

Historic Preservation Commission  
Minutes of July 15, 2019

**MEMBERS PRESENT:**

Elizabeth Doucette  
Shanda K. Horner  
Richard Morris  
Shaun Spencer-Hester

**MEMBERS ABSENT:**

Michael Erquiaga  
Emmett Lifsey  
Christopher McSwain, Chair

**OTHERS PRESENT:**

Ms. Anne Nygaard, Secretary to the Historic Preservation Commission; Ms. Eve Mergenthaler, Planning Technician; and the public.

**ROLL CALL:**

After a quorum was established, Commissioner Horner called the meeting to order at 4:06 p.m.

**1. ELECTIONS:**

Commissioner Doucette made a motion, which was seconded by Commissioner Spencer-Hester, to postpone elections, which passed by a unanimous vote.

**2a. CONSENT AGENDA:**

Commissioner Morris made a motion, which was seconded by Commissioner Doucette, to accept the consent agenda, which passed by a unanimous vote.

**3. New Business:**

**a) ACTION (Advocate-Commissioner Horner): Request of Woody's Firehouse LLC to convert a side window into a door to meet building code at 1210 Rivermont Avenue. (HPC1906-0018):**

Mr. Tim Woodland was present to represent the application. Mr. Woodland and his wife live at the old fire house and are working to convert the downstairs into a small meeting venue for weddings, receptions, birthdays, and other types of gatherings. An architect did a safety study and determined that another means of egress is required. The side window in the application was chosen because it isn't visible from either direction. The window will be removed and replaced with an old door. The door will have the same look of the trim work. In the original proposal, the door was going to be painted red but all of the other doors in the building are black so instead, this one will be black too.

Commissioner Horner noted that she is very familiar with the firehouse and did not have any questions or comments.

Commissioner Horner made a motion to approve the application as submitted. The motion was seconded by Commissioner Doucette. Discussion ensued.

Commissioner Morris noted that he had not visited the firehouse and asked if there was any reason Mr. Woodland wanted to replace a window in the original building instead of putting the door in the cinder block addition of the building.

Mr. Woodland responded that the cinder block part of the building is beyond where the venue space will be. This part of the building was added in the 1940s and is a garage that backs up to the original structure.

Commissioner Morris asked for clarification that the venue would be in the front portion.

Mr. Woodland responded that the venue would be in the front portion and that the red brick is the original structure built in 1905.

Commissioner Morris asked what was in the tower.

Mr. Woodland responded that the tower is the original hose drying tower. It is about sixty (60) to sixty-five (65) feet tall and has an opening inside.

Commissioner Morris asked if the tower could be turned into a foyer and if a window in the block section of the building could be replaced instead of the proposed window. He then asked if Mr. Woodland had a plan.

Mr. Woodland responded that a plan was included in his application.

Commissioner Morris asked if there was a door in the tower.

Mr. Woodland responded that there is a sliding door in the tower but it is not shown in the plans. The door used to be used to bring the hose in and then the hose would be run up the pulleys. Access to the tower will be restricted too because the architect requires a two hour fire rating all the way across the wall between the venue space and the garage. Mr. Woodland also noted that he did not want to put a door where Commissioner Morris suggested. If he did, the initials scratched in the brickwork from the original fire crew from 1905 would be lost.

Commissioner Morris asked what the back section of the building would be.

Mr. Woodland responded that the back section is a garage where the firemen used to work on the fire engines and it has two large doors that are original to the firehouse.

Commissioner Morris asked what it will be when the venue space is created.

Mr. Woodland responded that it will be his workshop.

Commissioner Morris asked for clarification that a fire wall needed to be in place.

Mr. Woodland noted that the concept for the venue is to be able to hold roughly one hundred (100) people and just the one section of the old firehouse will be used. The garage is excluded from the venue plan.

Commissioner Morris asked how Mr. Woodland plans to fireproof the division between the garage and the venue space.

Mr. Woodland responded that he has put up fire rated drywall to fireproof the windows, which was recommended by the architect. The original door is two-inch thick hardwood and is closed and locked.

Commissioner Morris asked if it was possible to put firewall between the two pilasters and put a new door and wall in to make a new entrance. This would create a hall and prevent the need to replace the original window.

Mr. Woodland responded that it is possible but it would greatly increase the cost of the project.

Commissioner Morris noted that he thought it would decrease the cost of the project because Mr. Woodland would not have to alter the existing historical wall but would instead put up a new fire-rated wall and door.

Mr. Woodland responded that it is doable but it is not in line with his original plan for the space and would increase the square footage. A door would still need to be put in that would replace a window but it would replace the next window down. He noted that he is trying to change as little of the historical aspect as possible.

Commissioner Morris noted that the Commission would be less picky about the aesthetics of the door if it were placed on the newer part of the firehouse.

Commissioner Spencer-Hester asked what the door will be used for.

