



**Spencer Historic Preservation Commission
Regular Meeting Agenda
Monday, February 20, 2023, 7:00 P.M.**

- Call the Meeting to Order Leslie Ann Talbott, Chair
- Introduction & Pledge of Allegiance..... Volunteer from the Board
- Formal Roll Call..... Leslie Ann Talbott, Chair
 - [Determination of a Quorum (4 Regular Business)]
- Approval of Agenda
 - Adoption of Minutes for January 23, 2023, Regular Meeting.
 - Adoption of Agenda for February 20, 2023, Regular Meeting.

New Business:

1. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-002– 208 South Rowan Avenue – Veronica Munoz (owner/applicant)
Rowan County Parcel ID: 033 382**

Proposed Project:

- Replace several [*exact number undetermined*] original wood windows with new windows matching the original in overall design and dimension. Proposed replacement windows to be wood or a contemporary substitute material such as vinyl.

Applicable Historic District Standards:

- Section 2.7 (Windows & Doors), Standards 2.7.1-2.7.18 (Historic District Standards, pp. 34-35)

2. Establish 2023-24 Annual Goals

- **Public Comment**
- **Comments from Staff**
- **Comments from Board Members**
- **Announcements**
 - Next meeting is Monday, March 20, 2023, at 7:00 P.M.
- **Adjourn**

Meeting Agenda & Instructions for Remote Zoom Participation

INSTRUCTIONS FOR ZOOM PARTICIPATION:

All interested persons are invited to participate in the public hearing at Town Hall. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website or contact the Town Planner.

Zoom Participation:

Remote Meetings: If you choose to participate in the meeting remotely by Zoom, please use the link below. If you choose to participate remotely, you are advised to contact the Town Planner prior to the meeting:

Join Zoom Meeting:

<https://us02web.zoom.us/j/87232609059?pwd=QjIyL1dma0hMSFVMMnpuYWdVMmZ3UT09>

Or call 301 715 8592

Meeting ID: 872 3260 9059, Passcode: 226177

One tap mobile

+13017158592,,87232609059#,,,*226177#



**Planning & Zoning Administration:
Certificate of Appropriateness (COA) Staff Report**

HEARING DATE: February 20, 2023

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-23-002

APPLICANT: Veronica Munoz (owner/applicant)

ADDRESS: 208 South Rowan Avenue (Spencer Local Historic District)

PARCEL ID: 033 382

PROJECT TYPE: *Original Window Replacement*

EXISTING LAND USE: Historic Residential

EXISTING ZONING: RMST (Residential Main Street Transition) | Corporate Limits

REPORT PREPARED BY: Kyle Harris, Town Planner

Per Town Code Sec. 32.43, no exterior portion of any building or other structure located in Spencer's Historic District shall be erected, altered, restored, moved, or demolished until after an application for a Certificate of Appropriateness (COA) has been submitted to and approved by the Historic Preservation Commission.

Applicant Proposal:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-002– 208 South Rowan Avenue – Veronica Munoz (owner/applicant)
Rowan County Parcel ID: 033 382**

Proposed Project:

- Replace several [*exact number undetermined*] original wood windows with new windows matching the original in overall design and dimension. Proposed replacement windows to be wood *or* a contemporary substitute material such as vinyl.

Applicable Historic District Standards:

- Section 2.7 (Windows & Doors), Standards 2.7.1-2.7.18 (Historic District Standards, pp. 34-35)

STAFF NOTE:

As of the time of publication of this report (Friday 2/17), the applicant Veronica Munoz has failed to submit by deadline a professional evaluation report on the condition of her existing original wood windows. Staff recommends that the HPC should not make a decision on this permit without the required evaluation. Staff recommends tabling this case to your next regular meeting on Monday, March 20, at 7:00 P.M. However, Ms. Munoz has requested an audience with the HPC on Monday, February 20, to determine her options. Staff recommends that Mrs. Munoz consider alternate options including repairing the existing windows or installing narrow-profile interior or exterior storm windows instead. Additional details are available in the Staff Recommendation and Conclusions of Law sections at the end of this report.

Exhibits:

- A. Staff Photographs (Site Visit 2/16/23)
- B. Proposed Vinyl Replacement Window Brochure
- C. Email Correspondence (Between Staff & Applicant)
- D. Subject Property Map
- E. Final Staff Email (2/17/23)

Staff Discussion:

The commentary below represents the staff's opinion and is offered to provide the Commission some general guidance and points for discussion. The HPC is not bound to this opinion.

