

**Town of Montreat
Board of Commissioners
Public Forum Meeting Minutes
May 9, 2019 – 7:00 p.m.
Walkup Building**

Board members present: Mayor Tim Helms
Mayor Pro Tem Otto
Commissioner Kitty Fouche
Commissioner Bill Gilliland
Commissioner Alice Lentz
Commissioner Tom Widmer

Board members absent: None

Town staff present: Alex Carmichael, Town Administrator
Angie Murphy, Town Clerk

Thirteen members of the public were present. Mayor Helms called the meeting to order at 6:30 p.m., and led the group in the pledge of allegiance and a moment of silence.

Agenda Approval

Commissioner Gilliland moved to adopt the agenda as presented. Commissioner Fouche seconded and the motion carried 5/0.

Public Forum

Nancy Fletcher of 441 West Virginia Terrace wondered whether the Greybeard Trail retaining wall drawings had been completed. Mayor Helms advised the drawings had not been completed and, in fact, a contract for the engineering work will go before Council tonight. Ms. Fletcher would be interested in having some parking places at the top for overflow traffic from the square dances. Ms. Fletcher also wondered what the transportation plan for Greybeard Trail will be when it becomes closed for repairs. Mr. Carmichael stated that although no formal plan is in place at this time West Virginia Terrace is the most likely route. Mr. Carmichael advised that he does not know when or how long Greybeard Trail will be closed. Ms. Fletcher also asked for an update on the McCallum House which is located on Assembly Circle and Greybeard Trail.

Laura Wolfe of 324 Texas Road wanted to talk about a situation with the house next door to her at 322 Texas Road. Ms. Wolfe feels this house is not in conformity with the zoning ordinances. Ms. Wolfe stated that the house in question was a modular home put on 10 feet concrete piers on a narrow, steep nonconforming lot. Ms. Wolfe wondered if the Town Council was aware of this situation and questioned what they intended to do about the house. Ms. Wolfe stated that

according to our ordinances a certificate of occupancy cannot be issued until the structure conforms with all of the ordinance and in her opinion this structure is not in conformity.

Ms. Wolfe stated that the Town Administrator and Zoning Administrator allowed steps to be built in the sideyard. The zoning ordinance specifically states that exterior staircases are structures and further states that the minimum sideyard needs to be unoccupied and open from ground to sky. Ms. Wolfe stated that in her opinion the staircase takes up the entire 10 foot sideyard. The Zoning Administrator then allowed a certificate of compliance for parallel parking which is not allowed in R2. It is Ms. Wolfe's opinion that this was granted without a variance. Ms. Wolfe then went on to say that there were further problems with the general ordinance and hillside development ordinance. The geotechnical assessment which was signed by the developer, who was also the engineer and owner, stated one size structure would be built but when it was said and done a larger sized structure was built. Ms. Wolfe stated that discretionary approval was not granted by both Town Administrator Alex Carmichael and Zoning Administrator Adrienne Isenhower only Mrs. Isenhower's signature was on the hillside development permit. Ms. Wolfe also felt that no provisions were made for stormwater, native plants and soil stability. The retaining wall in the front is insufficient while there is no retaining wall in the back. Ms. Wolfe stated there was an agreement between the Town of Montreat, and signed by the Mayor, and Daniel Scheer purporting to give Mr. Scheer street right of way on Texas Road for parking. Ms. Wolfe wanted to suggest that the Town of Montreat follow the law and not give a certificate of occupancy until this structure conforms to the ordinance. Mayor Helms asked Ms. Wolfe if this went before the Board of Adjustment to which Ms. Wolfe replied that it had and the ZBA dismissed the case. Ms. Wolfe then stated she was appealing the case to the Superior Court. Mr. Carmichael then advised the Board to not engage in any conversation with Ms. Wolfe since she and her attorney had stated their intent to appeal the Board of Adjustment's decision with the Superior Court.

MaryNell Todd of 143 Eastminster Terrace spoke in reference to 322 Texas Road as well. Ms. Todd questioned whether all the existing ordinances were followed in the construction of this house and if they were not followed why was it not stopped in the construction process. Ms. Todd felt that if all ordinances were followed then the Town of Montreat is in a bind with regards to land usage. Ms. Todd felt that if zoning ordinances were not followed in Montreat we could end up with another Tudor Croft development which can be found in Black Mountain.

Mary Standaert of 118 Shenandoah Terrace wanted more information on closing public right of ways. She asked for the history of previous right of ways and how it works when a right of way is closed. Mrs. Standaert asked if closing right of ways would preclude future road openings. Mrs. Standaert stated that in the CIP the Town Hall Replacement Project is listed as a \$1.69 million dollar project and she wanted to know if that was new construction dollars. Mr. Carmichael advised that the CIP is a plan and is not a budget. This \$1.69 million dollars includes the cash on hand for the capital project, private donations and the loan. The Town does not have an approved final budget for the Town Hall Project yet. The Town is currently in the value engineering stage and hopes to have the final budget by the May 30th Special Meeting.

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Wade Burns of 232 North Carolina Terrace stated that he felt the 30 minute public forums are good for the community.

Mary Standaert of 118 Shenandoah Terrace wanted to remind everyone that previous Commissioner Ann Vinson was the person who recommended the public forum meeting.

Adjournment

Commissioner Widmer moved to adjourn the meeting. Mayor Pro Tem Otto seconded and the motion carried 5/0. The meeting was adjourned at 6:57 p.m.

Tim Helms, Mayor

Angie Murphy, Town Clerk