Mr. Woodland responded that the door will be used as a means of egress. Even with the bay doors, based on the number of people that may use the venue space, another means of egress was required by the architect. The proposed location was chosen because it was out of the way and wouldn't greatly alter the appearance of the building.

Commissioner Spencer-Hester asked if the door would alter the appearance on the interior.

Mr. Woodland responded that the interior is brick and the door he has would fit within the opening of the window. The brickwork would need to be taken out of the bottom to install the door.

Commissioner Spencer-Hester asked if there is a way to get to the door from the street.

Mr. Woodland responded to get to the door, an individual would have to walk through the yard.

Commissioner Spencer-Hester noted that the glass on the proposed door may not be secure.

Mr. Woodland responded that the glass in the proposed door will be security glass.

Commissioner Doucette asked if the additional means of egress needs to be in the area of the building that Mr. Woodland has chosen.

Mr. Woodland responded that it does need to be in that area. He also noted that to accommodate Commissioner Morris' previous suggestions of changing the location of the proposed door, the architect would need to redraw the plans.

Commissioner Morris explained how the location for the proposed point of egress was chosen.

Mr. Woodland pointed out the existing doors at the front of the building and near the kitchen. Adding another door would create three means of egress.

Commissioner Horner stated that she does not have any problem with the proposal and that the proposed location is not visible from the street. The door is wooden and Mr. Woodland is trying to preserve it.

Commissioner Morris noted that if the fence that blocks visibility was ever taken down, the door would become visible.

Commissioner Horner stated that to see the door, an individual would have to be on the side of the building.

Commissioner Morris disagreed and restated that the door would be visible from the street if the fence was not present.

Mr. Woodland stated that there is a huge magnolia tree that also helps to block visibility.

Commissioner Spencer-Hester noted that it is nice to see something being done with the building and before now, she did not pay attention to the side of the building.

Mr. Woodland shared that he loves the building and is a retired firefighter.

The motion passed by the following vote:

AYES: Doucette, Horner, and Spencer-Hester	3
NOES: Morris	1
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

**b) ACTION (Advocate-Commissioner Spencer-Hester): Request of Stephen A. Aiello to remove pavers and flagstone to replace with a concrete walkway at 3400 Rivermont Avenue B. (HPC1906-0008):**

Mr. Stephen Aiello was present to represent the application. In the rainy season, the walkway to the terrace apartment gets wet and slippery. To help alleviate this, he has done work to the downspouts to get them to drain about eighteen (18) feet away from the house. When his tenant moved out at the end of April, the walkway was messy and muddy and the pavers were pushed into the ground. In the winter it is messy and when it is raining it is not safe. Mr. Aiello would like to put in a practical concrete sidewalk so it is easy to keep clean in the winter and is raised up to keep it out of the water and mud. This will also prevent a mess in the yard and house if future tenants move in or out during a wet season.

Commissioner Morris asked if there was a site plan.

Mr. Aiello responded that he did not have a site plan.

Commissioner Doucette asked where this was located.

Mr. Aiello responded that the property is at the corner of VES Road, Rivermont Avenue, and Boonesboro Road. It is across from the country club. The apartment with the walkway has access to VES Road.

Commissioner Morris asked what the existing walkway is made of.

Mr. Aiello responded that the walkway is made of thin concrete blocks that are not original to the house.

Commissioner Morris asked for clarification that Mr. Aiello wanted to replace concrete pavers with a solid concrete sidewalk.

Mr. Aiello responded that was correct and he also wanted to remove the flagstone pavers, which get slippery.

Commissioner Morris asked where the flagstone pavers were located.

Mr. Aiello responded that the flagstone is the material closest to the entrance of the apartment.

Commissioner Morris made a motion to approve the application as submitted. The motion was seconded by Commissioner Spencer-Hester and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

**c) ACTION (Advocate-Commissioner McSwain): Request of Dennis G. Newton to build a shed roof entrance canopy over the basement entrance on the right side of the house at 505 Washington Street. (HPC1906-0010):**

Mr. Dennis Newton was not present to represent the application.

Commissioner Morris asked if the entrance was visible from the street.

Commissioner Doucette responded that it is not visible when driving by but she did not walk around. She then stated that she wanted to speak to Mr. Newton about the drawing he submitted because he said that this canopy is similar to the other ones on the house but she did not think it was.

Commissioner Morris noted that this is for a shed and not for the house and that Commissioner Doucette didn't seem to want the gable.

Commissioner Doucette asked if the images of the entrance canopies were on the house.

Ms. Anne Nygaard responded that they were.

Commissioner Doucette stated that the images of existing canopies were what Mr. Newton said he wanted the proposed canopy to be like but the drawing does not resemble those.

Commissioner Morris stated that the existing canopies are inappropriate for the house and the proposed drawing was more appropriate.

Commissioner Spencer-Hester noted that Mr. Newton also wants to put a metal roof on this canopy while the others do not have a metal roof.

