

**TOWN OF BLACK MOUNTAIN
HISTORIC PRESERVATION COMMISSION
MINUTES OF REGULAR MONTHLY MEETING
October 17, 2007**

The **Black Mountain Historic Preservation Commission** held its regular monthly meeting on Wednesday, October 17, 2007 at 7:00 p.m. in the Public Safety Building, 106 Montreat Road.

I. CALL TO ORDER

The meeting was called to order with the following members present:

Jane Reeves, Chair
Martha Cummins, Vice Chair
Mark Barker, Secretary
Phillip Lamb

Absent:

Bill Munn

Staff:

Elizabeth Teague, Planning Director
Jerry Atkins, Zoning Administrator

Speakers:

Jerry Atkins
Carl Franklin
Elizabeth Teague

Chair Reeves declared a quorum present with four regular members. The meeting was duly constituted and opened for business.

II. ADOPTION OF AGENDA

Phillip Lamb moved that the agenda be adopted as written. The Commission unanimously approved the motion.

III. ADOPTION OF MINUTES

Vice Chair Cummins made a motion to adopt the minutes of September 19, 2007. Phillip Lamb seconded the motion and it passed unanimously.

IV. OLD BUSINESS

Chair Reeves presented a Certificate of Appreciation to Susan Robinson for her many years of service on the Historic Preservation Commission.

V. NEW BUSINESS

Certificate of Appropriateness Request for Black Mountain Books

Chair Reeves called the Public Hearing to order. She reviewed the procedure to be followed and administered the oath to the following witnesses: Jerry Atkins, Carl Franklin, and Elizabeth Teague.

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PRESENTATION FROM THE ZONING ADMINISTRATOR

Jerry Atkins, Zoning Administrator, said he received an application for Certificate of Appropriateness from Carl and Jean Franklin signed and dated October 5, 2007 for property located at 103 Cherry Street, Black Mountain, N.C. (Black Mountain Books). He said the property owners are proposing to install PV (Photovoltaic) solar panels on the roof of the building. Mr. Atkins said the panel would be placed at a 19-degree angle with the surface, and reaches a height of 4 feet 6 inches above the roof. A (PV) inverter would be attached to the rear of the building and tied into the electric grid. Sundance Power Systems will do the work. The system will produce an average of 14-kilowatt hours of energy per day or around 420 kilowatt-hours of energy per month, which is roughly 50% of the store's energy use. Mr. Atkins presented information from Sundance Power Systems explaining the product installation and usage. He presented photos of the bookstore to illustrate the parapet perspective from all sides and demonstrate the layout of the building.

Chair Reeves asked if there were any questions of Mr. Atkins.

PRESENTATION FROM THE APPLICANT

Carl Franklin, owner of the property at 103 Cherry Street distributed handouts of general notes, descriptions of systems I, II, and the Unirac Solar Panel Installation Manual. He said that the original proposal demonstrated the solar panels protruding past the parapet and the company provided an alternate system.

Mr. Franklin said that inspections from several solar energy companies confirmed that the building was an excellent site for this type project. He said the building is almost perfectly positioned east west and gives an unobstructed southern exposure for collection of solar energy.

He said the dimensions of the building are 19 feet by 60 feet with a slight slope in the roof. He said that system number one would collect the maximum energy with the maximum number of solar panels. There would be 33 panels (56 inches by 26 inches) stacked, three up and eleven across and construct a frame to enclose them. Each panel would produce 130 watts of power. The total dimensions would be in a frame measuring 14 feet by 24 feet on a 19-degree angle. The angle is designed to collect the most solar energy. He said the maximum height would be 4.6 feet above the roof. The system would produce 4.3 kilowatts of power, (5,300 kilowatts of energy per year). The cost for this system is \$33,000. Mr. Franklin said there are significant tax advantages at the state and federal level for businesses and residential who install solar panels.

