

Guilford County Historic Preservation Commission**Special Public Meeting****October 4, 2022****6:00 p.m.****McAdoo Room, 3rd Floor, Truist/BB&T Building****201 W. Market St., Greensboro, NC****AGENDA****A. Call to Order**

Chair Briggs called the meeting to order at 6:00 p.m. He asked for a Roll Call for members present.

B. Roll Call

Members in Attendance: Briggs; Millsaps; Payne; Chaney; Dowell; Pittman; Hammond

Members Absent: Horth; Summers

C. Agenda Amendments

Kaye Graybeal stated that there are no changes to the agenda except that under New Business - what was to be an Evidentiary Hearing, Item #3, a COA application for exterior changes and interior upfit for the Hepler Grocery at 315 Greene N. Street - the applicant has requested to withdraw that item but would still like to change that to an Advisory Session with the Commissioners. The Commission members would point out any red flags where they see something that is proposed does not meet the Guidelines. The applicants want only preliminary feedback so they can come back at a later date with a completed request for a COA.

Kaye Graybeal stated that she wished to introduce the new staff person, Justin Snyder, who is a new Senior Planner in the Department and will be staff to attend future meetings. She asked Mr. Snyder to tell the members a little bit about his past experience.

Justin Snyder stated that he was most recently in Graham where he was the Planning Director, and prior to that, he was the historic preservation staff liaison to the Historic District Commission in Hillsborough, NC, which is a very extensive local district. He looks forward to working with this Commission in the future.

D. Approval of September 20, 2022, Minutes

Ms. Hammond stated that she is listed as being absent, but she is also shown as voting. She was, in fact, absent from that meeting. Chair Briggs also pointed out on page 2, 4th paragraph down, where it states, "Chair Briggs stated this type of work has been approved. . ." he would like to change it to say, "has been approved in the past."

Chair Briggs moved approval of the September minutes, as corrected, seconded by Ms. Payne. The Commission voted 7-0, unanimously, in favor of the motion. (Ayes: Briggs, Millsaps, Payne, Chaney, Dowell, Pittman, Hammond. Nays: None.)

E. Old Business:***Evidentiary Hearing Item:***

Speakers for this item were sworn in or affirmed for their testimony.

1) Certificate of Appropriateness application for window replacement for Country Club Apartment buildings located at 1700 N. Elm Street. (Postponed from the September 20, 2022, HPC meeting)

Kaye Graybeal stated that they did not close the public hearing back in September 2020, so that public hearing is still open. She noted that any speakers should only speak in regard to new factual evidence that has not already been discussed. Facts will be considered in this case, not personal opinion, but rather only professional and factual statements will be considered. At the last meeting, there were concerns about the materials that were proposed – aluminum windows or vinyl windows. There was not enough evidence or justification to approve either material at that time, so the Commission chose to have the applicants do some more research and come back to provide more information. There were twelve questions and/or concerns that the Commission members raised, and the applicant is going to address those in their presentation.

Information that was presented at the last meeting remains basically the same and was included in the Commissioner's packages and Kaye Graybeal briefly went over some information for the project request.

The request involves removal of existing rolled steel casement windows which have single glass glazing and replacement with aluminum-framed, dual-paned windows. The applicant contends, based on their research, that of the four (4) window replacement options, they were proposing those options to mitigate mold and mildew, improve energy efficiency, and regain full functionality of all the windows. They report that with the failing glazing, corrosion, and rust, the estimates from the contractor consultant indicate that repair and ongoing maintenance of the original windows is too labor-intensive to undertake and is not economically feasible. They had provided quotes from two more manufacturers and a quote for repair from Double Hung, and they were still concerned about the costs and whether or not those options would adequately mitigate their concerns about mold, mildew, and energy efficiency. They now have a new proposal that appears to address those concerns and replicates the original configuration of the windowpanes. It is still an aluminum material and is not the original steel material, and they have eliminated the proposal for the vinyl material window.

Chair Briggs asked for speakers in favor of this request to come forward to speak.

Elizabeth Wilson, 555 Westover Ave., Winston-Salem, NC, stated that she represents the HOA of the Country Club Condominium complex. She presented a packet of photos and cost estimates, which she presented to each Commission member for their review. She owns a unit at this complex, but she does not reside there.