Commissioner Doucette stated again that the drawing is not similar to the existing canopies and asked if the Commission thought the canopies on the house were original.

Commissioners Morris and Horner responded that no, the canopies were not original.

Commissioner Morris made a motion to approve the application based on the submitted drawings, the color of the roof is to be approved administratively. The motion was seconded by Commissioner Spencer-Hester and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

**d) ACTION (Advocate-Commissioner Spencer-Hester): Request of David & Marsha Rubinberg to replace the façade's wood with PVC lookalike and replace old stucco with new at 3101 Rivermont Avenue. (HPC1906-0015):**

Mr. David Rubinberg was present to represent the application. Water is penetrating the old stucco, getting behind the wood, and rotting the wood. This has been mended more than once already. Mr. Rubinberg wants to prevent this from happening by replacing the wood using a PVC lookalike but he does not want to change the appearance of the façade. The benefit of the PVC is that it cannot weather or rot and it resembles wood. Also, it will not shrink like wood and can be painted immediately.

Commissioner Morris asked Mr. Rubinberg's contractor if he had determined why there was an ongoing problem.

The contractor responded that the stucco was in contact with the untreated wood which caused the wood to rot.

Commissioner Morris asked if the water was actually getting behind the stucco also.

The contractor responded that masonry is porous and that the water was getting behind the stucco. He also noted that the codes recently changed and now require two vapor barriers when stucco is put on a house. Two vapor barriers will be used when work is completed on Mr. Rubinberg's house.

Commissioner Morris asked if the wood was original to the house and what its thickness was.

The contractor responded that the wood was  $\frac{3}{4}$  thick and the same size PVC will be used.

Mr. Rubinberg noted that the house was built in 1948.

Commissioner Doucette asked if treated wood would accomplish the same thing as PVC.

The contractor responded that treated wood would still shrink after sitting in the sun and could not be painted for a year. The stucco would also have to wait for the wood to be painted.

Commissioner Doucette asked for clarification that the stucco would have to wait for the wood to be painted.

The contractor responded that the stucco is the last step in the process.

Commissioner Morris asked if the trim has always been white.

Mrs. Marsha Rubinberg stated that they want the house to look exactly the same.

Mr. Rubinberg stated that they have never changed the colors.

Commissioner Morris noted that he owns a historical house as well and has used PVC before. Mr. Rubinberg's house is set back off of the street and the wood to be replaced with PVC is on the third floor. As long as the details and the profile remain the same, he is okay with it. If this section of the house had been stained, it would have been different, but the house has always been painted.

Commissioner Morris made a motion to approve the application as submitted. The motion was seconded by Commissioner Doucette and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

**e) ACTION (Advocate-Commissioner Morris): Request of Lynchburg Historical Foundation to add HVAC units on both sides of the Miller-Claytor House along with PVC piping and electrical circuit boxes at 2200 Miller-Claytor Lane. (HPC1906-0019):**

Commissioner Doucette recused herself.

Katheryn Moseley Brown, Executive Director of the Lynchburg Historical Foundation, was present to represent the application. The Miller-Claytor House, in Riverside Park, is unusable for six (6) months out of the year due to heat. The building is also rotting from the inside out. There is a two (2) year plan to completely renovate and restore the building but it was determined that the first thing that needed to be done was the HVAC to put air-conditioning in. Mini splits were chosen because the units on the outside are a lot smaller and there is no place for duct work in the house. There will be two (2) mini splits on each floor so that the entirety of the house is usable. The outside unit on the left hand side will be obscured by an existing boxwood. The Lynchburg Garden Club maintains the gardens and would trim the boxwood so that work could be performed. On the right hand side, there's nothing there. A fence replicating the fence around the Miller-Claytor house could be built around the unit immediately or plants could be planted to grow and eventually obscure the unit.

Commissioner Morris asked how big the mini split outdoor unit is.

Another representative of the Lynchburg Historical Foundation responded that the units are approximately thirty-two (32) inches wide. They are similar to a "good size suitcase."

Commissioner Morris asked if the outdoor unit would be for all three levels of the house.

Ms. Brown responded that it would be. She also noted that the conduit that holds all of the refrigerant and electrical wiring will go the entire length of the house and will be painted the same color as the house.

Commissioner Morris asked what is causing the house to rot from the inside out.

Ms. Brown responded that there is no climate control.

Commissioner Morris stated that may not be the reason the house is rotting.

Ms. Brown responded that the Lynchburg Historical Foundation is hoping to get the building modernized. There is no insulation and the building is a 1791 house. When it was moved in 1935, it was moved exactly as it was when it was on Church and 8<sup>th</sup> Street. The outdoor unit would be painted the same yellow color of the house so there would be no contrast.

Commissioner Morris asked if there was a picture of the side of the house.

Ms. Anne Nygaard displayed images of the house.

