

**CITY OF HENDERSONVILLE**  
**Historic Preservation Commission**

**Minutes of the Meeting of July 19, 2023**

**Commissioners Present:** Jim Welter (Vice-Chair), Cheryl Jones, (Chair), Chris Battista, Jim Boyd, Jane Branigan, Crystal Cauley, John Falvo and Ralph Hammond-Green

**Commissioners Absent:** Anthony Baltiero

**Staff Present:** Alexandra Hunt, Planner I, Daniel Heyman, Staff Attorney, Lew Holloway, Community Development Director

- I      **Call to Order.** Chair called the regular meeting of the Hendersonville Historic Preservation Commission to order at 5:02 pm.
- II      **Public Comment.** Chair stated anyone wishing to speak would be allowed three minutes for public comment. Thomas Applebee stated he had been in landscaping his whole life. He discussed apple orchards in the area and stated he would like to take out the species of junipers and cedars as they are harmful to apple trees. To break the disease cycle you don't plant those species next to the apple orchards. He is still upset with the kiosks and has done research on it and he feels the City of Hendersonville did not go through the proper zoning procedures by not going through the HPC for approval. It is harming the residents and the shoppers. He wanted to know how they are responding to the City Council. The kiosks are harming the businesses. He talked about double taxation. He talked about when the historic downtown was created. He would the HPC to write a letter to City Council and ask that the kiosks be removed because they did not ask the Commission's approval. They are destroying the whole make up of downtown. He thinks the kiosks have to go.
- No one else spoke during public comment.
- III      **Agenda.** On motion of Commissioner Welter and seconded by Commissioner Hammond-Green the agenda was approved with the withdrawal of 225 N. Main Street.
- IV      **Approval of Amended Meeting Schedule.** On motion of Commissioner Battista and seconded by Commissioner Boyd the amended Annual Meeting Schedule was approved.
- V      **Minutes.** On motion of Commissioner Welter and seconded by Commissioner Branigan the minutes of the meeting of May 17, 2023 were approved. Commissioner Hammond-Green abstained.
- VI      **Old Business**
- VI(A)      **Approval of the Findings of Fact.** On motion of Commissioner Welter and seconded by Commissioner Battista the Findings of Fact for H23-035-COA were approved. Commissioner Hammond-Green abstained.
- VII      **New Business**

- VII(A) **Certificate of Appropriateness**, City of Hendersonville, 160 6<sup>th</sup> Avenue East (File No. H23-045-COA). Prior to the opening of the public hearing, Chair announced that any persons desiring to testify at any of the public hearings must first be sworn as witnesses and will be subject to cross-examination by parties or persons whose position may be contrary to yours. A copy of the protocol for a quasi-judicial hearing is provided on the back table next to the agenda. Since this is a quasi-judicial hearing, it is very important that we have an accurate record of what goes on. Therefore, we must ask that you refrain from speaking until recognized by the Chair and, when recognized, come forward to the podium and begin by stating your name and address. Anyone who wishes to testify during the public hearings should come forward to be sworn in. Chair swore in all potential witnesses.

Chair opened the public hearing.

The applicants were on their way. Chair stated they would hold open agenda item VII(A) and move on to agenda item VII(B).

- VII(B) **Certificate of Appropriateness**, Patsy Stewart, 1420 Ridgecrest Drive (File No. H23-056-COA). Chair sworn in all potential witnesses. Patsy Stewart was sworn in.

Chair opened the public hearing.

Alexandra Hunt, Planner stated the city is in receipt of a Certificate of Appropriateness application from Patsy Stewart for the addition of a circular driveway and entrance to the garage basement at the subject property located at 1420 Ridgecrest Drive (PIN 9569-62-1692).

The subject property is contributing to the Hyman Heights Historic District. This COA application is considered a major work according to the Residential Historic District Design Standards.

The Hyman Heights Local Historic District Overlay Map was shown and is included in the staff report.

An aerial view of the property was shown.

Ms. Hunt gave a history of the subject property. The subject property is described as a contributing Vernacular Bungalow style house that is one story plus a basement located on a heavily wooded lot that drops away to the rear. You can see the location of the subject property on the 1926 Sanborn Map but was constructed in 1920. There is a long COA history with this property including a recent order to repair that since acquiring the property, the applicant applied and staff approved a COA for a roof replacement. The rest of the COA history is included in the staff report.

