

**PLANNING AND
COMMUNITY DEVELOPMENT**

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**TRANSYLVANIA COUNTY JOINT HISTORIC PRESERVATION COMMISSION (JHPC)
MINUTES**

June 19, 2018, 4:00 PM

I. Call to Order, Chair Marcy Thompson:

Marcy Thompson called the meeting to order. Members attending were Chair Marcy Thompson, Aaron Bland, Ellen Pratt Harris, John Huggins, Jeff Mills, Betty Runion, Melanie Spreen and Rebecca Suddeth along with staff members Joy Fields and Mark Burrows. Board member Morris Davis was absent (excused). Owners of the Red House, Daniel and Tracy Trusler, were in attendance.

II. Approval of Agenda and Minutes:

Rebecca Suddeth moved to approve the June 19 agenda. John Huggins seconded the motion and it was carried unanimously. Chair Marcy Thompson noted the May 8 meeting minutes were edited to correct page numbers of the Certificate of Appropriateness (COA) to page 24, Standards of Evidence to page 27, and Conflict of Evidence also to page 27 under the Voting section. Melanie Spreen moved to approve the modified May 8, 2018 minutes. Ellen Harris seconded the motion and it was carried unanimously.

III. Old Business:

Quasi-judicial hearing for the Red House Inn COA:

- Chair Marcy Thompson ensured all participating in the hearing were duly sworn by the County Clerk, Trisha Hogan.
- Chair Marcy Thompson read the following timeline as written by Staff Mark Burrows in a June 18, 2018 e-mail (attached) to the JHPC Board:
 - The Transylvania County Joint Historic Preservation Commission (JHPC) was established by ordinance on November 14, 1994.
 - The Transylvania County Commissioners amended and approved the JHPC by-laws on March 28, 2016.
 - The current owners of the Red House Inn, Daniel and Tracy Trusler, applied for and received local designation for the property (Parcel Identification Number 8586-42-1026-000) on December 5, 2008. City of Brevard Ordinance 16-08. The ordinance stipulates that the local designation applies to the "entire exterior of the building and the entire parcel of land."
 - On August 9, 2017, Daniel Trusler applied for an Application for Zoning Site Plan Approval from the City of Brevard to build a new structure. Permit # Z17-027 was approved on August 9, 2017.
 - A Transylvania County Building permit was requested on November 20, 2017 and approved on November 21, 2017 (Permit BRRA17-323). A final building permit was issued on February 20, 2018.

JHPC Meeting Minutes
Regular Meeting, June 19, 2018

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- On April 6, 2018, Transylvania County Planning and Community Development Department (TCPD) staff met with the Truslers about the new structure and possible violation of the Red House Inn's local designation status.
- On April 10, 2018, TCPD staff informed the JHPC members at a regular meeting about the possible violation.
- On April 13, 2018, TCPD staff conferred with staff from the NC State Historic Preservation Office to discuss how to address the situation and determined that it would be appropriate to hold a retroactive Certificate of Appropriateness hearing. After talking with the JHPC Chair and property owners, the public hearing was scheduled for Tuesday, June 19, 2018.
- On May 2, 2018, the property owners submitted an application for a retroactive certificate of appropriateness.
- TCPD staff notified adjoining property owners by way of certified return-receipt mail about the date of the public hearing and published ads in The Transylvania Times noticing the date, time and location of the public hearing.
- Joy Fields, Staff to the JHPC, gave an overview of the Certificate of Appropriateness Application for the locally designated property on the corner of Probart Street and Railroad Avenue, known as the Red House.
 - The application is to build a secondary structure on the parcel – all of which is designated as a historic landmark.
 - The Red House Inn owners submitted an application (attached)
- Joy Fields reviewed information provided by the State Historic Preservation Office's Secretary of the Interior Standards for Rehabilitation (attached):
 - 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
 - 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
 - 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
 - 6. Deteriorated historic features 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 and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - 7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

JHPC Meeting Minutes
Regular Meeting, June 19, 2018

- 8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- Marcy Thompson invited the property owners to present their COA application (attached).
- Daniel Trussler stated that they understood that they needed COA's for the main house structure – but did not know it was needed for the entire parcel. He also noted that the project was permitted by the City of Brevard. He also shared that:
 - There used to be a kitchen long ago and its design was used as the basic form/shape for the new project. He noted it was not in the exact same location and that the property used to be much bigger, but now is around a ½ acre lot.
 - The historical significance of the Red House has always been that it is a commercial venture and structure – and the value of the Red House is in that history.
 - The Red House was built in 1851, but much of what is visible today was done in 1912.
 - They maintain a commercial use for the Red House, want it to be economically viable and want to keep its historic character.
 - They wanted the new structure to look like an old kitchen and designed it like similar structures from the period. They deliberately chose materials for the new structure to match the main house including a metal roof, siding, color, gutters, and deck material.
 - They believe the historic integrity of the property has not been disturbed and noted that some decisions, like a block foundation rather than brick, were based on economics.
 - He noted that many people have commented that the new structure is an improvement.
- Marcy asked if any members of public had comments. As no general public attended, there was no public comment.
- Marcy Thompson asked if Staff had any additional comments – none were made, and she summarized the meeting up to this point.
- After a question of process, Mark Burrows noted that a motion was not needed to have the discussion.
- Marcy Thompson asked for any additional comments or statement regarding the design guidelines.
- Ellen Harris noted that under the design guidelines 9 and 10 and the Handbook for Historic Preservation, there is a section covering new construction and she read a paragraph regarding new construction relationship to surroundings:
 - “Guidelines for new construction apply to historic districts, especially where a number of lots are vacant. They also apply to the grounds of landmarks. The guidelines must address the relationships of new construction to its surroundings. The relationships commonly considered involve spacing, scale, orientation, proportions, architectural detailing, materials, color and landscaping.”

