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AGENDA REGULAR MEETING

**HISTORIC PRESERVATION COMMISSION
CONFERENCE ROOM 16 SOUTH MAIN STREET
JUNE 1, 2016
WEDNESDAY, 2 PM**

A. CALL TO ORDER:

1. Welcome/Announcements
2. Adoption of Minutes
 - **Motion:** *April 6, 2016 meeting minutes as presented [or as corrected]*

B. COMMUNICATIONS FROM STAFF

1. Boojum Certificate of Appropriateness
2. FY 2016-2017 Budget

C. BUSINESS ITEMS:

1. Consideration of Nomination for the WCU Mountain Heritage Award for Ann Melton
2. Evaluation and Goal Setting for FY 2016-2017
 - a. Review of activities (highlights/feedback) from the past year.
 - b. Identify goals and activities of upcoming fiscal year:
 - i. HPC member training
 - ii. Certificates of Appropriateness
 - iii. Educational Activities
 1. Cemetery tour
 2. Speaker series
 3. Other (second Saturday in October (10/15))
 - iv. Other activities/actions/ideas/concerns to address?
 1. African-American Resources/Dix Creek Cemetery
 2. Signage
 3. Other?

D. CALL ON THE AUDIENCE

E. ADJOURN – *The next Meeting is scheduled for July 6, 2016, 2:00pm.*



TOWN OF WAYNESVILLE

Historic Preservation Commission

9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Development Services
Director
Elizabeth Teague

Chairman
Sandra Owen
Board Members
Ann Melton (Vice)
Joanna Swanson
Coley Bartholomew
Bette Sprecher
Peter Sterling
Glenn Duerr
Ronald Sullivan
Alex McKay

REGULAR MEETING
HISTORIC PRESERVATION COMMISSION
TOWN OF WAYNESVILLE
MUNICIPAL BUILDING
16 SOUTH MAIN STREET
April 6, 2016

Members present:

Chairman Sandra Owen
Coley Bartholomew
Peter Sterling
Alex McKay
Bette Sprecher
JoAnna Swanson
Ann Melton
Glenn Duerr

Also present:

Development Services Director, Elizabeth Teague
Deputy Clerk, Eddie Ward
State Historic Preservation, Annie McDonald
WCU Master of Public Affairs Candidate, Emily Sisler

Absent:

Ron Sullivan

A. CALL TO ORDER:

1. Welcome and announcements

Chairman Owen called the meeting to order at 2:00 pm, and welcomed everyone. Ms. Elizabeth Teague, Development Services Director, announced that at the April 12, 2016 Town of Waynesville Board of Alderman meeting, Mr. Dan Pezzoni will present findings from the Green Hill Cemetery. The meeting will be held at 6:30 p.m. in the Board Room located at 9 South Main Street.

Ms. Teague introduced Ms. Annie McDonald and Ms. Emily Sisler to the Commission. Ms. McDonald is with the state Historic Preservation Office, and Ms. Sisler is a Western Carolina University Masters of Public Affairs candidate. She is working with Ms. McDonald on her Capstone Project on Waynesville's study list of historical properties.

2. Adoption of Minutes

A motion was made by Commission Member Bette Sprecher, seconded by Commission Member Alex McKay, to approve the minutes of the March 2, 2016 meeting as presented. The motion passed unanimously.

B. BUSINESS ITEMS:

1. Report from WCU Capstone Projects related to Historic Preservation:

A. Coley Bartholomew on economic impacts

Ms. Bartholomew presented her Capstone Project on The Value of Historic Preservation in the Town of Waynesville. She conducted interviews with several bed & breakfasts, businesses, and developers about the economic impact of historic landmarks, and products on each of their businesses. She relayed the results of her interviews, and recommendations to the Historic Commission which consisted of reaching out to business owners in the community to build better relationships.

Ms. Teague thanked Coley for her presentation. She expressed to the Commission that the economic development value of Historic Preservation helps the Commission to be able to support local businesses. She also said the Commission would benefit from a Facebook page or a link from the Town's Website in order for the public to learn about what the Commission does, and about planned events for the Commission.

The Commission was very interested in the recommendations from business owners, and there was much discussion about the ideas that Ms. Bartholomew had presented. Several events were discussed that could be used as projects in the future.