In regard to the question posed by the Commission in 2020, she has provided photographs showing the damaged windows in some of the units and also showing the mold and condensation causing continued deterioration to the windows. There are essentially three main buildings that have a pitched roof and connected to that are flat roofs for a total of seventeen buildings in all. Visibility of the windows from the main street is very limited because of the distance from the road and also there are several trees surrounding the area. Another photo shows the breakdown of the original steel material because of mildew and corrosion of the window frames. The paint is chipping and very corroded. The photos also show the deterioration of the windowpanes and the muntins. The bathrooms seem to be

the most deteriorated because there are no vent fans in the bathrooms, allowing buildup of condensation and additional corrosion to the windowpanes and the interior of the window. There are eighty-six units, and it is fair to say that all those bathroom windows are in very bad shape, with the rust, mold, and chipping paint. Most of those windows do not form a tight seal when closing those windows because of the bending of the steel in the windows. There are also a lot of broken panes because of trauma of the expanding and contracting of the metal frames and loss of glazing. Because of the extensive deterioration the windows will require metal work to be done if they were to try and refurbish the windows. They are considered past any type of general repair. There are roughly six hundred windows in this kind of deteriorated state throughout the property. Metal actually falls off the windows when someone attempts to open or close the windows, and some windows do not open at all anymore. Replacement hardware is difficult to find and if found, it is very expensive.

In response to questions, Ms. Wilson responded that they did a reserve study in 2017, and they ultimately wish to keep up with the maintenance on the property. There is not a specific schedule of repairs, but they do keep up with repairs on an as-needed basis, except for this particular project, which they have been trying to get in place for several years now. Until they know from the Commission what they would be allowed to do, they cannot move forward with this project. Per their documents, the windows are the responsibility of each property owner, but it is the responsibility of the HOA to oversee what is done to keep all the windows the same throughout the complex. Over the years, some of the residents have done some small maintenance on the windows, but they did not change the overall features of the windows. This would need to be a large-scale project throughout the complex. The next question addressed is if the proposed windows would have the same number of panes as the existing windows, and they have been very diligent in making sure that the proposed replacement window would mirror the original as closely as possible. The only difference is that the proposed window will be double-paned as opposed to single panes in the original windows. The depth of the window casement is only 1 ½" deeper than the original and will fit into the original opening very well. Drawings and photos are included in the packets provided to the Commission members for their review. Details of the proposed windows have also been included for review. A local architect has been employed to make drawings of the existing windows and those drawings were submitted to the new manufacturers they reached out to that were on the approved list from the National Historic Register. This was to ensure the windows would be designed, and a quote would be given, specific to this particular site.

Another manufacturer, Diamond Windows out of Boston, took on the Beaux Arts building in Manhattan which is a historic building for which they were given approval to replace the windows. The photos showed the original windows and the replacement windows after completion of that project.

Also included in the package are four replacement quotes from manufacturers, as well as refurbishment quotes. Not much has changed since the 2020 estimates that were discussed at that meeting. They are looking at roughly \$1.5M to do this project, whether they refurbish or replace. The pricing is about the same. She has also included a spreadsheet showing the difference between refurbishment and replacement costs. There are three (3) unit styles; one-bedroom; studios; and two-bedroom units. They have the opportunity to amend their documents and put that into the homeowner's hands, but they have no interest in jeopardizing the look of the property. The idea is that a replacement product will look like the existing windows, but that would have to be a vote among the homeowners to decide whether to refurbish or replace, depending on how damaged and deteriorated their particular windows are. She pointed out that aluminum has become the preferred replacement, rather than steel, as it is lighter and more durable, and it does not pose the corrosion problems and is more energy-efficient in the long run.

Danny Murray, Fountain Manor Drive, stated that he was a former owner of Country Club Condos and is still on the HOA Board. If these condos were allowed to have either insulated aluminum or vinyl windows, the condos would not only preserve the historic appearance, but they would also be maintenance-free, and the new windows would enhance the appearance of the buildings, enhance the value, and eliminate the health hazards of the mold and mildew. Replacement windows would also enhance the energy-efficiency and help lower the carbon footprint. On May 23, 2022, the News & Record newspaper reported that in 2020, the Forsyth Historical Resources Commission revised the design review standards for Winston-Salem's West End area to allow for the use of "green materials" and technologies in certain situations. Visibility will almost always be the deciding factor in whether the solar panels are permitted in the historic districts. The article was in reference to an applicant that wanted to put solar panels on the top of a historic building, and they could be placed where they could not be seen from the street. They were approved because they were not visible. At Country Club Apartments, vinyl or aluminum windows would not be in a highly visible area, as shown in the photographs previously presented. They would only be visible in the courtyard used by the residents. He also presented information from the National Park Service related to rehabbing windows, which says, "Replacement windows on secondary elevations that have limited visibility must match historic windows in size, configuration and general characteristics," which both of the proposed window types do. "Though the finer details may not need to be duplicated, and substitute materials may be considered. In addition, variances in the details in the use of substitute materials can be considered in individual cases where there are differences, where these difference result in only minimal change to the appearance of the window and no change to the historic character of the overall building."