Commissioner Morris asked for clarification that the pictures accurately displayed the positioning of the conduit.

Ms. Brown responded that they did and that the conduit would go straight up the building. She then asked the other representative if it was possible for the conduit to follow the outline of the chimney.

The representative responded that it would be more difficult to make the conduit follow the chimney because it had a couple of different offsets.

Commissioner Morris stated that it would be better if it followed the chimney outline. He then asked if the outdoor unit could be placed on the other side of the chimney.

Ms. Brown responded that the outdoor unit could not be placed on the other side because there was nowhere to place it due to the porch and the basement steps.

Commissioner Morris asked to see images of the other side of the house.

Ms. Brown noted that this side hosts electrical items.

Commissioner Morris asked if the electrical would be on the front part of the side of the house.

Commissioner Spencer-Hester asked for clarification that the electrical would be on one side and the condenser would be on the other side.

Ms. Brown responded that she was referencing existing electrical and it was on the right hand side of the side of the house.

Commissioner Morris asked if the fireplaces were used.

Ms. Brown responded that the fireplaces are not used.

Commissioner Morris asked if the fireplaces were moved intact or had to be rebuilt.

Ms. Brown responded that the fireplaces are not usable at all.

Commissioner Morris asked what is on the third floor of the house.

Ms. Brown responded that there are two bedrooms and a closet on the third floor. These rooms will become a playroom and bedroom for children.

Commissioner Spencer-Hester asked for clarification that the Lynchburg Historical Foundation chose the left side of the building to hang units because that's where they would be placed on the interior.

Ms. Brown responded that there would be units going up both sides of the house. There will be a total of six (6) units.

Commissioner Morris asked if the units were wall mounted.

Ms. Brown responded that the units are wall mounted.

Commissioner Morris stated that the mini split units on the interior are going to greatly diminish the historical aspect and the outdoor units were also not aesthetically appealing. Mini splits are not the best option. In another historic building, the mini split units came in through the attic and went down the chimney shaft. Another solution would be a high velocity system because those can be installed through walls. He then asked what type of crawlspace the building had.

The other representative responded that the crawlspace is part "stand up basement" and part crawlspace. Ductwork is not out of the question on the main floor but getting to subsequent floors is a problem.

Commissioner Morris stated that he has the same type of problem and that he has his cooling system in the basement for the first floor and in the attic for the top floor.

Ms. Brown responded that there is no attic space in this building.

Commissioner Morris stated that it may not have an attic but there may be something up there and other options for air conditioning should be examined. Mini splits are going to diminish the interior and exterior.

Ms. Brown asked the other representative how much more expensive the other air system that they had examined was.

The representative responded that the other system was going to be more.

Ms. Brown stated that cost is an extreme consideration in their choice. The mini splits also offered more control over usage.

Commissioner Spencer-Hester asked Commissioner Morris if his concern was with the PVC piping. She noted that mini splits are used at the Anne Spencer House as well. Instead of using PVC piping though, the Anne Spencer House used the old gutter to run the piping along.

Ms. Brown responded that the Miller-Claytor House doesn't have gutters.

Commissioner Spencer-Hester pointed out that the house does have gutters and the piping could be run alongside of them.

Commissioner Morris asked if the piping could be run along the side of the gutter instead of the front of it.

Commissioner Spencer-Hester stated that running the piping along the gutter would be better than running it along the chimney and noted that the mini splits are not as obscure on the interior as was hoped for because they hang high.

Ms. Brown stated that the end goal of making the Miller-Claytor House usable is to make it available to the City, school systems, and other historic and educational events.

Commissioner Morris stated that he understands the money concern but another option would be to put a mini split system on the third floor so that the cold air would drop to the lower levels. The other floors could have systems installed in phases and the humidity problem would be taken care of. He then asked if house is used more in the summer than in the winter and if the house has heat.

Ms. Brown responded that the house has heat. The house is in higher demand when the schools are open because the schools take field trips. The house has also hosted weddings, showers, and parties.

They hope to host business meetings and other such events as well. The first two floors are used the most and the third will be for display as a museum.

Commissioner Morris recommended that all of the options be reviewed again.

Ms. Brown responded that the Lynchburg Historical Foundation had reviewed the options. They looked at the option of doing the installation in phases and of using traditional type air conditioning units. Because the ceilings in the Miller-Claytor house are lower, the mini splits aren't as obscure but it seemed like the most cost effective option for what they can afford and for getting the house back into public use. The house was never meant to just sit.

Commissioner Horner asked if a quote on a high velocity system was obtained.

Ms. Brown responded that using a high velocity system was looked into but from the beginning, it became prohibitive. She then stated that making the piping look like the downspout was possible and an "excellent idea."

Commissioner Spencer-Hester stated that the PVC piping is her only concern.

Commissioner Morris asked how wide the circumference of the gutter would have to be.

The other representative responded that the piping was a full five (5) inches.