B. Emily Sisler on study list and resources for property owners

Ms. Sisler stated her project involves developing a process to audit the North Carolina Study List of Historic properties. The properties are in "limbo" because they were once identified as possibly being eligible for the National Register, but not been formally nominated. Without an auditing process, resources that have been altered can no longer be eligible for nomination, but on paper they look like they are eligible. Fourteen resources have been identified in Waynesville to be on the study list. Ms. Sisler is researching these properties with photographs and other documentation, to evaluate the integrity, and analyze the significance of the recourse to see if there is still potential for nomination to the National Register.

Ms. Sisler is also creating a strategic outreach plan for educating community stakeholders about tax credits. This education will help the Historic Preservation Commission in reaching out to the community and being able to explain the process in obtaining the tax credits.

There was much discussion concerning the resources in Waynesville that are on the study list. Ms. Sisler said that information would be forwarded to Ms. Teague when she has completed her project.

The Commission Members thanked Ms. Sisler, and was very appreciative of her hard work on the project.

2. Report from Historic Commission Speaker Committee

- Preparation for April 7 event at Folkmoot Center

Commission Member Peter Sterling stated that these events are going very well, and this series is a time to make the community aware of what the Commission is about. He suggested that after the fourth event in May, the Commission needs to regroup and organize another Speaker Series for the fall.

This event will be held at the Folkmoot Center in Hazelwood. Ms. Enloe is handling the arrangements for the event, which includes the sound system and props. Everyone is excited and expecting a large crowd.

C. COMMUNICATIONS FROM STAFF

1. Tour of Francis Mill scheduled for May 4, 2:00 p.m. Meet at Municipal Building at 1:40 p.m. if you would like to ride in Town van.

Ms. Owen said the Historic Preservation meeting for May will be held at the Francis Mill. Anyone wishing to ride in the Town van needs to meet at the Municipal Building at 1:40 pm.

2. CLG Training on April 15, 2016 Transylvania County Library in Brevard.

Ms. Teague asked the Commission Members if anyone would like to attend the training for Certified Local Government for Historic Commission. The training will be held from 9:00 – 5:00 on April 15, 2016 at the Transylvania County Library in Brevard. Ms. McDonald told the Commission that this training is required yearly, and one or two staff members need to attend. Chairman Owen and Commission Member Alex McKay said they would attend.

D. CALL ON THE AUDIENCE – No comments

E. **ADJOURN** – *The next meeting is scheduled for May 4, 2015, 2:00 p.m. at Francis Mill*

With no further business, Commission Member Bette Sprecher made a motion, seconded by Commission Member Glenn Duerr, to adjourn the meeting at 3:21 p.m. The motion passed unanimously.

Eddie Ward, Deputy Clerk

Sandra Owen, Chairman

DRAFT

**TOWN OF WAYNESVILLE CODE OF ORDINANCES EXCERPTS:
HISTORIC OVERLAY (Chapter 6) and ADMINISTRATION (Chapter 7)**

6.1 Historic Overlay District.

A. **.Purpose:** The Historic Overlay District (HOD) is a zoning overlay district established pursuant to NCGS § 160A-400 and created with the purpose of implementing additional protections and controls on properties and structures located within locally designated Historic Districts as well as to individual Historic Landmarks.

B. **Applicability:** All locally designated Historic Districts and Historic Landmarks shall be a part of the Historic Overlay District.

C. **.Development Standards.**

1. **Historic Overlay District—General Requirements.**

- a. .Development within the historic districts shall meet all requirements of the applicable underlying land development district in addition to those set forth in this section and those set forth in the Appendix and other applicable sections of this chapter.
- b. .When the provisions of this section and the guidelines and regulations established for each individual HOD, impose higher standards than are required for that land development district, the provisions of this section and the applicable guidelines and regulations shall govern.
- c. In cases of authentic restoration or reconstruction, where approved by the Historic Preservation Commission, variances shall not be required from the development standards of the underlying land development district. The use of the property must, however, be one which is allowed by this chapter.

