammond-Green and seconded by Commissioner Branigan the minutes of the meeting of September 17, 2025 were approved with added corrections.
- IV **New Business.**
- IV(A) **Certificate of Appropriateness** – Brian Holloway, 323 N. Main Street (File No. 25-69-COA)

Prior to the opening of the public hearing, Vice- Chair announced that there is one application for a COA in the Main Street Historic District. 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 procedure and rules 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 the hearing 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 present who has knowledge of anything of value that has been given or promised in exchange for a position to be taken on these applications should disclose it now. Anyone wishing to speak during the public hearing should come forward and be sworn in. Chair swore in all potential witnesses. Those sworn in were Sam Hayes and Matt Holloway.

Mr. Hayes stated the applicant is Brian Holloway who is the contractor on the project. The property owner is Magnolia Properties of Hendersonville, LLC and Tim North is the signer on the LLC. The PIN for this property is 9568-78-8041. It is approximately .05 acres and it is located in the Central Business District as well as the Main Street Historic District overlay. This is a major work given that it is replacing windows in this historic structure.

An aerial image of the building was shown and is included in the staff report and the property is outlined in blue.

Mr. Hayes stated staff met with the applicant in March 2025 to discuss multiple projects related to this building. One thing that was discussed was the windows. Staff informed the applicant that restoring the windows is the first step or seeing if they are able to be restored. Staff provide several window restoration specialists for the applicant to reach out to. They did reach out, in their application they discussed talking with at least one of those window restoration specialists who did say that the windows could be restored. However, the applicant has chosen to request replacement of those windows instead.

A history of the subject property was given and is included in the staff report and presentation.

Site photos were shown and are included in the staff report and presentation. Mr. Hayes stated the upper windows have already been replaced on the storefront. The windows proposed for replacement cannot be seen from the front but can be seen from the 4th Avenue side. Mr. Hayes stated the design standards do not necessarily differentiate between things that can and cannot be seen, so that is up to the Commission to decide what to do with this one.

An aerial image showing all of the windows was shown and is included in the staff report and presentation. There are twelve windows total.

A COA description with the specs was discussed and is included in the staff report and presentation.

The design standards that apply were discussed and shown and are included in the staff report and presentation.

The suggested motions were discussed and shown and are included in the staff report and presentation. Mr. Hayes discussed the conditions from staff and these are included in the staff report and presentation.

Commissioner Hammond Green asked if the divider mullions in the replacement windows were internal or are they fake, basically, or do we end up with, for instance, on that one, six panes of glass? Mr. Hayes pointed out the dividers in the photos and stated these are older windows and the applicant may be able to speak more to that.

Commissioner Welter asked if he knew if the windows were original to the building. Mr. Hayes stated we do not know if those are the original windows or not.

Commissioner Matoian stated the first windows facing Main Street have already been replaced. Mr. Hayes stated that is correct. Commissioner Matoian stated on the second floor? Mr. Hayes stated yes.

Commissioner Hammond Green asked when those windows had been replaced. Mr. Hayes stated roughly between 2017 and 2019. Discussion was made on having old photos of the windows in the files.

Mr. Hayes stated to the question about muntions on the outside of the window or inset inside the window, he did not know but he stated they could add a condition to the motion that they be on the exterior.

Vice-Chair stated staff touched on it in the suggested motion for approval but in the write-up it doesn't say anything. It says the window proposed replacements are clad windows. There's a big difference between vinyl and aluminum. Mr. Hayes stated it does say in the specs, bronze cladding, and the applicant may be able to speak more to what the cladding is. It is not vinyl.

There were no further questions for staff.

Vice-Chair asked the applicant if he would like to speak.

Matt Holloway stated he wanted to clarify for the record that Brain is his son and he is the general contractor and Brian is the project manager and he met with staff and so forth. He is here tonight on behalf of Tim and Heather North who are the owners of the building. The Moonshine and Magnolia is a retail store that they own which is on the main level and then above that is the apartment that they are renovating. This apartment renovation has been a pretty extensive project. He has been building in Henderson County for about 30 years now doing remodeling and new construction. But this was an old unit and with the Inspection Department, they are bringing everything up to code and it has been a lot of work and a lot of expense. These twelve windows on the side of the building are in very, very bad shape. That is a concern of the owners. They are putting all this money into this, bringing this place up to code and they have all of these windows that are non-efficient, terrible shape and he doesn't know for sure but he remembers Brian saying to him that he thought that the front Main Street windows have been replaced and the rear ones as well. He doesn't know when that happened and that could just be hearsay. They looked like they had been replaced at some point. They did not look like original windows to them.