Mr. Franklin said that an alternate system was designed to address the height issues. He said that system # II would be an array of 24 individually roof mounted panels instead of a frame. The panels would be 51 inches by 39 inches and produce 175 watts. Each panel would be at a 10-degree angle with the roof and the maximum height would be 12 inches above the roof. He said that the panels would not be seen from the street in any direction. He said that the panels in this design would produce less power and because of the 10-degree angle, would produce less energy per year and the cost is \$4,000 more (\$37,000).

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Mr. Franklin pointed to a diagram of the second design and described how the panels would be mounted on the roof. explained that this would be the area where the extra cost is incurred. He distributed photos using flags to demonstrate the approximate height of the panels from all directions. He said that the panels would be four feet from the front of the building.

Mr. Lamb asked about the internal methods of the collectors. Mr. Franklin pointed to the diagram and said the collectors will be the panels. He said there would not be a hot water component. Mr. Franklin felt that their proposal would not harm the integrity of the building or detract from the Historic Business District.

Mr. Barker noted that you could not see the flag marker in several of the photos. Mr. Lamb asked whether the higher elevation would be preferable. Mr. Franklin said yes because it would collect more sunlight and be less expensive. Mr. Barker said there appears to be some flexibility on the roof because it is 60 feet long. Mr. Franklin said that the apartment beside their building is occupied and has stairs and windows. He has talked with the tenant about the project and is sensitive to her needs, wants to be a good neighbor and does not want the solar panels to block her windows.

Chair Reeves asked where the panels would be located. Mr. Franklin said the panels would begin four feet back from the parapet. Chair Reeves asked the height of the parapet from the roof. Mr. Franklin said it was approximately 15 or 16 inches. The Commission discussed the windows and stairs of the apartment beside the building in relation to the height of the panels. Mr. Franklin presented a brochure from Sundance Power Systems into evidence. He has not signed a contract pending the outcome of the Commission's decision for a Certificate of Appropriateness.

Elizabeth Teague, Planning Director, reported that she is familiar with Sundance Power Systems. She contacted them and further research substantiated that it is a reputable company. She has seen the quality of their panels from other projects and supports their plan and design.

Ms. Teague referenced the Historic District Guidelines for the Commission to consider in determining a Certificate of Appropriateness because this type project is new to the Commission.

- Works Approved by Staff: *Installation of mechanical and utility equipment including but not limited to heating and air conditioning units, which cannot easily be seen from a street or are screened from view with shrubbery or appropriate fencing.* She said the Commission could consider this project as mechanical and utility equipment; however, it should be noted that this was not the typical mechanical equipment discussed when the Guidelines were developed.
- Minor Works approved by Committee: *Installation of window or roof-mounted air conditioning units, including central air units, when located on the side or rear of a structure not facing a public street, and which cannot easily be seen from the street or are screened from view with the building parapet or appropriate fencing and shrubbery.*
- Major Works - The Commission may consider whether this project changes the roof line.
- Utilities and Energy Retrofit Guidelines: *Locate roof ventilators, hardware, antennas, and solar collectors inconspicuously on roofs where they will not be visible from the street.*

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Chair Reeves asked if there were other questions or comments.

Evidence presented from the Zoning Administrator:

T1 – Application for Certificate of Appropriateness signed and dated 10/5/07.

T2 – Diagram of the installation of Photovoltaic Solar Panels.

T3 - Sundance Power Systems website information about the product at www.sundancepower.com.

T4 – Six Photos of the building at 103 Cherry Street, Black Mountain

T5 – List of property owners within 100 feet of the site

T6 – Aerial map of property owners within 100 feet of the site

Evidence presented from the applicant:

A1 – Information sheet listing the System I and System II and installation manual

A2 – Photos of the building at 103 Cherry Street with flag markers showing the dimensions of the solar panels.

A3 – Brochure from Sundance Power Systems

Chair Reeves closed the Public Hearing for the Commission to deliberate and vote.

Discussion

Chair Reeves said this decision will set precedence and welcomed the opportunity for the Commission to discuss whether it should be considered a Minor or Major Work.