Background & Email Correspondence:

- (The email correspondence below is available in Exhibit C.)
- On September 16, 2022, I was contacted by Paige Yerger with “Power Home Remodeling”, based out of Charlotte, who informed me by email that “we are contracted to do replacement windows at 208 South Rowan Avenue, Spencer NC 28159. I spoke with someone in planning who let me know this was in the historic district and that you were the person I needed to speak with about the review process. We are looking to replace the windows on the home with an energy efficient vinyl window. I am attaching information for our windows and can send photos as well.”
 - o The attachment (Exhibit B) was a brochure for the “Power Pella Symphony” vinyl window.
- On September 20, 2022, I responded to Ms. Yerger, providing an overview of the process and the applicable standards. I clearly advised the following, writing by email: “Please understand that the Town has relatively strict standards for window replacement projects. In most cases, it is not appropriate to replace any original windows unless they are ‘deteriorated beyond repair’. Prior to replacing any window, the applicant must submit sufficient proof that the windows are ‘deteriorated beyond repair’. Such evidence can include photographs, written assessments, professional opinions, or any other evidence of the condition of the windows sufficient to demonstrate that they cannot feasibly be repaired. Evidence should be provided for each window being replaced.”
- In the same email, I continued, “If a window is deteriorated beyond repair, it should be replaced with a matching window. ‘Matching’ means matching the design and dimensions of the original sash or panels, pane configuration, architectural trim, detailing, and materials.”
- Concerning the proposal to use vinyl windows, I added, “Substitute materials, such as vinyl, can only be considered if the original material is not technically feasible. If you wanted to use vinyl, you would have to prepare justification that wood is not technically feasible. Cost is not typically admissible as a reason against using wood windows.”
- I concluded that 9/20 email by saying, “In general, I advise owners of historic properties to explore all feasible alternatives to replacing original windows. And in general, it is not appropriate to replace original wood windows with new vinyl windows. Such requests are reviewed on a case-by-case basis, and the burden is on the applicant to prepare sufficient evidence and justification for removal.”
- The next day, 9/21, I was contacted by the actual homeowner Veronica Munoz. I offered Ms. Munoz the same guidance I provided to Ms. Yerger, advising that “the owners should explore options to repair the existing windows instead of replacing them.” I added “if the windows must be replaced due to deterioration, they must be replaced with new windows in a substantially similar design to those being replaced. ‘Substantial similarity’ is evaluated in terms of design, dimension, material, quality of material, sash and panel design, pane configuration, architectural trim, and detailing.” I concluded that email by saying, “Ideally, custom wood windows would probably need to be ordered unless an appropriate stock product is available. Vinyl windows are typically discouraged.”

- On the same day, 9/21 I sent the homeowner an email reiterating the following: “As we discussed, the Town’s historic standards encourage the preservation of original wood windows. If original windows are replaced, they should only be replaced with matching windows – matching in terms of material (wood) and design. In some rare cases, vinyl windows may be approved if there is a significant and compelling reason to waive the standards. However, the first choice is ALWAYS to repair the existing windows...if a homeowner wishes to be exempted from the Town’s standards, the burden is on you to provide compelling justification that your project deserves to be considered as a unique exception.”

Update Monday, November 21, 2022

- A few months passed without any correspondence from the applicant. Then, on 11/21, I received an email from the homeowner Ms. Munoz: “I am interested in moving forward with the window project for my home. Please advise when I would need to attend.”
- I responded on the same day, 11/21, and specifically requested the following: “If you haven’t already, please prepare or contract with a professional who can evaluate the condition of your existing windows...you will need to submit a written (typed) report describing the condition of the windows, with photographs of each window showing its condition. The report should demonstrate that the existing windows are ‘deteriorated beyond repair’”.
- I also asked to “please specify the new windows you would like to install to replace the old ones. Please provide a product brochure or specifications and/or other materials detailing the design, dimensions, and material of the new windows. Please also specify the pane configuration, architectural trim, detailing, etc. The replacement windows will need to substantially match the original windows.”

Update Thursday, January 12, 2023

- On January 12, I again spoke with Mrs. Munoz on the phone. She indicated she wanted to schedule her case for consideration by the HPC. I told her the next regularly scheduled meeting was February 20. I reminded her of the permit requirements (by phone and email). I also provided a deadline for her to submit a professional evaluation of the windows. That deadline was Wednesday, February 15.

Update Thursday, February 16, 2023 (Site Visit)

- I did not receive any documentation on the 15th. Therefore, on Thursday, February 16, I contacted Mrs. Munoz by phone to remind her that the deadline to submit a professional evaluation of the windows had passed, and I had not received the required documentation by deadline. I warned her that the HPC would be unable to render a decision without the required documentation. She indicated that she wanted to proceed with the HPC hearing, even without the professional evaluation, so she could at least determine what her options were. I told her that, at minimum, I would need to take photographs of all the windows. She invited me to her home to inspect and photograph the windows.
- On the afternoon of Thursday, February 16, I conducted a site visit and inspection of the windows, and photographed each original window proposed to be replaced. See Staff Photographs in Exhibit A. During my inspection, I found that the windows were in good condition. I noticed some windows that needed repairs, but I did not notice any windows that appeared to be “deteriorated beyond repair”. In my opinion, none of the windows were deteriorated beyond repair.