Mr. Holloway stated the reason that they want to replace with new versus restore, these windows are single pane and he thinks the Commission is concerned that they are individual pieces of glass, single pane glass and that is almost zero, any type of efficiency. If they are bringing the whole apartment up to code it seems logical to replace these deteriorated windows with something that would be more efficient. They do feel like there is a little bit of merit that the windows really can't be seen very well. If you are staring up, you can see about half of them but it is a two-story building and this is on the second floor and they are not on Main Street or front on Main Street.

Mr. Holloway stated they had discovered on these windows that some had storm windows on them at one point. Not all of them, but some of them and they removed them and they basically disintegrated. They were in terrible shape. The owners had several concerns. He also stated that Mrs. North had mentioned they own the building downstairs, it is a retail store and it's completely full of a basement that has inventory. The main store has a ton of inventory, clothing, boxes and merchandise. You enter the apartment from the main street and it has a typical long staircase to get to the apartment. On the back of the building it has a staircase that goes down into the retail store so there's no rear exit. The only way out of this building will be the front door and the reason is the staircase going to the retail store will have to be locked. When they have a tenant there, the tenant can't go to the retail store and so the only way out is the front door. They are really concerned about safety.

Mr. Holloway stated they put a brand new roof on this building and access to this is basically the building next door, which is to the north of it and he pointed out the top of the building in the photos.

He stated if there was a fire in the front of the building, the only way to get out would be these windows. He discussed the safety aspects and the windows and this being a concern of the property owners. They did research on fire safety and storm windows. He stated they found a company called Colby & Colby, who has a window that is a heritage series that is designed strictly for preservation and it seemed a pretty good fit. Not only can they match the mullions, they can actually do the exact same profile, the sash, the seal and even the brick mold would be matched. A photo was passed around to the Commission.

He stated these are wood windows and Colby & Colby, in this heritage series has wood windows. They can get them pre-finished from the factory, which will make them last and they can get a really nice Krylon type paint. They have 40 colors and they would probably do a bronze. They just felt like someone is going to be living here and it could be a single parent with a small child and it doesn't seem to the owners to make a lot of sense to try to restore the windows, which he knows the comment was they can but it will take a lot of work to restore these things. They are in terrible shape. With bringing it up to code and being more efficient the owners hope the Commission would consider their wish to replace them versus trying to restore them. If they get restored they will have to put storm windows back due to the loss of heating and cooling. And opening a window will be twice as difficult with the storm windows. They felt like they have done their due diligence and hope the Commission will consider that.

Vice-Chair asked if there were any questions for the applicant.

Commissioner Matoian asked if they had a restoration company to look at them and get specifically what it would take to restore them. Mr. Holloway stated they did have one and they called several people. That one person came out and looked at them and said it could be done. He also said it would take a lot of money and a lot of time, which he understands is not the Commission's concern. He also said that he wasn't sure they could restore the storm windows or if they would have to get custom ones made. Vice-Chair asked if he disagreed with that assessment, that they are fixable. Mr. Holloway stated he did. He stated it is going to be a ton of work and if they can get a new window that looks identical, performs better, easier for egress for residential living. It seems to him, if it was a storefront on Main Street then maybe but you can hardly see these windows and he thinks they would look almost identical.

Commissioner Hammond Green asked if he could give him the condition of the bottom portion of the window which is probably what's most badly damaged. Mr. Holloway stated all the seals will have to be replaced for sure. The bottom sashes would have to be rebuilt totally. The top sashes he wasn't 100% sure. They may be able to keep some. The spacing which is or was a concern and earlier mentioned, they can do that. It is about a six inch spacing and the windows they can order and are custom made and would look identical to what is there now. Commissioner Hammond Green asked if he had a spec sheet on that. If they approve that, then it would be helpful for the Commission to have a spec sheet as part of the package. Mr. Holloway stated they would need their supplier to produce that for them. They could submit that to the Commission.