Site images were shown of the property's current condition. It does remain a heavily wooded lot.

The Design Standards that apply are included in the staff report. Ms Hunt stated she would be happy to answer any questions and the applicant is here as well.

Chair asked if there were any questions for staff.

Discussion was made about the driveway. Ms. Hunt stated when photos were taken it did not look like there was any gravel on that side of the house.

Commissioner Hammond-Green asked if there was a photo of the back of the house. Ms. Hunt stated she does not have a photo of the rear of the house. He thought the back of the house may indicate a carport or something like that. The picture at the back corner might indicate some type of garage in the back. That would provide evidence that there probably was one.

Commissioner Battista asked if the circular driveway was there originally. Ms Hunt stated not to her knowledge.

Patsy E. Stewart, 1420 Ridgecrest stated she is not actually living there now, she is living with her daughter. The home has electricity but it has no plumbing. They have a lot of work to do before she can occupy it. She is here proposing the Commission to approve a circular driveway. It will be close to the front door and about the width of the house. There are several reasons for it. There is a sidewalk that is in terrible disrepair. Her husband is disabled. He has multiple fractures in his spine because he has multiple myeloma. He is very curved over and has chin on chest deformity. Navigating is hard for him because it is an effort for him to lift his head. If he is walking on an uneven surface it is going to be a challenge for him. He gets winded after about 20 feet. He goes a lot further than that with his walker but he is really not able to navigate on uneven surfaces. She needs the driveway for his safety and also having two daughters and four granddaughters and the street being congested this will allow them to park on her property and not in the street. At the end of Ridgecrest there is a little drive but again, there are a lot of people that are already parking on the street and having the circular drive would just make things much easier on her and her neighbors. That is her proposal and she hopes the Commission will approve it.

The Commission asked if the material would be concrete. Ms. Stewart stated she is investigating that. She went to Sierra Nevada Brewery last weekend and saw their the permeable walkways and she is a big environmentalist and she feels this is the best way to save our earth. She stopped at Carson Paving and asked them and they told her yes, there was permeable concrete but they also showed her permeable concrete that is formed into stone.

Commissioner Welter stated as part of the Design Standards they are to look at the impact on trees and the materials used and he would like to see more information on where the driveway would go. It would be nice to locate the driveway on the map. Chair stated it sounds the driveway will come right through the front yard. Was there any indication there was a driveway there before? Ms. Stewart stated no, she does not know if there ever was one. This house has not been occupied for the last 15 years, maybe 20. It has a big flat area that was the greenhouse and apparently the owner was a florist. It is worn back there and she doesn't think he took the flowers and walked them up the hill. He probably had a truck that came down.

Discussion was made about the concern for the trees in the front yard and using permeable material and gravel is probably more original. Chair read the Design Standard pertaining to driveways and stated the Commission can't see what she is proposing on her property so they cannot visualize it and there is also concern with preserving the trees. Those are the guidelines they have to follow. To obtain the approval she needs to show it is in line with those guidelines. At this point they can't say it is congruous because they have nothing showing what she is proposing is congruous other than photos of other

properties. Ms. Stewart stated her neighbor has a beautiful circular drive and that is what she would like to do as well. Chair stated what they can do is the Commission not make a decision tonight, if she is agreeable and have her contractor draw up what she would like to emulate and they can hold this open and she can come back in August with her renderings so the Commission can see what she is proposing. That way they can compare it with the guidelines and they can make a decision on the drawing. It needs to show what she is proposing overlayed onto her property so they can see including the materials and any trees that would be effected and staff can help navigate. That would give the Commission something to look at and base a decision on. They can hold this open and let her get everything together and present it to them next month in August.

The Commission discussed having a site plan showing the side driveway and the proposed circular driveway with the trees so they have something to base a decision on.

Chair stated there is Design Review Committee that she could go before if she had this complete before the meeting in August. Ms. Stewart was agreeable with holding the application open until August.

Daniel Heyman, Staff Attorney stated staff's position was to continue the application.