Phillip Lamb said that regardless whether this project is a Minor or Major Work, the solar panel collectors are advancing rapidly. He commented that if this project is approved, the Commission will see more of this type project. Mr. Lamb agreed that the location of the building is ideal for solar panels. He said the Commission does not have to consider any architectural conditions. He commented that this specific system is relatively small and conservatively designed with minor obstruction to the landscape. He said the element of appearance from the street or any distance or how it affects others becomes more relevant.

Mark Barker felt that the solar panels are unobtrusive and would not be in the architectural area of the building. He recommended that this project be considered a Minor Work because it is a utility.

Vice Chair Cummins felt that projects of this nature should be considered Major Works. She said that you could see the red flag markers in the photos and recommended that the panels be installed farther back on the roof so they are not visible from the street. She said that the Commission should examine each project individually on its own merit.

The Commission discussed the diagram and determined that the roof is 60 feet long and the installation is 24 feet. Mr. Barker suggested moving the panels back six or seven feet so they cannot be seen from the front of the building but they would block several windows in the apartment beside it.

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Chair Reeves said that system II would be a consideration because the collectors would not be visible from Cherry Street. Vice Chair Cummins said that, in terms of aesthetics, system II would be ideal. The Commission had further discussion and came to a consensus that it should be concerned with adhering to the visibility guidelines. The applicant would need to figure out the best option to comply with the standards. Mr. Lamb said if the Commission applied severe restrictions, then, it would preclude other property owners from considering alternative energy systems, if it a matter of visibility. Vice Chair Cummins said that with 60 feet of roof space, it should be possible to place the panels where they are not visible from Cherry Street. Mark Barker feels that the project should be considered a Major Work so future projects of this nature would come before the Commission for approval. Chair Reeves said that the visibility requirement is already in the guidelines; however, the Commission can explore amending the guidelines. She said the Commission votes that the panels should not be visible from the street, then it is the applicant's decision which system is appropriate to comply with the regulations.

Mr. Atkins asked the Commission for guidance regarding the distance and direction of visibility. The Commission came to a consensus that the panels should not be visible if you are directly across the street. Ms. Teague recommended that the Commission examine the interpretative issues and keep in mind the Urban Design Goals set forth in the Guidelines (Page 5). She said that the Guidelines also address storefronts as being the single most identifying characteristic of the historic or commercial façade.

At this time, the Commission reviewed Chapter 153.210 – Criteria to Determine Appropriateness of the Town's Zoning Ordinance and found that the criteria listed is not applicable to this project. The Commission reviewed the Secretary of the Interior's Standards for Rehabilitation and found that the project complies with the required standards as listed on the Order attached to the minutes.

Vice Chair Cummins made a motion that the Historic Preservation Commission grant the request for a Certificate of Appropriateness for property located at 103 Cherry Street in Black Mountain to install an array of Photovoltaic (PV) Solar panels on the roof the building with the following recommendations:

- That the solar panels are not visible from Cherry Street when the building is viewed from the opposite side of the street.
- That the applicant select the appropriate system design to comply with the guidelines.

Phillip Lamb seconded the motion and it passed unanimously with a vote of 4 to 0.

Vice Chair Cummins made a motion that the Historic District Guidelines Major Works be amended to include review of solar panels. The motion was seconded by Phillip Lamb and passed unanimously with a vote of 4 to 0.

VI. HISTORIC COMMISSION/STAFF COMMENTS- Reports and Communications, Community Announcements, Future Agenda items, Minor Works Report.

Ms. Teague reported that copies of the CLG annual report are available. She reported that the renovation project located at 135 Cherry Street (The Town Pump) found that the underneath the façade was an old feature displayed when the building was used as a bus station with signage that said For Colored Only. She said it appeared to be a second door, which was blocked in. The building had multiple uses prior to its present use as a tavern and there was not a door in place during prior usages. Ms. Teague said the Town Pump would like to proceed with its present renovations as approved by the Commission.

VII. PUBLIC COMMENT - none

VIII. ADJOURNMENT

The Commission adjourned the meeting by consensus at 8:15 p.m.

Jane Reeves, Chair

ATTEST:

Mark Barker, Secretary

Shirley J. Raines, CMC, Town Clerk

Rosa B. Hilbert, Senior Administrative Assistant
Planning & Development