Vice-Chair stated realizing the fact that some of the windows have been replaced, that was before the rules and regulations that the side and rear facades of buildings are considered just as valuable as the front. It doesn't matter whether they are seen or not. The first standard under windows and doors states retain and preserve a ritual window and doors. If they had some evidence that could prove that

these weren't original. If they are original they are under a charter to preserve. Mr. Holloway stated he does not know if they are original or not and he does not know how he would determine that. The building is from 1920. Mr. Hayes stated the only record would be the Baker Barber photos, that would at least get them closer to knowing. The other option is to talk with an expert who knows windows and construction type and how they were constructed over time.

Mr. Holloway stated the North's are willing to do the wood windows if they had to and they would have to repaint them in about 20 years. They are willing to still maintain wood windows versus a clad window if that helps preserve a little bit. Vice-Chair stated they are trying to figure out if the windows were original because if they were then they are under an obligation to require them to restore. Commissioner Hammond Green stated it probably would be helpful to do a little bit of research and they can put that in their decision. Get some feedback, provide that to staff and then they can say if it is clear that the windows are not original to the building. Then the Commission can go forward without any question at all. It is a justification for the decision.

Discussion was made on replacement and the type of wood and that new material would have to be used for different parts and pieces.

Vice-Chair stated he appreciated all of his discussion on the fire code and egress, not necessarily pertinent to the discussion of the windows in the preservation outlook because there are other ways to do that and if there's not other ways you could come back and justify that as a reason.

Mr. Holloway stated in closing these windows are not going to be preserved because most of them in the seal and the trim is going to be replaced.

Vice-Chair asked if there was anyone that would like to speak in favor of the application. Vice-Chair asked if there was anyone that would like to speak against the application. No one spoke.

Vice-Chair closed the public hearing.

The Commission discussed finding out if the windows were original or not. They also discussed the windows being salvageable. Discussion was made on aluminum clad windows.

Daniel Heyman, Staff Attorney stated he represents staff, not the Commission and he thinks staff would suggest that you continue it, if that is going to be your, what your decision hinges on because the Board as the finder of fact needs to weigh the evidence as to whether or not the windows are original. He does not think staff can make that decision for you. He thinks staff can present evidence and the applicant can present evidence and the Commission can decide by a preponderance of the evidence, which one you believe to be true. You are the finder of fact and you need to find that fact. If that is crucial to your decision then you need to continue this and request additional evidence and that would be staff's position on it.

Vice-Chair stated from the Preservation Commission point of view a good faith effort to determine if they are original or not is reasonable.

Discussion was made on how to research the windows and having staff help. Concerns of the property owner was also discussed. Egress and the fire code was also discussed.

Discussion was made on next steps and continuing the application to next month. Mr. Hayes also suggested getting SHPO's input.

Commissioner Hammond Green moved the Commission to continue the hearing to the next regular meeting of the Historic Preservation Commission on November 19th and to move to invoke NC GS 160D-947(d) to request technical advice from the State Historic Preservation Office which is pertinent to 25-69-COA. Commissioner Matoian seconded the motion which passed unanimously.

V **Old Business.**

V(A) **Approval of Findings of Fact - 1230 Oakland Street (File No. 25-64-COA) *On motion of Commissioner Hammond Green and seconded by Commissioner Branigan the Findings of Fact for File No. 25-64-COA were approved.***

V(B) **Approval of Findings of Fact - 1401 Highland Avenue (File No. 25-63-COA) *On motion of Commissioner Hammond Green and seconded by Commissioner Matoian the Findings of Fact for File No. 25-63-COA were approved.***

VI **Other Business.**

VI(A) **Approval of Annual Meeting Dates for 2026 – *On motion of Commissioner Sine and seconded by Commissioner Smith the Annual Meeting Dates for 2026 were approved.***

VII ***Adjournment.*** The Chair adjourned the meeting at 6:38 p.m.

Chair