- Mrs. Munoz indicated that the original ropes/pulleys had been cut, thus rendering the windows inoperable. She provided this as a reason the windows needed to be replaced. I stated that there are historic window specialists who can repair and restore the windows to an operable condition.
- I then had a good discussion with Mrs. Munoz about her other options. I indicated that the HPC was unlikely to approve her request. I told her that the windows appeared to be in good condition, and did not appear “deteriorated beyond repair”. I told her that even if the windows were “deteriorated beyond repair”, the HPC would be unlikely to approve a vinyl replacement. I indicated that, at minimum, a custom build wood window replicating the original window would be required.
- Additionally, I explained to Mrs. Munoz her other options. I advised her that narrow-profile, full-view storm windows could be a good option if her goal was to improve energy efficiency. I advised that storm windows should be selected so as not to visually obstruct the original windows.
- Finally, I advised her that replacing all her historic windows with vinyl windows would irrevocably damage the historic value of her home. I strongly recommended against even attempting to pursue this project.
- On Friday, February 17, I sent Mrs. Munoz an email summarizing my discussion with her the previous day. That email is attached separately as Exhibit E.

Staff recommends that the HPC should not make a decision on this permit without the required evaluation. Staff recommends tabling this case to your next regular meeting on Monday, March 20, at 7:00 P.M. Additional details are available in the Staff Recommendation and Conclusions of Law sections at the end of this report.

Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Section 2.7. Windows & Doors (Standards, p. 34)

- Standard 2.7.1. Retain and preserve windows that contribute to the overall historic character of a building, including their functional and decorative features such as frames, sashes, muntins, sills, heads, moldings, surrounds, hardware, shutter, and blinds.
- Standard 2.7.3. Protect and maintain the wood and metal elements of historic windows and doors through appropriate methods:
 - o Inspect regularly for deterioration, moisture damage, air infiltration, paint failure, and corrosion.
 - o Provide adequate drainage to prevent water from standing on nearly flat, horizontal surfaces such as windows and door sills.
 - o Clean the surface using the gentlest means possible.
 - o Limit paint removal and reapply protective coatings as necessary. Remove heavy paint buildup on windows and doors to facilitate their operation.
 - o Reglaze sash as necessary to prevent moisture infiltration.
 - o Weatherstrip windows and doors to reduce air infiltration and increase energy efficiency.
- Standard 2.7.4. Repair historic windows and doors and their distinctive features through recognized preservation methods for patching, consolidating, splicing, and reinforcing.
- Standard 2.7.5. If replacement of a deteriorated historic window or door feature is necessary, replace only the deteriorated feature in kind rather than the entire unit. Match the original in design, dimension, material, and quality of material. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.7.6. If a historic window or door unit is deteriorated beyond repair, replace the unit in kind, matching the design and dimension of the original sash or panels, pane configuration, architectural trim, detailing, and materials. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.7.11. It is not appropriate to remove original doors, windows, shutters, blinds, hardware, and trim from a character-defining façade.
- Standard 2.7.12. It is not appropriate to remove any detail or material associated with windows and doors, such as stained glass, beveled glass, textured glass, or tracery, unless an accurate restoration requires it.
- Standard 2.7.14. If exterior storm windows are desired, select ones that are coated with paint or a baked enamel finish in a color appropriate to the trim color of the building. Install so that existing windows and frames are not damaged or obscured.
- Standard 2.7.16. It is not appropriate to replace windows or doors with stock items that do not fill the original openings or duplicate the unit in size, material, and design.

Section 2.1. Wood (Standards, p. 23-24)

- Standard 2.1.10. It is not appropriate to replace or cover historic wooden siding, trim, or window sashes with contemporary substitute materials.
- Standard 2.1.12. Certain synthetic materials such as cementitious siding can be reviewed on a case-by-case basis, provided:
 - o They are installed only when the original material is no longer available or feasible;
 - o They are installed in a traditional manner that includes the installation of corner boards, architectural trim around windows and doors, etc.
 - o They match the original in width of exposure, thickness, profile, texture, grain, color, and overall outer appearance.
 - o Their texture must be a smooth, non-grained (e.g. faux woodgrain) finish.
- Standard 2.1.3. When a Certificate of Appropriateness is being sought for the use of synthetic materials, the applicant should include with the application a sample of the new material as well as the material being replaced.

Section 2.9. Sustainability & Energy Retrofit (Standards, p. 38-39)

- Standard 2.9.4. If desired, introduce narrow-profile exterior or interior storm windows so that they do not obscure or damage the existing sash and frame. Size exterior storm windows to fit tightly within the existing window openings without the need for a subframe or panning (filler panel) around the perimeter. Select exterior storm windows with a painted or baked enamel finish color that is compatible with the sash color. Bare aluminum storm windows may be appropriate for post-1945 buildings. For double-hung vinyl windows, operable storm window dividers should align with the existing meeting rails.

Staff Suggested Findings:

Planning staff finds that the applicant has submitted insufficient documentation for the Commission to render a decision on this permit at this time. The applicant has failed to submit a professional evaluation on the condition of the existing original wood windows sufficient to demonstrate the windows are 'deteriorated beyond repair'. Additionally, the applicant has failed to submit documentation on the proposed replacement windows sufficient to demonstrate that they will substantially replicate the design and appearance of the original windows.