Commissioner Spencer-Hester noted that the one used by the Anne Spencer house was three (3) or four (4) inches.

The other representative stated that the commercial material should be big enough.

Ms. Anne Nygaard asked Commissioner Spencer-Hester to specify the type of downspout to be used and the location on the house in the motion.

Commissioner Spencer-Hester made a motion to approve the application as submitted with the stipulation that PVC piping is not used and instead a four (4) or a four and a half (4.5) inch round downspout is used that follows the existing gutter.

Ms. Brown asked if the location of the mini split unit could be relocated.

Commissioner Spencer-Hester stated that the Anne Spencer House had to run a pipe to meet the existing gutter.

Commissioner Morris asked running the piping across the door would be an issue.

Ms. Brown responded that the door is sealed shut for safety. Where the steps are is where the kitchen would have been but it was lost when the house was moved in 1935.

The motion was seconded by Commissioner Morris and it passed by the following vote:

AYES: Horner, Morris, and Spencer-Hester	3
NOES:	0
ABSTENTIONS: Doucette	1
ABSENT: Erquiaga, Lifsey, and McSwain	3

**f) ACTION (Advocate - Commissioner Morris): Request of Antoine Davis to replace decking, decking support, spindles, secure porch piers, remove block wall and replace with lattice, add a mini-split, and replace asphalt shingles on porch with metal to match rear at 716 Cabell Street. (HPC1906-0020):**

Mr. Antoine Davis was present to represent the application. The home is being remodeled and work is being done to the porch because there is a lot of damage. Advice is requested for the railings, deck, spindles, etc., so that a better plan may be formed.

Commissioner Doucette asked if the existing rails would be used or if the rails would be rebuilt.

Mr. Davis responded by displaying one of the existing rails. The existing rails may or may not be original to the house. It looks like the previous owner installed them on both the top and the bottom. Other homes in the historic district have a different top rail and bottom rail. The bottom rail is usually thicker and squarer for better support. The previous owners of this home made the existing bottom rail out of pieces of the top rail.

Commissioner Doucette asked if the bottom rail would be changed to be more appropriate.

Mr. Davis responded that the top rail can be remade as it is now. The spindles will need to be remade since there are not enough but the existing spindles are most likely not original since they are a lighter wood. The bottom rail will need to be made thicker than the existing one so it won't sag.

Commissioner Morris asked if there was an issue with the height and what the height of the existing railing is.

Mr. Davis responded that the current building code may apply and the existing railing is less than the current code requires.

Commissioner Morris noted that a thicker base would lift the railing height up and help meet requirements of the current code.

Mr. Davis noted that if the railings were raised up, it might not look good because of where they would fall on the existing posts.

Commissioner Morris asked if Mr. Davis had spoken to the building inspector about the height of the railings yet since he would be the final say in the matter.

Mr. Davis responded that he had not.

Commissioner Morris asked if a similar situation has ever occurred.

Ms. Anne Nygaard responded that she could not remember such an instance and then noted that Mr. Davis might need a building permit.

Commissioner Morris asked what the height of the spindle that Mr. Davis had brought in was.

Mr. Davis measured the spindle and responded that it was twenty-five (25) inches. The top railing with the spindle was twenty-five and three quarters (25.75) inches.

Commissioner Morris noted that the spindle, top rail, and a base of about eight (8) inches would bring the railing up to about thirty-four (34) inches. With a space below the base of at least four (4) inches, the

railing would meet current code. The building inspector might allow the railing to be lower than current code requirements if Mr. Davis has proof that the railing was historically shorter.

Commissioner Doucette clarified that, besides the height of the railing, the larger block for the base needed to be approved by the Commission.

Mr. Davis responded yes, it needed to be approved. The larger base would provide more stability and support over time.

Commissioner Morris noted that the spindle could not be placed on a flat surface because it needs water runoff. He drew examples and discussed sizing requirements.

Commissioner Morris made a motion to approve the rail as submitted with the top piece being reproduced, the base being a heavier base approximately six (6) to eight (8) inches, at least the thickness of the base of the spindle or wider, and the height of the rail at its historical height if approved by the code official. The motion was seconded by Commissioner Doucette.

Discussion of appropriate bottom rail height ensued.

Commissioners Doucette, Horner, and Spencer-Hester shared agreement that a bottom rail of four (4) to six (6) inches was too big.

Commissioner Spencer-Hester recommended to Mr. Davis that he acquire samples and bring them back to the Commission for consideration.

Commissioner Morris noted that he would approve four (4) inches.

Commissioner Spencer-Hester responded that she did not want Mr. Davis to purchase something inappropriate for the size of his house based on the height recommendations.

Commissioner Morris revised his motion to include a bottom base of approximately four (4) to six (6) inches instead of a bottom base of approximately six (6) to eight (8) inches.

Commissioner Spencer-Hester responded that a size should not be included in the motion.

Mr. Davis stated that he would be willing to bring samples back to the Commission.

