

REGULAR MEETING  
HISTORIC PRESERVATION COMMISSION  
TOWN OF WAYNESVILLE  
JULY 1, 2009  
WEDNESDAY, 2:00 P.M.  
TOWN HALL

The Historic Preservation Commission held a regular meeting on Wednesday, July 1, 2009. Members present were Chairman Nikki Owens, Shawn Leatherwood, Peter Sterling, Sandra Owen, Herbert Nelson, Bob Kearney and David Felmet. Also present were Planning Director Paul Benson and Administrative Assistant Ginny Boyer. Those absent included Bette Sprecher and Tom Shaw.

**#1 Approval of Minutes of June 3, 2009 and June 17**

David Felmet moved, seconded by Herbert Nelson, to approve the minutes of both the regular meeting of June 3, 2009 and the special meeting of June 17, 2009 as presented. The motion carried unanimously.

**#2 Windover Inn Local Landmark Designation Report Discussed**

Glen Duerr of Windover Inn was in the audience and expressed gratitude for the Commission's help and feedback regarding the Local Landmark Designation Report. While Mr. Duerr felt that local landmark designation would cover the house itself, Commission members discussed the inclusion of the garage, trees, rock wall and grounds due to their historical significance. Paul Benson informed Mr. Duerr that a construction date for the garage could be found in the Haywood County tax records. Mr. Duerr agreed to do more research, take additional information to Mr. Benson and continue communications with the HPC.

**#3 Preservation Plan Development--Read Chapter 9 of Handbook**

Nikki Owens presented members with an outline, beginning with the Commission's Purpose: Safeguard Waynesville's heritage and to promote preservation. She mentioned that is something separate from the HPC's powers and responsibilities. She was interested in getting a hold on what the State says the HPC's powers and responsibilities are and how our local ordinance interprets those powers and responsibilities. The HPC is currently advisory, but what the HPC is pushing for is to be more regulatory. Her questions was: To get to regulatory stance, do we make Main Street a local district?

Paul Benson agreed that is the only way to have absolute authority, if it is a local district or landmark. Furthermore, it doesn't have to be a voluntary process. The HPC can pick any property in Town and start the process for designating it a local landmark. But politically speaking, the HPC won't get very far without the owner's consent. If the HPC does not have the support of people in the district, it would be ungovernable.

Herbert Nelson asked if there would be overwhelming opposition if the Aldermen tried to designate

Main Street and Frog Level as local districts. Nikki Owens said she thought there would be but she's willing to take that risk.

Bob Kearney mentioned keeping in mind the Aldermen and Mayor are elected and the HPC are volunteers and are in an advisory capacity. While it may be frustrating that recommendations may be ignored, we have the strength of a nine person commission, and if that doesn't pull any weight, then so be it.

Nikki Owens said being advisory is stagnant.

Peter Sterling recommended meeting with the Mayor and Board of Aldermen to determine scope of the Commission, what authority is it going to have, and what is their vision for historic preservation in the Town? We need to have them articulate along with us what real authority this commission will have.

Paul Benson mentioned the tool is local designation. It is the only way you can control what people do with their properties. But most property owners don't want control. You are only going to get a trickle on a voluntary basis.

Shawn Leatherwood mentioned finding willing participants on Main Street and get a significant number to go before town.

Paul Benson said you need some movers and shakers to get on board. He mentioned DWA as being an ally. There was some discussion about the past efforts to designate Main Street as a local district.

Shawn Leatherwood wants to approach property owners on Main Street, as there is currently a lot of turnover on Main Street, with attention and dollars being spent fixing things up. He advised to build the movement instead of hand out advice.

Sandra Owen believes the origination of the HPC started because the Town lost so many historic buildings. People were furious.

Nikki Owens summarized that while local designation is our tool, design guidelines and review of local designation is our regulatory tool. We need to refine our guidelines to be not just the Secretary of the Interiors Standards but our interpretation according to Waynesville of those standards.

Nikki Owens wants to get Building Inspector Jason Rogers and Land Use Administrator Byron Hickox to be more preservation sensitive. If a project comes on the table, tell folks we are here. The rhetoric may get started by getting Peter's article published. She mentioned Preservation Corner, in the Town newsletter as something looked forward to every issue.

Bob Kearney mentioned having a story in the Mountaineer to "move the needle", one that shows active issues. Get people motivated by showing others in the community moving. He mentioned that being the first priority in terms of public awareness should be to complete the walking tour brochure.

Herbert Nelson mentioned utilizing the Haywood County Arts Council.

Nikki Owens mentioned the HPC's obligation is to service locals who want to go through this process and to safeguard history by promoting preservation.

Paul Benson mentioned having an annual workshop to get the word out.

Nikki Owens mentioned a list of properties that she felt should be suggested for local landmark status.

Shawn Leatherwood asked what, on the list of local district designation is considered to be "low-hanging fruit". Both Herbert Nelson and Nikki Owens agreed that Love Lane residents were ready for local district designation.