2. **Certificates of Appropriateness**

- a. **COA Required:** No exterior feature of any building or other structure in an HOD (including masonry walls, fences, light fixtures, utility structures, steps, pavement, signs, landscape and color or other appurtenant features), shall be erected, altered, restored, moved or demolished until after an application for a Certificate of Apprriateness has been submitted to and approved by the Historic Preservation Commission. A Certificate of Apprriateness is required to be issued by the Commission prior to the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving or demolishing structures. A Certificate of Appropriateness shall be required whether or not a building or other permit is required.
- b. **Procedures:** Section 15.11.
- c. **Exterior Features—Scope of Review:** Exterior features shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure. It shall also encompass the kind, texture and color of the building materials, the size and scale of the building and the type, color and style of all windows, doors, light fixtures and important landscape and natural features of the lot on which the building or other structure is located.
- d. **.Interior Features—Scope of Review:** The jurisdiction of the Historic Preservation Commission over interior spaces shall be limited to specific interior features of architectural, artistic or historical significance in publicly owned landmarks; and of privately owned landmarks for which consent for interior review has been given by the owners. Such consent of an owner for interior review shall bind future owners and/or successors in title, provided such consent has been filed with the Register of Deeds of Haywood County and indexed appropriately. In these cases, the landmark designation

shall specify the interior features to be reviewed and the specific nature of the commission's jurisdiction over the interior.

- e. **Normal Maintenance and Repair:** Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in a HOD that does not involve a substantial change in design, material, or outer appearance thereof.
 - f. **Unsafe or Dangerous Situations:** Nothing in this section shall be construed to prevent the construction, reconstruction, alteration, restoration or demolition of any such feature which an authorized government official certifies in writing to the Historic Preservation Commission is required by the public safety because of an unsafe or dangerous condition.
 - g. **State Properties:** All of the provisions of this chapter related to historic preservation shall apply to construction, alteration, moving and demolition by the State of North Carolina, its political subdivisions, agencies and instrumentalities, provided however that they shall not apply to the interiors of buildings or structures owned by the State of North Carolina.
3. **Relocation, Demolition:** Any application for a Certificate of Appropriateness authorizing the relocation, demolition, or destruction of a building or structure within a HOD may not be denied. However, the effective date of such a Certificate of Appropriateness may be delayed for a period of up to three hundred and sixty-five (365) days from the date of approval of the Certificate of Appropriateness. During such period the Historic Preservation Commission may negotiate with the property owner and any other parties in an effort to find a means of preserving the building, structure or site.
- D. **Permitted Uses:** All uses permitted in the applicable land development district underlying a historic overlay district are permitted in the HOD.

15.11.2 Certificate of Appropriateness —Minor Works.

- A. **Applicability:** Minor works are those exterior changes that do not involve substantial alterations, additions or removals that could impair the integrity of the property and/or historic district as a whole.
- B. **Process Type:** Administrative.
- C. **Pre-Application Meeting:** No pre-application conference is required prior to applying for a certificate of appropriateness. Applicants are strongly encouraged to call or visit the Administrator prior to submitting an application to determine what information is required for the application.
- D. **Required Application Information:** None.
- E. **Determination of Conformity:** Once an application containing all needed elements is submitted, the Administrator shall review the application and approve or deny it based on compliance with the standards contained in this chapter and in any applicable Historic District Guidelines.
- F. **Public Notification:** None required.
- G. **Appeals:** Appeals of the decisions of the Administrator shall be heard by the Historic Preservation Commission 15.11.3 below.
- H. **Reserved.**
- I. **Permit Validity:** 6 months.
- J. **Permit Extension:** None - must resubmit.