MOTION (TO TABLE)

Staff Recommendation (Conclusions of Law):

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, planning staff recommends that the Commission **TABLE** a decision on a Certificate of Appropriateness (COA) for the proposal heretofore described at 208 South Rowan Avenue (Tax Parcel ID # 033 382), located in the Spencer Local Historic District, to the HPC's next regularly scheduled meeting on Monday, March 20, 2023, at 7:00 P.M. For the HPC to consider this proposal, the applicant is required to do the following:

Submit to the Town Planner, no later than Monday, March 13, 2023, 11:59 P.M., the following required documentation:

- 1) A written (typed) professional evaluation report on the condition of the existing wood windows. The report must be prepared by a professional with experience repairing historic wood windows, or who is otherwise experienced in the field of historic preservation, rehabilitation, restoration, and reconstruction. The HPC may reject the conclusions of a report that is not prepared by a qualified individual or firm. The report must provide sufficient visual, technical, or other evidence clearly demonstrating that the original windows are "deteriorated beyond repair". To be "deteriorated beyond repair", a window must be in such an advanced state of deterioration that it is not technically feasible to repair it. Each window proposed to be replaced must be evaluated individually.
- 2) A product brochure or specifications for the proposed replacement windows sufficient to demonstrate their design and appearance. Any replacement windows should match the original windows in design and dimensions of the original sash or panels, pane configuration, architectural trim, detailing, and materials. Substitute materials, such as vinyl, can only be considered if the original material is not technically feasible. If vinyl is preferred, the applicant must prepare sufficient justification that custom wood replacement windows are not technically feasible. Cost is not admissible to justify technical infeasibility.

Contact:

Kyle Harris, Town Planner

Email: kharris@spencernc.gov.

Phone: 704-633-2231 ext. 20

Exhibit A: Staff Photographs (Site Visit 2/16/23)



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Exhibit A: Staff Photographs (Site Visit 2/16/23)



POWER HOME REMODELING

WINDOWS

APPRECIATE THE VIEW

With unparalleled product quality and expert installation, the Power Symphony window offers the perfect harmony of comfort, beauty, and the best view of the world around you. The Symphony window series is a result of Power's product collaboration with nationally-recognized Pella Windows, the first co-branded partnership in Pella's 93-year history. From a premium product to an exceptional customer experience, our Power by Pella windows are a smart and sound investment.





ECONOMICAL SOPHISTICATION

The sleek, contoured design of our eye-catching windows add elegance and charm while boosting your home's value.

MADE TO FIT

We customize our windows for your structure, eliminating the need to cut or peel back existing exterior structure. Our windows are made to fit your home, not the other way around.

UNPARALLELED SECURITY

With a secure locking system and steel reinforced rails, our windows protect your home all the time at all costs.

CONSTRUCTED TO ENDURE THE ELEMENTS

From our AAMA-certified installation methods to the quality of our materials, our windows are crafted to withstand the elements and maximize the comfort of your home.

NOISE-DEADENING

Our patented Zen Glass and form insulated frames act as noise-deadening headphones for your home.