### **Other Business: Rock Wall Inventory**

There was some discussion of rock walls. Nikki Owens mentioned them being crucial in setting Waynesville apart. She said the National Register has now opened up for thematic listings. Could rock walls be either a landmark or a district?

Paul Benson said they would not lend themselves to district or landmark process. You can designate entire properties but not a piece of a property. There is no real practical application.

Herbert Nelson felt they should be added in with walking tour, as being something that adds to the character of our Town.

Paul Benson mentioned that if in a local district, rock walls are contributing elements and that if and when we get a local district, the walls will be protected and there will be design guidelines.

### **Other Business: Spread Out District**

Paul Benson said a grant contract has been signed with the State. A procurement on the consulting services is needed now.

Sandra Owen said that we need to, by acclamation, say how happy we are about Spread Out designation. "We have been wanting to do that for years and years and Paul got it done".

### **Other Business: Commission members' priorities**

Herbert Nelson asked Madame Chairman for time for Commission members to speak on what each feels are priorities. Each member present, except for David Felmet due to last meetings' absence, briefly mentioned items they felt most important to the success of the Commission's efforts.

Herbert Nelson said it is important to: 1) get the word out that we have a working Commission 2) between now and next meeting, go through Spread Out and determine what needs to be saved 3) nurture Love Lane as there is a group of homeowners that want to move on historic district

designation.

Bob Kearney mentioned: 1) Love Lane as a focus 2) a goal should be to add three more local landmarks to current list 3) publish the walking tour brochure.

Shawn Leatherwood expressed the need to: 1) pick the low-hanging fruit, for example, Love Lane not just as historic district but also get local landmark status on individual homes in the area 2) reach out to potential prospects, hold their hand and bring into the process 3) get the Commission into the public eye, and gain some recognition.

Sandra Owen felt it important to 1) provide a hand-out with specific information and resources, one or two pages, to have available to people interested in renovation/remodeling 2) have a poster available to realtors, etc. stating the HPC exists and what we do including a “hook” for example-- Interested in Buying a Home Over 50 Years Old?.

Peter Sterling felt that 1) human interest stories linking local landmark designated properties would benefit the community, so collaboration with the Haywood County Historical Society may be a way to captivate the public, provide cocktail conversation 2) having meetings outside Town Hall Board Room would be beneficial, perhaps specifically visiting Spread Out as a group 3) members should be responsible for one initiative mentioned.

Paul Benson offered the Town van for visiting Spread Out.

Shawn Leatherwood suggested that each member come to the next meeting prepared to make a commitment as this was the only way to move ideas forward. He then made a motion that Commission members come next month prepared to take on one task. David Felmet seconded the motion. Chairman Nikki Owens called for a vote and the motion passed unanimously.

#### **#4 Tabled–Design Review for 44 North Main Street**

Herbert Nelson moved to leave #4, “Tabled” alone. Shawn Leatherwood seconded. Paul Benson advised that the absence of action does not require a motion.

#### **#5 Planning Department Development Review Procedure Changes Relevant to Historic Structures**

Nikki Owens mentioned that there is nothing we can do now (about changes to 44 North Main Street) except make Main Street a local district and that people interested in renovating ought to be required to come before the HPC. Shawn Leatherwood said that, fortunately, this property (44 Main Street) had no historic integrity. David Felmet said that Town inspectors need to caution people to bring renovations before the HPC board.

Paul Benson agreed that before the permit was issued, they should have come to the Historic Preservation Commission. He added that inspectors have received both a list of local landmark properties and hard copies of historic districts Main Street, Frog Level and Spread Out. He also mentioned he believes the contractors deliberately did not tell inspectors the full extent of their plans

for renovations. He asked Shawn Leatherwood to talk to Inspector Rogers to clarify items in Board of Architecture document, as Jason is confident he is interpreting things correctly.

**Other Business: Issues relating to member Tom Shaw discussed**

Nikki Owens informed the board that Tom Shaw had been arrested and is in jail for assault. She entertained a motion that the board recommend he resign. Bob Kearney said the board should see what happens of the incident, that the board is on fragile ground. Nikki added that she had been persuaded, that the board is encouraged to recommend he resign. Peter Sterling brought to the Board's attention that minutes were being recorded and Sandra Owen asked should the discussion continue in closed session. Paul Benson said that even in closed session, minutes would be recorded.

Paul Benson offered that if any member has a criminal offense, they should resign. Shawn Leatherwood agreed that if anyone is convicted, we should recommend to the Board of Aldermen that he be removed. Herbert Nelson agreed that if any member is convicted or misses three consecutive meetings, the Board of Aldermen can remove him. Bob Kearney felt that the HPC should ask Tom Shaw for a statement and asked, "does this affect his ability to serve?" Shawn Leatherwood felt that the Town's Board of Aldermen can remove anyone.

David Felmet moved to adjourn. Herbert Nelson seconded. All were in favor.

**#6 Adjournment**

With no further business, it was the consensus of the Commission to adjourn the meeting shortly after 4:15 p.m.

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Ginny Boyer  
Administrative Assistant

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Nikki Owens  
Chairman