***Commissioner Hammond-Green moved application H23-056-COA be placed on the August 16, 2023 meeting. Commissioner Boyd seconded the motion which passed unanimously.***

- VII(A) **Certificate of Appropriateness**, City of Hendersonville, 160 6<sup>th</sup> Avenue East (File No. H23-045-COA). Prior to the opening of the public hearing, Chair announced that any persons desiring to testify at any of the public hearings must first be sworn as witnesses and will be subject to cross-examination by parties or persons whose position may be contrary to yours. A copy of the protocol for a quasi-judicial hearing is provided on the back table next to the agenda. Since this is a quasi-judicial hearing, it is very important that we have an accurate record of what goes on. Therefore, we must ask that you refrain from speaking until recognized by the Chair and, when recognized, come forward to the podium and begin by stating your name and address. Anyone who wishes to testify during the public hearings should come forward to be sworn in. Chair swore in all potential witnesses. Sworn in were Daniel Heyman, Staff Attorney and Alberto Torres, Architect.

Chair opened the public hearing.

Alexandra Hunt, Planner stated the City is in receipt of a Certificate of Appropriateness application from the City of Hendersonville for the reopening of existing, filled-in windows on the basement level of the subject property located where this meeting is actually being held at 160 6<sup>th</sup> Avenue East (PIN 9568-88-1652) also known as City Hall.

The subject property is a contributing property within the Main Street Local Historic District. This COA application is considered a major work according to the Main Street Historic District Design Standards.

A vicinity map was shown, subject property located in yellow.

An aerial view was shown of the vicinity outlined in red.

The subject property is a contributing, Neo-Classical Revival Structure designed by Erle Stillwell and constructed in 1926. It is described as a two-story brick structure with a raised basement with double-hung windows, framed by molded concrete surrounds and cornice on the first floor and arched brick with a concrete keystone above the second floor windows. You can see in the photo that is also included in the staff report that the basement windows were originally open. The subject property went through renovations in 2004 approximately three years before City Council adopted an ordinance establishing the Main Street Local Historic District.

Photos of the existing conditions were shown of the windows that were filled in during the 2004 renovations with limestone panels.

Elevations were shown from the 2004 renovations that show the existing windows to be filled in highlighted in yellow.

The proposed windows were shown. These are elevations submitted by the applicant that show the proposed windows to be used in the existing window openings and will match the design of the current windows at the subject property.

The Design Standards that apply were shown (Section 3.4.2).

Chair asked if there were any questions for staff.

There were no questions for staff.

Chair asked if the applicant to come address the Commission.

Daniel Heyman, Staff Attorney for the City of Hendersonville stated they are careful not to authorize the unauthorized practice of law that is the only reason he is speaking right now. They would ask their architect to put on some evidence right now, Ms. Hunt covered it pretty well but he can walk through the proposal.

Alberto Torres stated the idea is to go back and reopen those windows on the City Hall building and go back to the aesthetics they had prior to the 2004 renovation. Mr. Torres explained the style of window they are proposing. They will match the existing windows up top. The materials for the muntins will be metal.

Discussion was made on the style and materials. They will match the existing windows.

Discussion was also made on the location of the windows. Mr. Torres stated the original windows are no longer there.

There were no further questions.

Chair asked if anyone would like to speak in favor or against the application. No one spoke.

Chair closed the public hearing.

The Commission had discussion on the windows and Design Standards that apply.

***Commissioner Welter moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H23-045-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is not incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons: The subject property is a contributing structure. The proposed windows fill the original openings. (Sec.3.4.2.3) The proposed project to reopen existing filled in window openings is appropriate. (Sec. 3.4.2.9) The proposed windows do not diminish the original design off the building or damage historic materials and features. (Sec. 3.4.2.10) The proposed windows are compatible with existing units in proportion, shape, positioning, location, size, materials and details. (Sec. 3.4.2.10). Commissioner Hammond-Green seconded the motion which passed unanimously.***

VIII **Other Business.**

VIII(A) **Staff Update.** Ms. Hunt gave a staff update concerning the staff approved COA's. An update concerning the HPC Budget was also given. Ms. Hunt gave a handout concerning the budget. Lew Holloway, Community Development Director explained the current budget.

VIII(B) **Committees Update.** Ms. Hunt gave an update on the committees.

IX **Adjournment.** The Chair adjourned the meeting at 6:38 p.m.

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Chair