EXTERIOR FEATURES

MEMORY MESH SCREEN

Allows air in, keeps bugs out

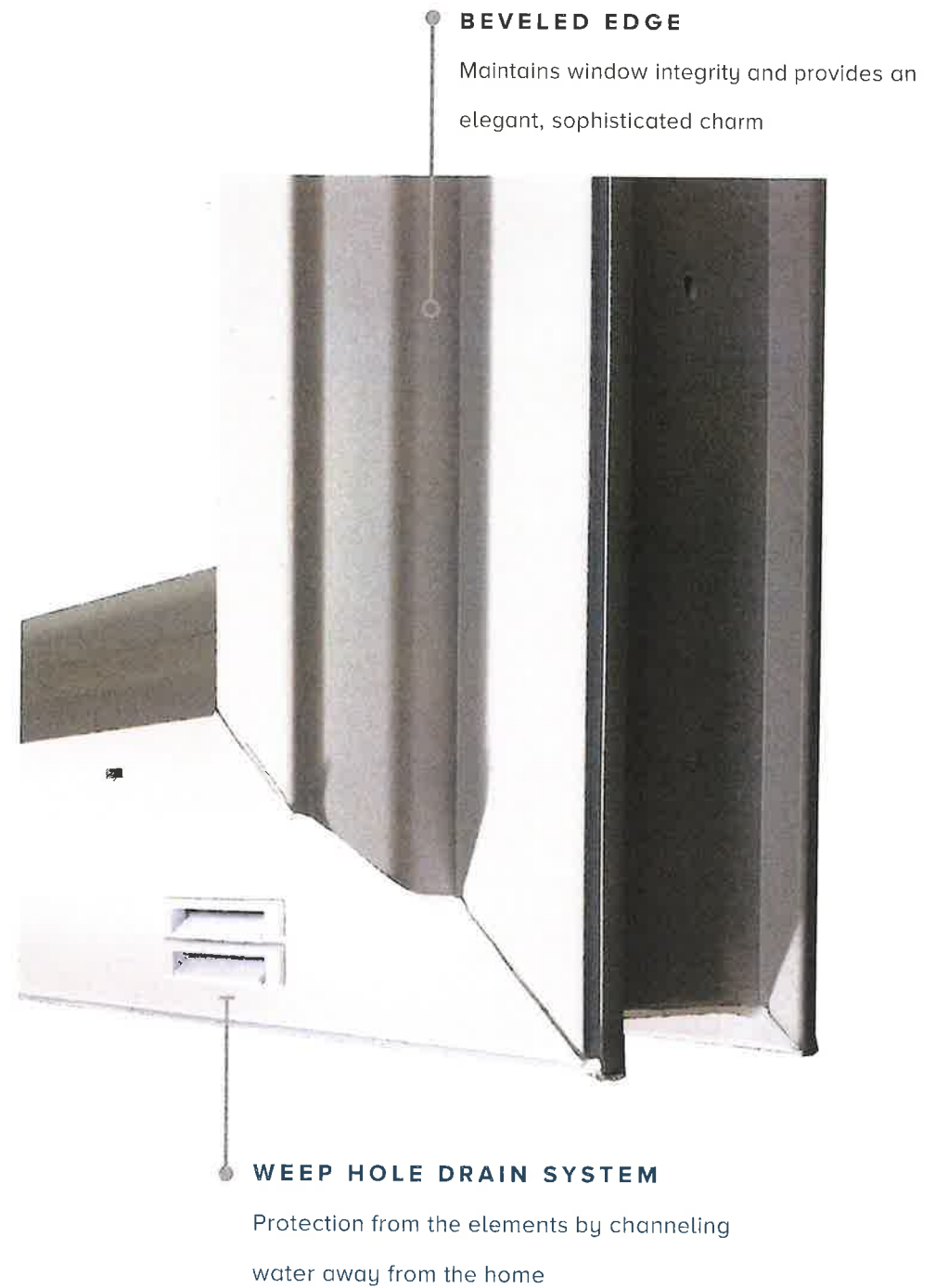
SLOPED SILL

Maintenance-free water management

EXTERIOR CUSTOM CAPPING

This maintenance-free weather barrier protects the home from the elements and comes in a picture frame finish





INTERIOR FEATURES

VIRGIN VINYL

Virtually maintenance-free, including a titanium-dioxide additive to protect against discoloring over the life of the window

LIFT ASSIST

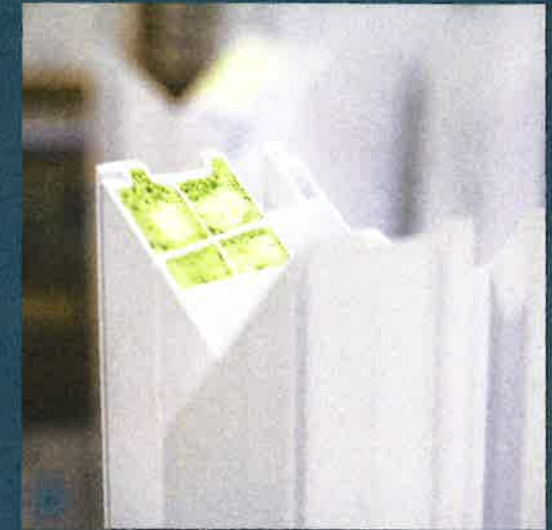
Allows for a lifetime of easy operation

WELDED CORNERS

Keeps the window square, improving overall operation

ZEN GLASS WITH HEAT SHIELD TECHNOLOGY

- Noise Deadening
- Safety & Security
- Energy Efficient



FOAM INSULATED FRAMES

Reduces sound infiltration while potentially saving you money



STEEL REINFORCED MEETING RAILS

Maintains fit, no drafty windows; enhances security and peace of mind

Power Home Remodeling Group makes no warranties, representations, or guarantees regarding the potential energy savings related to the installation and use of Power's Symphony Window. There are any number of factors that impact energy consumption and savings, including but not limited to the condition of the home as well as local utility costs.



TILT TO CLEAN

Ability to clean exterior glass from the safety of your own home



LEAK GUARD

Protects against water infiltration into the home and wall cavities

THREE-PART LOCKING SYSTEM

1. STAINLESS STEEL CAM ACTION LOCK
2. STEEL LOCK INTO STEEL REINFORCED MEETING RAIL
3. NIGHTTIME SAFETY LOCKS



NIGHTTIME SAFETY LOCKS



STAINLESS STEEL CAM ACTION LOCK

Exhibit C: Email Correspondence (Between Staff & Applicant)

Sent: Friday, September 16, 2022 1:48 PM
To: Kyle Harris <kharris@spencernc.gov>
Cc: Power windows <cltrio@powerhr.com>
Subject: Historic District Windows

Good afternoon,

We are contracted to do replacement windows at 208 South Rowan Avenue, Spencer, NC 28159. I spoke with someone in planning who let me know this was in the historic district and that you were the person I needed to speak with about the review process. We are looking to replace the windows on the home with an energy efficient vinyl window. I am attaching information for our windows and can send photos as well. Please let me know what else you need as far as this process is concerned.

Thank you!

Paige Yerger
Project Production Manager - Charlotte
O: 610-874-5000 ext. 6651
paige.yerger@powerhr.com

Exhibit C: Email Correspondence (Between Staff & Applicant)

From: [Kyle Harris](#)
To: [Paige Yerger](#)
Cc: [Power windows](#)
Subject: RE: Historic District Windows
Date: Tuesday, September 20, 2022 4:34:11 PM
Attachments: [image001.png](#)

Paige,

Thank you so much for reaching out. Yes, the property at 208 South Rowan Avenue is located in Spencer's Local Historic District. Any exterior changes to the property, including window replacement projects, must conform to Spencer's Historic District Standards. The standards are available online at this link: https://spencernc.gov/wp-content/uploads/2022/08/Historic-District-Standards_Final-Draft_For-Publication.pdf.