Commissioner Spencer-Hester asked if Mr. Davis would be reproducing the existing spindles or considering new spindles.

Mr. Davis responded that there were enough existing spindles for half of the rail. Either the existing spindles would need to be reproduced or he could get new spindles.

Commissioner Spencer-Hester asked if Mr. Davis was partial to the existing spindles.

Mr. Davis responded that they seemed accurate based on the surrounding houses.

Commissioner Doucette noted that the current motion could be approved by amending it to include an appropriate bottom rail or the Commission could wait to see samples.

Ms. Nygaard responded that a specific motion alleviates the burden on staff to determine if something is appropriate or not.

The motion was denied by the following vote:

AYES: Morris	1
NOES: Doucette, Horner, and Spencer-Hester	3
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

Mr. Tony West, from the audience, noted that there was only about three and a half (3.5) inches for the rail to go up before the rail was too tall on the post. A two (2) by four (4) should be used for the base. The building inspector should not have to examine the height because it is a repair. If the railing is not built with appropriate space requirements, it will rot and need to be replaced often.

Commissioner Morris noted that even if the base were not four (4) to six (6) inches, it would be better to have something there.

Commissioner Doucette asked for clarification that Mr. West recommended a two (2) by four (4) for the base.

Mr. West responded that was his recommendation and anything bigger than that would cause the rail to rest too high on the post.

Commissioner Spencer-Hester stated again that Mr. Davis should bring samples.

Commissioner Doucette made a motion to table the discussion until samples could be brought in. The motion was seconded by Commissioner Morris and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

Mr. Davis transitioned the conversation to the block wall. The wall is under the current deck and when it was installed there was no footer put in. The wall is not stable and is not original to the house. It needs to be removed and the piers need to be redone to be made secure. Instead of replacing the wall, lattice will be put up.

Commissioner Doucette noted that the lattice needs to be framed lattice.

Commissioner Spencer-Hester stated that square lattice would look more historic than diagonal.

Commissioner Morris made a motion to approve the application as follows: the wall be removed, the brick piers be rebuilt as original, and the latticework be installed framed and set back, not flush with the brick piers. The motion was seconded by Commissioner Doucette and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

Mr. Davis stated that when the home was purchased the decking was treated lumber. He replaced parts of the deck with pressure treated wood.

Commissioner Morris noted that he did not have a problem with it because what was there wasn't the original porch flooring anyway. He then asked if the porch would be painted.

Mr. Davis responded that for now, it would be left natural but it might be painted in the future.

Commissioner Morris noted it might be better to leave it natural unless the underside was primed.

Commissioner Morris made a motion to approve the decking as installed. The motion was seconded by Commissioner Doucette and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

Mr. Davis stated that the house currently has heat pumps on the side of the house which will be replaced in the same location. A sunroom was put on the house about twenty (20) years ago and he wants to install a mini split unit on the side of this room. The sunroom is on the back of the house.

Commissioner Morris asked what was there now.

Mr. Davis responded that there was nothing currently in the sunroom for heating or cooling.

Commissioner Spencer-Hester asked how the conduit for the mini split would be run.

Mr. Davis responded that the conduit would be run up the side and right into the sunroom.

Commissioner Morris noted that the mini split would not be very visible from the street.

Commissioner Morris made a motion to approve the mini split as submitted. The motion was seconded by Commissioner Spencer-Hester and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

Mr. Davis stated that the front porch currently has asphalt shingles that are at the end of their life. The left-hand corner of the porch is sagging and the roof will most likely have to be torn out to fix this. Instead of replacing the asphalt shingles, the roof will be replaced with a metal roof.

Commissioner Spencer-Hester asked what the roof on the house is.

Mr. Davis responded that the roof on the house is slate.

Commissioner Spencer-Hester asked if there was another roof on the house that was metal.

Mr. Davis responded that there is a single story addition on the rear of the house that houses the kitchen and the sunroom and has a metal roof.

Commissioner Morris noted that the asphalt roof on the porch does not have an adequate pitch to be an asphalt roof anyway.

Commissioner Doucette asked what color the metal roof would be painted.

Mr. Davis responded that the metal roof on the addition is barn red and the front porch metal roof will be painted as close to that as possible. Sample colors were displayed.

Commissioner Morris stated that the included sample is called terra cotta. There are three reds: barn red, colonial red, and terra cotta. All three are very different. Barn red is really red.

Commissioner Spencer-Hester asked if the new metal roof would match the color of the metal roof on the addition.

Mr. Davis responded that the color would be as close as possible. The roof of the rear addition has been repainted since it was installed so the metal roof color might not match the paint color exactly.

Commissioner Spencer-Hester asked if the red shutters would remain on the house.

Mr. Davis responded that they would be removed. They aren't original to the house and they are the wrong size.

Commissioner Morris stated that the rear roof isn't really visible.