In response to questions, Ms. Wilson stated that it would be both lower and upper windows that would be replaced on the entire condo project. There would be approximately six hundred (600) windows that would be replaced.

Chair Briggs invited Commission members to go up and look closely at the proposed window examples.

Chair Briggs asked if there was anyone else who wished to speak in favor of the application.

Richard Hardigan, 1700 N. Elm Street, was affirmed and stated that he just had a question about a comments Mr. Horth raised about the proposed windows having a double pane, and it is his understanding that the existing windows are single-pane windows. In response to his comment, Mr. Murray stated that the proposed windows are double-pane windows. If the windows are not replaced and are refurbished, they would remain single-pane windows.

There being no other speakers in favor or in opposition, the Evidentiary Hearing was closed.

Discussion:

Ms. Chaney stated that her only concern is whether the actual property owner would be financially capable of carrying the burden of having to pay for the proposed new windows. Chair Briggs pointed out that would not be a concern for the Commission to consider. Kaye Graybeal stated that the Commission cannot base their decision only on the financials of the project.

Mr. Dowell pointed out that there are six hundred (600) potential windows to be replaced without the owners' approval, there are eighty-nine (89) different condo owners, an HOA that says they can do it, owners who are collecting tax benefits, but the applicant doesn't necessarily have the control of it through the City. Chair Briggs stated that the hard answer to that situation would be that they would end up being non-compliant through the Building Inspections Department, and it would be an enforcement issue. Mr. Dowell stated that this was just something that he felt should be considered.

Ms. Pittman stated that she wanted to refocus for a minute on the *Secretary of Interior's Standard for Rehabilitation # 6*, which states, "The deteriorated historic feature shall be repaired rather than replaced where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities where possible. Materials of replacement or missing features shall be substantiated by documentary, physical or pictorial evidence." She feels that the aluminum window is an improvement over what was presented two years ago. She does not know if the Guidelines only speak to specifics, but it seems that the entire windows have reached a point where it is jeopardizing the whole picture, and she does not have a problem with the aluminum window replacement. Chair Briggs pointed out that, today, we have air conditioning, moisture, and condensation issues that were not present at the time the condos were originally developed. There are water issues that are directly related to the steel that weren't as much of an issue many years ago. He also feels that the aluminum-framed windows seem to be a metallic surface which would be a little more durable. Ms. Pittman also stated that she feels that for the existing windows there has been enough evidence and enough evaluation by professionals that have addressed the questions posed earlier by the Commissioners a couple of years ago. She does not have a problem with the proposed aluminum windows because there is a clear need for full replacement of the windows and enough evidence has been presented that if those windows were refurbished or repaired, rather than being replaced, the underlying conditions are still there and that whole situation may reoccur in just a matter of a few years, after they have spent their resources in trying to save the old windows. To not find a permanent solution at this time may jeopardize the whole historic building. She thinks the aluminum window has the same proportions, addresses the gap which will provide greater insulation, and it will be "green" and will look identical but be a far superior product and help stabilize the historic structure, itself.

Chair Briggs stated that he has written some proposed statements of Findings of Fact that can be modified as they go along in this process.

- 1) The slim profile of the original metal windows is integral to the international style.
- 2) The steel windows were used because of convenience at that time in history, desirability, durability, affordability, large-scale, and they could fill a large opening.
- 3) These windows have been subject to extensive deterioration (and material loss related to that deterioration) due to condensation from air conditioning and from adjacency to shower bathrooms.
- 4) Replacement aluminum windows offer a modern alternative to metal windows in terms of convenience, affordability, durability, and scale (large opening).
- 5) The proposed new aluminum windows indicate similar pane sizes and divisions, and care must be given to the narrow scale, profile and appearance of the muntins and divisions to closely approximate the original. They are not exact but are as closely replicated as possible.
- 6) Replacement of historic elevation windows must match wood-for-wood and metal-for-metal.
- 7) The conditions of this residential structure in terms of living space and insulation, warrant a new approach for consideration on a case-by-case basis.
- 8) A complete and thorough approach to the design and type of windows installed must be adhered to with this particular project in a very consistent manner.