Please understand that the Town has relatively strict standards for window replacement projects. In most cases, it is not appropriate to replace any original windows unless they are "deteriorated beyond repair". Prior to replacing any window, the applicant must submit sufficient proof that the windows are "deteriorated beyond repair". Such evidence can include photographs, written assessments, professional opinions, or any other evidence of the condition of the windows sufficient to demonstrate that they cannot feasibly be repaired. Evidence should be provided for each window being replaced.

If a window is deteriorated beyond repair, it should be replaced with a matching window. "Matching" means matching the design and dimensions of the original sash or panels, pane configuration, architectural trim, detailing, and materials. Substitute materials, such as vinyl, can only be considered if the original material is not technically feasible. If you wanted to use vinyl, you would have to prepare justification that wood is not technically feasible. Cost is not typically admissible as a reason against using wood windows.

In general, I advise owners of historic properties to explore all feasible alternatives to replacing original windows. And in general, it is not appropriate to replace original wood windows with new vinyl windows. Such requests are reviewed on a case-by-case basis, and the burden is on the applicant to prepare sufficient evidence and justification for removal.

Please review Section 2.7. Windows & Doors (pages 34-35) of the Historic District Standards for more information.

Note that the Historic Preservation Commission (HPC) next meets on October 17th at 7:00 PM at Spencer Town Hall. Any window replacement projects require review by the full commission. I would encourage you to mark your calendar if you intend to pursue this permit application. The attendance of at least one project applicant or representative is required to participate in the hearing.

Please let me know your preference on how to proceed, and I will be happy to advise.

Warm regards,

Exhibit C: Email Correspondence (Between Staff & Applicant)

Kyle Harris

Planner

Town of Spencer

Office: (704)-633-2231 ext. 20

Cell: (704)-989-9471 (text only)



Exhibit C: Email Correspondence (Between Staff & Applicant)

From: [Kyle Harris](#)
To: earth1110@hotmail.com
Subject: FW: Historic District Windows
Date: Wednesday, September 21, 2022 3:43:00 PM
Attachments: [image001.png](#)

Veronica,

Thank you so much for speaking with me about your window replacement project. As we discussed, your property is located within Spencer's Historic District, and is therefore subject to the Town's architectural review process for historic properties. A Certificate of Appropriateness (COA) permit is required from the Town prior to any exterior work to the property, including changes to original windows. The Historic Preservation Commission (HPC) is a Town-appointed board that issues COA permits. The HPC meets once per month on the 3rd Monday of the month (next meeting is October 17th). The HPC reviews projects and evaluates them according to Spencer's Historic District Standards, which are available online here: https://spencernc.gov/wp-content/uploads/2022/08/Historic-District-Standards_Final-Draft_For-Publication.pdf.

As we discussed, the Town's historic standards encourage the preservation of original wood windows. If original windows are replaced, they should only be replaced with matching windows – matching in terms of material (wood) and design. In some rare cases, vinyl windows may be approved if there is a significant and compelling reason to waive the standards. However, the first choice is ALWAYS to repair the existing windows. If a window is deteriorated beyond repair, it should be replaced with a window as similar as possible to the original. If a homeowner wishes to be excepted from the Town's standards, the burden is on you to provide compelling justification that your project deserves to be considered as a unique exception.

I would encourage you to evaluate all of your options before moving forward with your project. See if the windows can be repaired instead. See if there are other options for you to achieve your desired outcome that would retain the existing windows.

Please see my email (forwarded below) to Paige Yerger for more details about the Town's architectural review process.

Let me know if I can provide any additional guidance or support as you proceed. I'm always happy to help.

Warm regards,

Kyle Harris
Planner
Town of Spencer
Office: (704)-633-2231 ext. 20
Cell: (704)-989-9471 (text only)

Exhibit C: Email Correspondence (Between Staff & Applicant)

From: [Kyle Harris](#)
To: ["Paige Yerger"](#)
Cc: ["Power windows"; "earth1110@hotmail.com"](#)
Subject: RE: Historic District Windows
Date: Wednesday, September 21, 2022 3:54:00 PM
Attachments: [image001.png](#)

Paige,

I wanted to send a quick update. I have spoken to the homeowner Veronica Munoz (copied) and have offered some official guidance on proceeding with this project. I have advised that the owner should explore options to repair the existing windows instead of replacing them. If the windows must be replaced due to deterioration, they must be replaced with new windows in a substantially similar design to those being replaced. "Substantial similarity" is evaluated in terms of design, dimension, material, quality of material, sash and panel design, pane configuration, architectural trim, and detailing.

The standards for windows are available on pp. 34-35 of the Historic District Standards, available online here: https://spencernc.gov/wp-content/uploads/2022/08/Historic-District-Standards_Final-Draft_For-Publication.pdf. I encourage everyone involved in this project to review these standards fully as you plan this project.