15.11.3 Certificate of Appropriateness --- Major Work.

- A. **Process Type:** Quasi-Judicial (See also 15.4).
- B. **Pre-Application Meeting:** It shall be the policy of the Historic Preservation Commission, in regard to applications involving new construction or extensive alterations and/or additions to existing structures, that a sub-committee of the commission shall be available to meet with persons involved in planned or pending applications in order to advise them informally, at an early stage in the development process. This advice shall be on the commission's guidelines, the nature of the area where the proposed project will take place and other relevant factors. In giving such advice, the members of the sub-committee, collectively and individually, shall refrain from any indication of approval or disapproval. Advice or opinions given by any member of the sub-committee at such an informal meeting shall not be considered official or binding upon the commission.
- C. **Required Application Information:** Each application for a certificate of appropriateness shall contain all information required on the application. Other information necessary to show that the use or structure complies with the standards set forth in this ordinance shall also be provided.
- D. **Determination of Completeness:** The Administrator shall review the application to ensure that it is complete, prepare a report and recommendation on the application, and schedule the matter for a public hearing before the Historic Preservation Commission.
- E. **Public Notification:** Level 1, 2 and 4.
- F. **Public Hearing:** The Historic Preservation Commission shall hold a hearing on the proposal. The applicant and other property owners likely to be materially affected by the application shall be given an opportunity to be heard.
- G. **Commission Review:** Following the public hearing the commission may approve, deny or approve with conditions the application for a Certificate of Appropriateness. No Certificate of Appropriateness shall be granted unless the commission finds that the application complies with the principles and guidelines adopted by the commission for review of changes and new construction.
- H. **Findings of Fact:** The action on an application must be supported by specific findings of fact indicating the extent to which the application is or is not congruous with the special character of the historic district or landmark.
- I. **Delay in Demolition of Landmarks and Buildings within the Historic Districts:** An application for a certificate of appropriateness authorizing the demolition, removal or destruction of a designated landmark or a building, structure or site within a historic district may not be denied except as provided below:
 - 1. The effective date of such a certificate may be delayed for up to three hundred and sixty-five (365) days from the date of approval. The period of delay should be reduced by the Historic Preservation Commission if it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return from such property by virtue of the delay.
 - 2. During the delay period the commission shall negotiate with the owner in an effort to find a means of preserving the building, structure or site.
 - 3. If the Historic Preservation Commission finds that a building, structure or site has no special significance or value toward maintaining the character of a district, it shall waive all or part of such period of delay and authorize earlier demolition or removal.
 - 4. If the Historic Preservation Commission has voted to recommend the designation of a landmark or the designation of an area as a historic district, and final designation has not been made by the board of aldermen, the demolition or destruction of any building, structure or site in the proposed

district or of the designated landmark may be delayed by the commission for up to one hundred and eighty (180) days or until the Board of Aldermen takes final action on the designation, whichever occurs first.

5. 5.The Board of Aldermen may enact an ordinance to prevent the demolition by neglect of any designated landmark or any structure or building within the established historic district. Such ordinance shall provide appropriate safeguards to protect property owners from undue hardship.
 6. 6.An application for a Certificate of Appropriateness authorizing the demolition of a building, structure or site determined by the State of North Carolina's Historic Preservation Officer as having statewide significance as defined in the criteria of the National Register of Historic Places may be denied except where the Historic Preservation Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.
- J. **Review Period by Commission:** Applications for Certificate of Appropriateness shall be acted upon within ninety (90) days after filing, otherwise the application shall be deemed approved and a certificate shall be issued. An extension of time may be granted by mutual consent of the commission and the applicant.
- K. **Appeals:** Appeals of the decisions of the Administrator shall be heard by the Board of Adjustment (15.12).
- L. **Permit Validity:** 6 months.
- M. **Permit Extension:** None - must resubmit.

From: Elizabeth Teague
Sent: Tuesday, May 10, 2016 4:20 PM
To: Thomas Maguire
Cc: Sandra Owen; Byron Hickox; Eddie Ward; Mike Morgan; Gavin Brown
Subject: Certificate of Appropriateness for Boojum

Tom-

In review of the building permit application and the materials submitted as part of the COA application, I find the following:

- Pursuant to Chapter 15.11.2 This request qualifies as a Minor Work, because:
 1. It does not involve a substantial alteration of the building, rather it replaces three existing, parallel windows with a new, retractable window
 2. Work removes rotten wood around the original window, addressing a needed repair and maintenance issue
 3. New window is within the same structural outline as the original three windows and is therefore not an “extensive alteration.”

- This work is compliant with the Historic District Overlay standards and is granted an administrative Certificate of Appropriateness, because:
 1. The materials provided represent a complete application
 2. The original window did not contribute to the integrity of the property or the district
 3. The building on which the work was done is not on the National Register, nor is it a designated local landmark

Please include this email with documentation for the building permit when you and Byron have completed your review.

ET

Elizabeth Teague, AICP, CTP | Development Services Director
Town of Waynesville, NC
9 S. Main Street | PO Box 100 | Waynesville, NC 28786
(o) 828.456.2004 | (f) 828.452.1492
eteague@waynesvillenc.gov | www.waynesvillenc.gov

