

REGULAR MEETING  
TOWN OF WAYNESVILLE  
HISTORIC PRESERVATION COMMISSION  
AUGUST 3, 2005  
WEDNESDAY - 2:00 P.M.  
TOWN HALL

The Historic Preservation Commission held its regular meeting on Wednesday, August 3, 2005. Members present were Peter Sterling, Malinda Messer, Bette Sprecher, Laura Soltis, John Binford and Dave Felmet, Jr. Also present were Town Clerk Phyllis McClure, Planning Director Paul Benson and Land Use Manager Byron Hickox. Chairman Bette Sprecher called the meeting to order at 2:00 p.m.

Introduction of Land Use Manager Byron Hickox

Paul Benson introduced Land Use Manager Byron Hickox. Mr. Hickox comes to the Town with about eight years of planning experience, mainly in the development review process and replaces John Swift who recently retired.

Approval of Minutes of June 1, 2005

Laura Soltis moved, seconded by Dave Felmet, Jr., to approve the minutes of the June 1, 2005 meeting with the following correction: Page 2, last paragraph correct the spelling of the last name for Peter Sterling. The motion carried unanimously.

Imminent Domain

Bette Sprecher said Paul Benson just attended a workshop in which the new Supreme Court Decision regarding imminent domain was discussed.

Mr. Benson said this Supreme Court Decision ruled that it is constitutional for government to purchase property from one private individual and resell to another private individual for the purpose of development. In the past imminent domain was used for circumstances such as blighted properties which were bought and developed for affordable housing. However, this recent ruling was not this type of use but was for the economic development process. North Carolina law is different and this ruling does not really affect Waynesville.

Atkins House on Grimball Drive

Peter Sterling asked about the recent request to remove the Local Landmark Designation from the Atkins House, how the request was handled and if it could have been handled differently. Laura Soltis said she noticed recently that the house and property is advertised for sale for \$995,000. At this point the Local Landmark Designation remains on the house and the property.

Williamson Property on Walnut Street

Although there has been no recent renovation activity, Paul Benson felt that the house is stable at this point. Mr. Benson said he would contact Tim Welch regarding the status of the work at this time and report his findings to the Commission.

#### Review of Handbook, Section 8, Page 63

The Commission reviewed and discussed Section 8, Page 63 regarding applications and issuance of Certificate of Appropriateness. Paul Benson said the HPC would review and issue a Certificate of Appropriateness before any physical changes are made to any property that has Local Landmark designation. The question was asked if dead trees that have fallen can be removed from these properties. Mr. Benson said the guidelines, which are based on the Secretary of Interior Standards, dictate that dead trees can be removed and there are no requirements that these trees be replaced.

Appeals are taken to the Zoning Board of Adjustment to review the facts of the case. There was discussion regarding swearing of witnesses under the rules of procedure. Mr. Benson said this is normally done by the Board of Adjustment but the Historic Preservation Commission can certainly do this when they conduct public hearings. With the Atkins house no application was submitted and no public hearing was held. Bette Sprecher asked that Paul Benson check with Town Attorney Woodrow Griffin regarding swearing of witnesses. Paul Benson added that he would also check with the staff person in Asheville to see how their Historic Preservation Commission handles Certificate of Appropriateness applications and swearing of witnesses.

Commission Members asked if periodic reports are submitted to the Local Governing Board. Mr. Benson said an annual report is submitted to the State and can certainly be copied to the Board of Aldermen. The next report is due in September and copies will be distributed to the Board.

There was discussion regarding the inventory of historic structures. Paul Benson said this inventory was last done in 1987 and needs to be updated. Peter Sterling voiced concern that only twelve (12) of Waynesville's historic properties have received the Local Landmark Designation since the HPC began. Mr. Benson said this seems to be typical in any area. There was concern that historic properties could disappear if they were not preserved, losing part of Waynesville's history. It was the consensus of the Commission that more effort be made to make people aware of Local Landmark Designations and encourage property owners to seek historic designations for their properties. Mr. Benson said letters could be sent to property owners of the most significant historic structures in the inventory. Commission Members felt that informal discussions could be started with these property owners. Mr. Benson will print a copy of the inventory and send to the Commission Members. He added that there is a cycle for applying for grants which could be used to update the inventory list.

#### Review of Chapter 6 at September 7, 2005 Meeting

At the September 7, 2005 meeting, the HPC will begin their review of Chapter 6.

#### Adjournment

With no further business, John Binford moved, seconded by Dave Felmet, Jr., to adjourn the meeting at 3:00 p.m. The motion carried unanimously.

Phyllis R. McClure, Town Clerk

Bette Hannah Sprecher, Chairman