Ideally, custom wood windows would probably need to be ordered unless an appropriate stock product is available. Vinyl windows are typically discouraged.

Please let me know if I can provide any additional support at this time.

Warm regards,

Kyle Harris
Planner
Town of Spencer
Office: (704)-633-2231 ext. 20
Cell: (704)-989-9471 (text only)





From: Veronica Nicole Munoz <earth1110@hotmail.com>

Sent: Monday, November 21, 2022 2:16 PM

To: Kyle Harris <kharris@spencernc.gov>

Subject: Re: Historic District Windows

Hi Kyle,

I am interested in moving forward with the window project for my home. Please advise when I would need to attend.

Thank you,

Veronica

Exhibit C: Email Correspondence (Between Staff & Applicant)

From: [Kyle Harris](#)
To: [Veronica Nicole Munoz](#)
Subject: RE: Historic District Windows
Date: Monday, November 21, 2022 3:24:00 PM
Attachments: [image001.png](#)
[COA Application - revised July 2022 - fillable.pdf](#)

Hi Veronica,

Your project will need to be reviewed by the Historic Preservation Commission (HPC) at their next regularly scheduled meeting. Unfortunately, the Town's boards and commissions are currently on holiday and will not meet again until January. The HPC's next regular meeting is scheduled for Monday, January 16, 2023. I will go ahead and schedule your case for review in January.

In the meantime, I would advise you to please review our previous emails, some of which were directed to Paige Yerger, where I provided some detailed guidance, and follow these instructions:

- Please complete and return to me a Certificate of Appropriateness (COA) application – application form attached (PDF)
- If you haven't already, please prepare or contract with a professional who can evaluate the condition of your existing windows. Per the Town's historic district standards, original wood windows should not be replaced unless they are "deteriorated beyond repair". You will need to submit a written (typed) report describing the condition of the windows, with photographs of each window showing its condition. The report should demonstrate that the existing windows are "deteriorated beyond repair".
- Please specify the new windows you would like to install to replace the old ones. Please provide a product brochure or specification sheet and/or other materials detailing the design, dimensions, and material of the new windows. Please also specify the pane configuration, architectural trim, detailing, etc. The replacement windows will need to substantially match the original windows.

Please let me know if you have any additional questions, comments, or concerns.

Happy Thanksgiving!

Warm regards,

Kyle Harris
Planner
Town of Spencer
Office: (704)-633-2231 ext. 20
Cell: (704)-989-9471 (text only)

Exhibit C: Email Correspondence (Between Staff & Applicant)

From: [Kyle Harris](#)
To: [Veronica Nicole Munoz](#)
Subject: Historic Preservation Commission - Schedule Update
Date: Thursday, January 12, 2023 11:07:00 AM
Attachments: [image001.png](#)

Dear Veronica,

Happy New Year! Thank you for talking to me this morning considering your application to replace your windows at 208 South Rowan Avenue. As I mentioned, the HPC meeting this month has been rescheduled to Monday, January 23, at 7:00 PM at Town Hall. (January 16 is the MLK Federal Holiday and Town Hall will be closed on that day.)

When we spoke, you mentioned you had not yet received a professional evaluation on the condition of the windows. If you are having difficulty getting your documents together on time, I would highly recommend postponing your hearing to February 20. The HPC will not consider your request if you do not have all the required information prepared. Please refer to my previous emails dated 9/21/22 and 11/21/22, for more information on requirements. You were also copied on an email I sent to Paige Yerger on 9/21/22.

If you would like to review Spencer's Historic District Standards concerning windows, please refer to Section 2.7 (Doors & Windows) on pages 34-35 of the Standards. You can access the Standards online here: https://spencernc.gov/wp-content/uploads/2022/12/Historic-District-Standards_Final-Draft_For-Publication-Updated-11-30-2022.pdf.

Please let me know if you have any additional questions, and I will be happy to help. You can contact me at this email address (kharris@spencernc.gov) or my office phone 704-633-2231 ext. 20, or my direct cell 704-989-9471. I also accept texts at my cell phone.

Warm regards,

Kyle Harris
Planner
Town of Spencer
Office: (704)-633-2231 ext. 20
Cell: (704)-989-9471 (text only)



Exhibit D: Subject Property Map



Exhibit D: Subject Property Map

Exhibit E: Final Email Correspondence (2/17/23)

From: [Kyle Harris](#)
To: [Veronica Nicole Munoz](#)
Subject: Re: Historic Preservation Commission - Schedule Update
Date: Friday, February 17, 2023 9:06:04 AM
Attachments: [image003.png](#)
[Outlook-1mrrhwx2.png](#)

Good morning Veronica,

Thank you for meeting with me yesterday to discuss your window project. As I mentioned, the Historic Preservation Commission (HPC) will likely be unable to render a decision on your permit on Monday 2/20 due to lack of required documentation. Specifically, the HPC cannot consider approving a window replacement project without a professional evaluation of the condition of the existing windows. As I mentioned in previous emails, you will need to prepare a professional evaluation (typed report) of the existing windows demonstrating that the existing windows are "deteriorated beyond repair"; I highly recommend that you solicit the services of a historic window specialist or similar professional with experience working with historic wood windows. For a window to be "deteriorated beyond repair", the window must be at an advanced stage of neglect and deterioration such that there is no feasible solution to repairing the existing unit. This is a high bar to meet, which is why a professional evaluation is necessary as part of the permit requirements.

