

Historic District Commission

July 28, 2022

Meeting Minutes

Chairwoman Andi Eddlemon called the meeting of the Historic District Commission to order at 6:00 p.m. on Thursday, July 28, 2022 at City Hall in the Council Chamber, 181 S. South Street of Gastonia, NC.

Present: Commissioners Josh Hauser, Andi Eddlemon, Carol Hauer, Jeff Trepel, and Ed Starr

Absent: Commissioners James Henson and Camille Fox

Staff present: Charles Graham, Kim Wallis, Chrystal Howard, and Maddy Gates

ITEM 1a. Roll Call / Sound Check

Chairwoman Eddlemon opened the meeting, conducted roll call and declared a quorum.

ITEM 1b. Approval of June 23, 2022 Meeting Minutes

Commissioner Starr made a motion to adopt the June 23, 2022 meeting minutes and Commissioner Hauser seconded the motion. The motion passed (5-0).

Chairwoman Eddlemon stated because of the quasi-judicial format of the hearings, persons wishing to speak and offer evidence are required by North Carolina law to be sworn in or affirmed. Ms. Howard administered the oath to Ms. Kim Wallis.

Chairwoman Eddlemon explained the procedure of the quasi-judicial meeting.

Ms. Wallis made an announcement recognizing Chair and Vice Chair and Commissioner Starr stepped down from Vice Chair.

Ms. Wallis stated that there were two other applications in which notification letters to adjacent property owners within 200 feet of the subject property were sent out, but those applications were withdrawn. As such, letters were sent to property owners informing them of the withdrawn applications. Brief discussion ensued on the reason for these withdraws.

ITEM 2. Public Hearing – Certificate of Appropriateness (File # PLCA202200441)

- Joseph Helminiak
- 221W. Fifth Avenue
- To remove shutters and paint window trim black

Chairwoman Eddlemon recognized Kim Wallis, Senior Planner for the purpose of staff presentation. Ms. Wallis stated that the applicant had intended to be present at the meeting but was not going to make it. Ms. Wallis shared that the applicant requested that he be able to answer questions before the commission would make a decision. Commissioner Trepel asked how the applicant would be able to answer such questions if he is not present. Assistant City Attorney, Charles Graham, advised Commissioners on options of how to move forward with the hearing. Chairwoman Eddlemon decides to continue with the hearing.

Ms. Wallis stated the applicant's name, property location, and the Certificate of Appropriateness (COA) request, after the work had already been completed, to remove shutters and paint the window trim black. She displayed the property/zoning map. Ms. Wallis read the property description, findings, and key elements. She displayed past and current photos of the house from front and side views, as well as, a photo of what was installed. Ms. Wallis read the excerpts from the Design Standards and Unified Development Ordinance (UDO).

Commissioner Hauser asked Assistant City Attorney, Charles Graham, what would happen if the applicant appealed the commission's decision and the home was sold. Charles responded noting that the action is against the property and not the owner and that it would carry forward. Commissioner Trepel asked Ms. Wallis how the Certificate of Appropriateness occurred if the work to the home was done prior. Ms. Wallis replied that she sent a violation letter to the property owner and an application was then made.

Chairwoman Eddlemon opened the public hearing and recognized Mr. Chris Allen, 610 Neil Street, Gastonia, NC. Mr. Allen asked the commissioners for clarification on why the subject property was brought to the commission but tree removal applications are not. Chairwoman Eddlemon responded explaining that because the work done on the subject property was done out of ordinance, it had to go to the full commission. She stated further that there are several review options for applications. Further, Mr. Allen asked if the commission has any authority over the construction of a new property.

Historic District Commission

July 28, 2022

Meeting Minutes

Assistant City Attorney Graham replied stating yes, through an application and Certificate of Appropriateness. Mr. Graham proceeded to tell Mr. Allen that during the public hearing the commission and witnesses should only discuss issues related to the property in question.

Chairwoman Eddlemon recognized Ms. Melissa Melvin, 304 West 5th Avenue, Gastonia NC. Ms. Melvin discussed concerns about the process of notifying future home buyers in the Historic Districts of the required Design Standards and regulations. Chairwoman Eddlemon replies that the commission is complaint driven but that realtors should disclose to potential home buyers that the home is in a historic district. Ms. Melvin also addressed concerns of tree removal and the need for a tree canopy plan. Assistant City Attorney Graham responded that that testimony during the public hearing should address the application and property in question; and that tree related issues and the City of Gastonia Tree Ordinance is a City Council matter as the Council is the only body with authority to amend city ordinances.

Discussion amongst Commissioners ensues regarding either making a decision on the application or continuing it forward to the next HDC meeting. Commissioner Ed Starr made a motion to continue the application. The motion was seconded by Carol Hauer. The motion was opposed by Commissioner Hauser and Commissioner Trepel. The motion passed 3-2.

ITEM 3. Other Business

Subcommittee Meeting, if Needed: No subcommittee meeting is needed.

ITEM 4. Adjournment

There being no other business, Chairwoman Eddlemon adjourned the meeting at 6:50 p.m.

Respectfully submitted:

Chrystal Howard, Secretary

Andi Eddlemon, Chairwoman