Commissioner Spencer-Hester noted that too many different reds would not be desirable.

Commissioner Morris asked if Mr. Davis would be able to compare the color sample with the existing metal roof on the rear addition and submit it for administrative approval.

Ms. Nygaard stated that if the Commission approves the change from asphalt to metal roof, the color can be administratively approved by staff.

Commissioner Doucette made a motion to approve the replacement of the asphalt shingles with a metal roof but the color will be administratively approved. The motion was seconded by Commissioner Morris and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

**g) ACTION (Advocate - Commissioner Erquiaga): Request of Antoine Davis to replace the wooden privacy fence to match the neighbors', repair the shed's brick walls, and replace asphalt shingles on shed with metal roof at 405 Harrison Street. (HPC1906-0021):**

Mr. Antoine Davis was present to represent the application. The current fence is about to fall over. The neighboring property has installed a privacy fence with a gate along the length of the property. That fence will be duplicated.

Commissioner Morris asked if the existing fence line would be followed.

Mr. Davis responded that the fence would be replaced in the same location. The new fence would be a six (6) foot privacy fence with two-thirds of lattice and diagonal over top.

Commissioner Spencer-Hester asked if the same material would be used.

Mr. Davis responded that the same material would be used.

Commissioner Morris noted that the fence meets the guidelines in terms of being set back from the house.

Commissioner Morris made a motion to approve the fence as submitted. The motion was seconded by Commissioner Spencer-Hester and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

Mr. Davis stated that there's a shed located at the back of the property. Some of the block has settled and there's a hole in the roof. The roof on the shed and on a rear addition is currently asphalt shingles. The roof on the shed and rear addition will be replaced with metal and the descender block walls will be repaired.

Commissioner Morris asked what the roof on the main house is.

Mr. Davis responded that the roof on the main house is slate and the roof on the front porch is metal.

Commissioner Morris asked if the front porch roof needed to be replaced.

Mr. Davis responded that the front porch is staying but the metal of the roof may need to be replaced.

Commissioner Spencer-Hester asked what type of metal roof will be installed and if Mr. Davis had any samples.

Mr. Davis responded that he did not have any samples.

Commissioner Doucette asked if the front porch already had a metal roof.

Mr. Davis responded that there is already a metal roof on the front porch but it may need to be replaced.

Commissioner Doucette asked what color the metal roof on the front porch is.

Mr. Davis responded that the metal roof on the front porch was going to be an in kind repair but the color was undetermined because it is so rusted.

Commissioner Morris asked what color the metal roof will be.

Mr. Davis responded that it will be red.

Commissioner Morris asked if the asphalt shingles on both the shed and the rear addition would be replaced with metal.

Mr. Davis responded that both the roof on the shed and the roof on the rear addition would be replaced with metal.

Commissioner Spencer-Hester asked what the measurements on the new metal roof would be.

Mr. Davis responded that the new metal roof would be similar to the metal roof that exists on the front porch.

Discussion about the distinction of the roof color ensued.

Commissioner Morris made a motion to approve the metal roof on the addition and shed as submitted in a colonial red color. The motion was seconded by Commissioner Spencer-Hester and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

#### 4. Old Business:

**a) ACTION (Advocate - Commissioner Horner): Request of Tony West to replace the gutters with ogee gutters and paint part of the brick green at 301 Rivermont Avenue. (HPC1906-0022):**

Mr. Tony West was present to represent the application. On the front of the building, there are ogee gutters. He would like to replace the existing half round gutters with ogee gutters because of the volume of water that is coming off the roof and the way that the ogee gutters attach.

Commissioner Morris asked what type of gutters were on the roof now.

Mr. West responded that both ogee and half round gutters were used on the building.

Commissioner Morris asked what Mr. West wanted to do to the shutters.

Mr. West responded that the shutters would be painted black, the doors would be black, and the brick walls surrounding the doors would be white. The green trim would remain the same.

Commissioner Horner asked if the paint colors in the displayed image would remain the same.

Mr. West responded that they would and the windows were painted the same color as the front entryway, which was the light green color.

Commissioner Horner asked if gold paint would be used.

Mr. West responded that all of the gold paint was gone and would not be used. Instead, it would be white.

Commissioner Doucette noted that the historical guidelines do not recommend ogee gutters but Mr. West's building has some.

Commissioner Morris stated that replacing the existing ogee gutters with ogee gutters would be replacing in kind.

Mr. West responded that he wanted to replace all of the gutters, both ogee and half round, with ogee. To replace the shingles, the gutters needed to come off, and the ogee gutters would help with the volume of water that comes off of the building.

Commissioner Morris asked for clarification that the ogee gutters do a better job than the half round.

Mr. West responded that was correct and that ogee attaches to the roof more securely. The roof is steep, which causes a lot of water to come off of it.

Commissioner Morris stated that the size of the gutter, rather than the shape of it, is a better determinant of how it will handle volume of water and recommended a larger half round gutter.