Mr. Dowell suggested additional findings: From the National Historic Preservation website, "Replacement windows on primary street-facing or any high visible elevations or buildings of three stories or less must match the historical windows with all their details and materials, wood-for-wood and metal-for-metal." Is this being considered a metal-for-metal replacement as outlined by the Secretary of Interior's Standards? Chair Briggs pointed out that steel is metal and aluminum is metal, so he feels that it is metal-for-metal replacement. Kaye Graybeal also added that this particular metal

sufficiently replicates the appearance of the original metal, so you're looking at appearance, and if it is a sufficient approximation of the original appearance.

In response to a concern raised by Mr. Dowell regarding future tax credits, Chair Briggs stated he cannot try to interpret what the National Parks Service might say in this particular situation, but the statement can be made here that it might have an impact on claiming tax credits in the future and may disqualify an application for that. Mr. Dowell also asked about what precedent this might set for future applications. Mr. Wiley came for the Wiley House at the last meeting, and that house was disqualified for a window change after-the-fact, and that is why he is bringing it up now. These applicants are making efforts to follow the process and have come before the Commission with their proposal throughout the application, and he feels that is an important fact. He just wants to make sure that if this application is approved, that future applications be addressed in the same way.

Kaye Graybeal pointed out that each case is on a case-by-case basis for consideration. Chair Briggs stated that regarding setting a precedent, he can think of several examples, such as Revolution Mill, Proximity, Market Square in High Point, Furniture Showroom, Wafco Mills, and several others. Kaye Graybeal stated that the Blue Bell Building and Gateway Center just refurbished all those steel windows, but they are commercial/industrial buildings.

Chair Briggs stated that he could make an additional Finding of Fact that:

“Conditions of this residential structure, in terms of living space and insulation, warrant a new approach to construction, and involve different considerations.”

Chair Briggs moved to approve the Findings of Fact, as modified and finalized, seconded by Ms. Payne. The Commission voted 6-1 in favor of the motion. (Ayes: Briggs, Millsaps, Payne, Chaney, Pittman, Hammond. Nays: Dowell.)

Chair Briggs then moved that a COA be issued for the County Club Apartment buildings located at 1700 N. Elm Street, based on evidence presented and with the Findings of Fact previously approved, with a recommendation for replacement windows that address concerns of structural integrity, health, and safety raised at previous meetings. Though the replacements are not an exact match due to material characteristics of the new products (steel to aluminum), they resemble the original in overall pattern, scale, color and function, and a consistent and thorough approach must be adhered to with this project. The window details, profiles and materials must adhere to the specifications presented at the Public Hearing. Seconded by Ms. Payne. The Commission voted 6-1 in favor of the motion. (Ayes: Briggs, Millsaps, Payne, Chaney, Pittman, Hammond. Nays: Dowell.)

F. New Business:

Evidentiary Hearing Item:

3) Certificate of Appropriateness (After-the-Fact) application for tree removal for Cannon Court Apartments, 828 N. Elm Street (Postponed from the September 20, 2022, meeting. The applicants have requested to postpone this item to the November 15, 2022, HPC meeting due to scheduling conflicts.) **(CONTINUED TO NOVEMBER 15, 2022 MEETING)**

Mr. Millsaps moved to continue the above-mentioned item to the November HPC meeting. Seconded by Ms. Payne. The Commission voted 7-0, unanimously, in favor of the motion. (Ayes: Briggs, Millsaps, Payne, Chaney, Dowell, Pittman, Hammond. Nays: None.)

Chair Briggs closed the Evidentiary Hearings at this time.

New Business

Evidentiary Hearing Item:

Certificate of Appropriateness application for exterior changes and interior upfit for the Hepler Grocery, located at 315 S. Greene Street. **(WITHDRAWN; Advisory Review only)**

Jim Budd representing the applicant asked that this item be continued to the November HPC meeting and that there be an Advisory Session after tonight's meeting.

Mr. Dowell moved to withdraw the application from tonight's meeting, and hold an advisory session after tonight's meeting, and the item may come before the Commission at its November meeting or later. Seconded by Mr. Millsaps. The Commission voted 7-0, unanimously, in favor of the motion to hold an Advisory Session at this time. (Ayes: Briggs, Millsaps, Payne, Chaney, Dowell, Pittman, Hammond. Nays: None.)

Discussions will be held after adjournment of the HPC meeting today.

G. Non-Public Hearing Item:

None

H. Other Business

Preservation North Carolina Annual Conference preparations

The Commissioners confirmed whether they are attending and briefly discussed potential ride-sharing opportunities for the conference.

I. Adjournment

There being no further active business before the Commission, the meeting adjourned at 7:44 p.m.

Next Scheduled Meeting – November 15, 2022 - (October 18, 2022, meeting is canceled)