When I inspected the windows yesterday, they appeared to be in good - even excellent - condition. There did appear to be some need for repairs, especially if your goal is to provide insulation and energy efficiency. I did notice some gaps at the bottom of some of the window sashes. Additionally, you mentioned that all the original cords/pulleys had been cut, which is definitely a problem. There are specialists working locally who can repair those systems, but there will of course be a cost. In general, a highly recommend that you consider alternatives to replacing the windows. In my opinion, those windows can and should be repaired. Doing so will help preserve the long-term historic value of the house.

As an alternate measure, you may consider installing energy efficient storm windows instead. You should select storm windows that do not obscure or damage any original windows and frames. These are called "narrow profile" storm windows which can be installed either on the inside or exterior of the window. You should size exterior storm windows to fit tightly within the existing window openings. For a double-hung window, you may select an operable storm window to allow in air. There are a variety of options, but the most important consideration is to ensure that any storm windows do not visually obstruct any features of the original window.

I will keep your case scheduled on the agenda for Monday, February 20, at 7:00 PM. But please remember that the HPC will likely table a decision on your permit, meaning they will neither approve nor deny the permit. They will ask you to return at a future date with more

Exhibit E: Final Email Correspondence (2/17/23)

information (e.g. a professional evaluation). They will also likely give you the same recommendations I provided in this email: to try to repair the existing windows instead, or to install interior or exterior storm windows.

In the meantime, please let me know if I can provide any additional guidance or support.

Warm regards,

Kyle Harris
Planner
Town of Spencer
Office: (704)-633-2231 ext. 20
Cell: (704)-989-9471 (text only)



<!--[if !vml]-->

<!--[endif]-->

From: Veronica Nicole Munoz <earth1110@hotmail.com>
Sent: Thursday, February 16, 2023 1:30 PM
To: Kyle Harris <kharris@spencernc.gov>
Subject: Historic Preservation Commission - Schedule Update

Good afternoon Kyle,

Attached, please find for your review the application for Monday's hearing. Please review and should you need additional information from me please do not hesitate to contact me at (516) 946-6338.

Thank you,
Veronica Munoz

From: Kyle Harris <kharris@spencernc.gov>
Sent: Thursday, January 12, 2023 11:07 AM
To: Veronica Nicole Munoz <earth1110@hotmail.com>
Subject: Historic Preservation Commission - Schedule Update

Dear Veronica,

Exhibit E: Final Email Correspondence (2/17/23)

Exhibit E: Final Email Correspondence (2/17/23)

Happy New Year! Thank you for talking to me this morning considering your application to replace your windows at 208 South Rowan Avenue. As I mentioned, the HPC meeting this month has been rescheduled to Monday, January 23, at 7:00 PM at Town Hall. (January 16 is the MLK Federal Holiday and Town Hall will be closed on that day.)

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Please let me know if you have any additional questions, and I will be happy to help. You can contact me at this email address (kharris@spencernc.gov) or my office phone 704-633-2231 ext. 20, or my direct cell 704-989-9471. I also accept texts at my cell phone.

Warm regards,

Kyle Harris
Planner
Town of Spencer
Office: (704)-633-2231 ext. 20
Cell: (704)-989-9471 (text only)





February 10, 2023

NOTICE TO ADJACENT PROPERTY OWNER

**SPENCER HISTORIC PRESERVATION COMMISSION (HPC)
NOTICE OF PUBLIC MEETING & EVIDENTIARY HEARING**

This Notice is to inform you that you own property within one-hundred and fifty (150) feet of a property which is the subject of a Certificate of Appropriateness (COA) application. The Spencer Historic Preservation Commission (HPC) has scheduled a public quasi-judicial evidentiary hearing for **Monday, February 20, 2023, at 7:00 P.M.** The meeting will be held at Spencer Town Hall located at 460 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is for the Commission to consider a Certificate of Appropriateness (COA) application for a project, described below, which is in the Spencer Historic District:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-002– 208 South Rowan Avenue – Veronica Munoz (owner/applicant)
Rowan County Parcel ID: 033 382**

Proposed Project:

- Replace several [*exact number undetermined*] original wood windows with new windows matching the original in overall design and dimension. Proposed replacement windows to be wood or a contemporary substitute material such as vinyl.

Applicable Historic District Standards:

- Section 2.7 (Windows & Doors), Standards 2.7.1-2.7.18 (Historic District Standards, pp. 34-35)

All interested persons are invited to participate in the public hearing at Town Hall. Applicants and other individuals who participate in the evidentiary hearings at this meeting will be required to sign-up and provide copies of all documents, exhibits, and any other materials they wish to present at the hearing, no later than 12:00 P.M. on Monday, February 20, 2023. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov as soon as possible. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website at www.spencernc.gov/preservation or contact the Town Planner.