Mr. West responded that a larger half round gutter compared to an ogee gutter would cost a lot more.

Commissioner Doucette asked how much of the building had ogee gutters and how much had half round.

Mr. West responded that there was about thirty (30) percent ogee and sixty (60) to seventy (70) percent half round but all of the half round came off when the roof was being replaced.

Commissioner Spencer-Hester asked if the existing half round gutter was original and the ogee was a replacement.

Mr. West responded that it is hard to tell since different areas may call for different materials. It is possible that it had hidden gutters at one point too.

Commissioner Spencer-Hester noted that it probably did have hidden gutters.

Commissioner Morris noted that the gutters shown in the images did not seem to be attached to the roof.

Mr. West responded that the gutters weren't attached very well and fell off when the roof was being redone. When they were attached to the roof, the water coming off of the roof would run over top of them, around them, and under them.

Commissioner Morris asked if the ogee gutters would be installed in a similar manner to the previous gutters.

Mr. West responded that the ogee gutters would be attached more securely and would catch more water. The previous gutters didn't catch much water and it ran down the building, which caused the building to rot.

Commissioner Spencer-Hester noted that the ogee gutters give the building a quite different look.

Mr. West responded that the ogee gutters give a better, cleaner look and are less noticeable.

Commissioner Spencer-Hester noted that the ogee gives it a newer, more modern look and the half round gutters are more appropriate for the building.

Commissioner Doucette asked why half round gutters are more expensive than ogee gutters.

Mr. West responded they are more expensive because they are not used as much and are produced less.

Commissioner Spencer-Hester noted that the gage of the metal also contributes to the price of the gutter and half round are made of a heavier metal.

Mr. West agreed and noted that ogee gutters are aluminum and would rot less quickly. The building is an apartment complex and he would like it to last as long as possible and to keep its appearance up.

Commissioner Spencer-Hester asked how the weight of ice and snow would affect ogee gutters.

Mr. West responded that they work well and are commonly used.

Commissioner Morris noted that the guidelines do not approve of ogee gutters and so switching from half round to ogee gutters would be going against the guidelines.

Commissioner Doucette stated that she was glad the building was being fixed up.

Commissioner Morris stated that the backdrop color looked the same as the trim color and asked Mr. West if the white on the brick would stand out from everything else.

Mr. West responded that he had not made a final decision on the colors and wanted input from the Commission. He was testing the colors out and had to submit something to the Commission. The current white section might remain white or it might become green because of the possibility that people would scuff the wall with their shoes.

Commissioner Spencer-Hester asked for clarification on the area and current color Mr. West was referencing.

Mr. West responded that he was talking about the brick area on the building and he was considering painting it white.

Commissioner Doucette noted that the color is more of a cream than a white. The guidelines note that this type of building should have white, off-white, or cream accents and trim.

Mr. West responded that's why he submitted the color palette that he did.

Ms. Anne Nygaard stated that the reason the colors are up for the Commission's approval is because of the green.

Commissioner Spencer-Hester recalled that the colors were discussed at the last Historical Preservation Commission meeting.

Ms. Nygaard noted that the gold color, previously considered, was gone.

Commissioner Horner stated that the green color was not previously a problem because it was an existing color on the building.

Commissioner Morris made a motion to approve the color combination as submitted. The motion was seconded by Commissioner Doucette and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

Commissioner Doucette asked if there were half round gutters in a different material.

Mr. West responded that he would replace in kind with half round gutters but wanted to present the ogee gutters to the Commission.

Commissioner Morris stated that there was probably a different system of gutters on the building at one time so any type of gutter that gets put on may be inadequate unless they are heavy duty.

Mr. West responded that he was considering using a six (6) inch ogee gutter.

Commissioner Morris stated that the guidelines say no to ogee gutters unless they already exist on the building. It would be in kind repair to replace the front porch section with ogee gutters but not to replace them anywhere else on the building. He then asked Mr. West if he was replacing the front porch gutters.

Mr. West responded that he was replacing all of the gutters on the building.

Commissioner Morris made a motion that the front porch gutter be replaced in kind with ogee gutters and the remainder of the gutters be replaced with half round gutters that are a larger size, determined by the flow of water.

Commissioner Doucette asked why the front porch wouldn't be replaced with half round gutters as well.

Mr. West responded that half round gutters may not attach the same way in that area.

The motion was seconded by Commissioner Spencer-Hester and it passed by the following vote:

AYES: Doucette, Horner, Morris, and Spencer-Hester	4
NOES:	0
ABSTENTIONS:	0
ABSENT: Erquiaga, Lifsey, and McSwain	3

**5. NEXT MEETING DAY:**

The next regular meeting is scheduled for August 19, 2019.

**6. ADJOURNMENT:**

There being no further business, the meeting was adjourned at 5:56 p.m.

ATTEST: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
Secretary Commissioner