- Melanie Spreen noted that the new structure was not built where the original kitchen had been. The Truslers noted that the old kitchen was rolled down the hill in 1911-12. Some maps from the 1930's show that the kitchen would have been on the back side.
- Marcy Thompson looked at the historical Sanborn Maps and stated that some years there were other structures on the property and some years there were not. The 1911 Sylvan Valley News noted that a contractor remodeled the Red House with the house practically rebuilt.
- Mark Burrows noted that the orientation, architectural detailing, window trim, and color were addressed in COA. He noted that the commercial nature of the property made the spacing and scale consistent with standards. The Truslers noted they paid specific attention to the scale of the structure.
- Betty Runion confirmed her understanding that this is a retroactive COA application.
- Ellen Harris noted the JHPC was advised by the State Historic Preservation Office to review the COA as though it were not really actually built.
- Ellen Harris stated she felt most criteria standards for rehabilitation were met, with the last two standards (#9 and #10) being most applicable. Mark Burrows noted that Staff agreed.
- Marcy Thompson asked for a motion that the new structure is either incongruous or congruous.
- Ellen Harris moved that the application for this COA does meet Guidelines #9 and #10. The motion was seconded by Melanie Spreen. Marcy asked for further discussion.
 - Melanie Spreen noted that the guidelines were met, and she thought the siting could have been considered differently as to not change the importance of the main building, the new construction being to the rear or the side of the main building rather than in line on Probart Street.
 - Aaron Bland agreed about the site location, wanting the main house to remain more prominent. He still sees #9 as met because the new construction is small and short.
 - Jeff Mills asked about the design being similar to the original kitchen. The Truslers noted there were not good records of the original kitchen, but they thought the original was taller. They based their design off the rectangular shape of the footprint.
 - A watercolor painting of an old kitchen from the same era in Brevard as supplied by the Truslers was shown on screen (attached).
 - The Truslers noted there may have been a loft in the original kitchen structure, but they decided against having one in the new structure.
 - Ellen Harris commented that the new structure was somewhat problematic because of its prominence on the site. She compared the rooflines of the designs. She was also troubled by the windows that may be too modern looking.
 - The Truslers noted that the guidelines state that new structures are to be differentiated from the main structure. Aaron Bland noted the guidelines also state it should also be similar.
 - Marcy Thompson noted there are points in the guidelines that say they are to be congruent, but different.
- The motion was voted on this finding of fact that Guidelines 9 and 10 were met with the clarification that this motion was not an approval of the COA. The motion unanimously passed. (Melanie Spreen had to leave the meeting to catch a flight prior to the vote).
- Marcy Thompson asked if conditions should be placed on the COA.
- Aaron Bland suggested there be a discussion that there be conditions on the landscaping, ensuring the trees and shrubs can remain as much as feasible.

- The Truslers noted that they treated the Hemlocks for their health and will be adding more plants.
- It was suggested that if the COA goes forward, the Truslers can work with Transylvania County Planning and Community Development Staff to ensure an appropriate landscaping buffer is maintained.
- The Trusslers noted that the City of Brevard has requirements for landscaping as well.
- Mark Burrows noted that JHPC could require more than the City of Brevard.
- The Truslers noted the buffer was important to them as well.
- Ellen Harris reiterated concerns about the design of the structure. Marcy Thompson asked what was incongruous. Ellen Harris stated that ideally she would want more details regarding the roof and its steepness and that the windows would ideally be single, not double. Mark Burrows noted they could be considered as “differentiating” from the main structure. The Truslers noted that economics were involved in designing the structure as an economic use and that it would be unappealing for visitors to be in small, dark rooms with little windows. Aaron Bland noted the aspects to remain similar are an attempt to match while allowing more light for commercial use.
- Marcy Thompson called for a motion to approve or deny the COA, with or without conditions. Betty Runion reiterated that it was an issue that this COA is being considered retroactively rather than ahead of time. Mark Burrows noted that while it is a challenge, all JHPC can do is consider it retroactively. Aaron Bland suggested the landscaping be coordinated with Staff rather than the Truslers needing to obtain JHPC approval. A motion was made by Aaron Bland to approve the COA with the condition that a landscaping buffer be maintained and coordinated with Transylvania County Planning and Community Development Department Staff. The motion was seconded by Rebecca Suddeth and passed unanimously. Mark Burrows noted that silence is a yes vote.
- Marcy Thompson thanked everyone for their attention to detail and sharing their concerns.
- The Truslers noted they would work with JHPC for the upcoming porch and any other activities.
- Mark Burrows noted that some local historic designations are just for the house and not all of the parcel.
- Mark Burrows informed the assembled that a new permitting process is in-place and all historic designations will be flagged before permits are issued.
- Mark Burrows noted that the JHPC Bylaws will need to be updated in August. He proposed the JHPC may want to meet with all owners of local historic designations so they can provide input. It would also serve as a reminder to all owners that JHPC’s involvement is required when structures are changed or added on.

IV. New Business:

None

V. Public and Board Member Comments

Marcy Thompson shared that the Historic Homes Ramble was a success, with 167 paying customers and 40 volunteer tickets. She thanked everyone for their participation and work.

JHPC Meeting Minutes
Regular Meeting, June 19, 2018

- VI. **Adjourn:** Aaron Bland moved to adjourn. John Huggins seconded the motion and it was carried unanimously. The meeting adjourned around 5:15pm. The next meeting is scheduled for Tuesday July 10, 2018.

MINUTES APPROVED

Marcy Thompson 7/10/18
Marcy Thompson, Chair Date

Py Felds 7-11-18
Staff Date