

**TOWN OF BLACK MOUNTAIN
HISTORIC PRESERVATION COMMISSION**

The Black Mountain Historic Preservation Commission held its regular meeting on Wednesday, July 21, 2021, at 6:00 p.m. in Town Hall at 160 Midland Avenue, Black Mountain, North Carolina and electronically via Zoom.

I. CALL TO ORDER

The meeting was called to order at p.m. with the following members present:

Susan Leive, Chair
Ron Collins, Vice Chair
Matthew Turner
Jay Parmar

Staff:

Jennifer Tipton, Senior Admin
Ron Sneed, Town Attorney

Others Present:

Maury Hurt	Albert Sneed	Michael Zinsmeister
Ray Nightingale	Kathryn Nightingale	Eric Robinson
Tom McMurtry	Kim McMurtry	Steve Earley
Carolyn Earley		

The meeting was called to order at 6:06 p.m. and duly constituted and opened for business with a quorum of four (4) regular members.

II. ADOPTION OF AGENDA

Ron Collins made a motion to adopt the agenda as presented. The motion was seconded by Matthew Turner and approved by consensus.

III. ADOPTION OF MINUTES

Ron Collins made a motion to adopt the minutes of June 16, 2021 as written. The motion was seconded by Matthew Turner and approved by consensus.

IV. OLD BUSINESS

None.

V. NEW BUSINESS

1. Certificate of Appropriateness for 120 Broadway

Jennifer Tipton presented the Certificate of Appropriateness application. The owner of 120 Broadway is asking to put a fence along the property from the corner of the building at 128 Broadway to the corner of the Mountain Vista Properties building and put a chain across the alley. There was an incident in which a delivery truck was backing down the alley and almost hit an elderly couple and there are signs placed on either side of the alley stating that no delivery trucks are to go beyond that point.

Maury Hurt, 101 Midland Avenue, did the design of the fence and stated that the materials would be wooden posts with black chain and the chain going across the alley will also be black

Historic Preservation Commission Regular Meeting
July 21, 2021

chain and is designed to not rust. The chain will also have a Knox Box so that the Fire Department will be able to have access to the alley.

Albert Sneed, 11 N. Market Street, said that with the dedication of withdrawal, the alley became the property of the owner and he does have the right to keep people off of his property.

Tom McMurtry, 21 Beech Glen Drive, said that he owns Europa and that they have two private parking spaces that are accessed off of the alley and if the alley is closed off, they will lose that access. Mr. McMurtry said that those parking spaces allow his employees to not have to utilize public parking and enables him to have easier deliveries to the basement of his building.

Town Attorney Ron Sneed reminded everyone that the Historic Preservation Commission can only look at the design of the structure and whether it meets the criteria of the standards or not. The issue of the dedication of withdrawal on the alley and access concerns cannot be taken up by this commission and those concerned would need to consult their own attorney.

Michael Zinsmeister, 14 Woodlink Drive, said that he had just purchased the Seven Sisters building and that there is a sewer line that runs under the alley and asked about allowing space for trucks to get in for maintenance. Mr. Zinsmeister also spoke about accessibility and the possibility of allowing pedestrian traffic.

Chair Susan Leive again reminded everyone that the Commission cannot consider any issues other than the design of the structure but noted that it may be beneficial for those concerned to reach out to the owner to discuss the other issues.

There was a comment from the audience on if the Commission could postpone their decision until those concerned had had a chance to talk to the owner but there is not a provision that would allow the Commission to postpone the decision if the criteria of the standards is met in regards to the design of the structure.

Ron Collins made a motion to approve the Certificate of Appropriateness with the condition that the posts be stained dark bronze to match the neighboring building. The motion was seconded by Matthew Turner and approved by a vote of 3-1 with Jay Parmar voting against.

2. Proposed Amendments to Historic District Standards

Jennifer Tipton presented the proposed amendments from the June meeting. Those amendments included adding new timeframes for approvals, adding color standards to signs, adding a provision that art and/or murals attached to another material (such as plywood or foamboard) will be treated as signs, and adding commercial art, mural, and sign definitions to the glossary.

Ron Collins made a motion to approve the proposed amendments and add to the standards. The motion was seconded by Matthew Turner and approved by a vote of 5-0. Ron Collins did ask that the Commission look at creating a regular review schedule for the standards.

VI. COMMUNICATION FROM HISTORIC PRESERVATION COMMISSION

None.

VII. COMMUNICATION FROM STAFF

None.

VII. ADJOURNMENT

Jay Parmar made a motion to adjourn the meeting at 7:01 p.m. The motion was seconded by Susan Leive and approved by consensus.

Historic Preservation Commission Regular Meeting
July 21, 2021

Prepared by:

Susan Leive, Chair

Jennifer Tipton, Senior Admin