Tryon Board of Planning and Adjustment
Minutes
April 11, 2024
3:00 P.M.

Daniel Gerst called the meeting to order at 3:00 pm at the Tryon Town Hall with four other members present.

MEMBERS PRESENT: Wanda May, Luis Ebratt, Allan Casavant, and Nigel Stroud

STAFF PRESENT: Tim Daniels and Jordan McKeown

Minutes

Luis Ebratt motioned to approve the minutes from the March 2024 meeting.
Allan Casavant second the motion.
All in favor.

Tryon Historic Preservation Commission

The chairwomen from the Historic Preservation Commission, Ellen Rechenbach, came to follow up and informed the board that the commission has voted and approved their rules and guidelines/ standards. The new rules will allow property owners to come to the commission to propose designation. She stated that the emphasis of the commission will be on education and assistance to property owners. The commission would like to work on getting local designation for the Nina Simone childhood home. After a year of the commission being in existence the Town will be able to become a certified local government. That would mean the town and the commission could apply for certain grants. She has come to the board not because she needed approval from the board but because there may be times that the board and the commission's work could impact each other and she would like the boards blessing. Rechenbach clarified that the design guidelines that they have adopted are the same as the current federal guidelines. The commission plans to be at the next 4th Friday to spread awareness and they hope to have their own page on the Towns website with a link to the rules & guideline/standards. The commission meets the first Wednesday of every month at 4pm. She wanted to also point out that the guidelines and standards are pretty loose and that there is a benefit for owners that want to designate their properties as local landmarks, which is a property tax reduction. Wanda May made the suggestion that the commission host a friendly public meeting to also educate the community. Allan Casavant motioned to support the Tryon Historic

Preservation Commission. May Second the motion. All in favor.

Item T- Prohibited Signs

Tim Daniels stated to the board that it was agreed at the last meeting that he would draft a change to the ordinance about signs in front of Morris the horse. Currently the ordinance reads that sign placed within 10 feet of Morris the Horse (the corner of trade and Pacolet Street) are prohibited. He has changed that to extend to 25 feet, which should cover the entire curb. Ebratt motioned to recommend the change to council. May second the motion. All in favor.

Electronic Open Signs

Daniels stated that currently prohibit signs that display blinking flashing, intermittent lights animation moving parts or electronically displayed messages. The board would like to change the ordinance to allow open signs, by stating electronic non-neon signs displaying only the word open are permitted. Open signs shall not exceed a height of 22 inches. Casavant suggested adding one per business. Casavant motioned to recommend the change to council with the addition of 1 open sign per business. May second the motion. All in favor.

Regulating accessory furnishing in the public right of way

Daniels stated that the current ordinance states you can not obstruct the sidewalk, he thinks that means a complete obstruction not a certain amount of feet. The American Disabilities Act requires there is at least three feet of walking surface be cleared. At the last meeting it was discussed to keep the space clear three to four feet from the curbside. The new ordinance will read:4.13 accessory furnishings in any town right of way will be all black and made of heavy material to withstand the elements and wind under its own weight. no logos or other designs shall be displayed on furnishings. Accessory furnishings include but are not limited to tables, chairs, umbrellas benches and flower boxes.4.14 accessory furnishing shall not be placed within 4ft from the edge of the curb and shall not be permanently attached to the right of way. Citizen Christy Moller asked why all black for the accessory furnishings, the town colors are read, white, and black. Rechenbach adds that black absorbs heat. Casavant referenced other historic towns, like Alexandria Virginia, have all black and he thinks it looks good. May stated that she thinks all black may look boring. Gerst suggested changing it to the three predominate colors black, white, and red instead of limiting everyone to one color option. May thinks that furniture should be limited to black but not everything else, and quality

furniture matters. Citizen Gail Lamonde stated that the town has a new color pallet, there needs to be some clarification on what the new palate is if it is not black, white, and red. She feels like limiting to a specific color is a good idea, for example banners on the light posts will stand out more. when there are too many colors it gives a carnival feel. When there is less color it allows for seasonal enhancement, because it provides a solid pallet. She also asked if the ordinance specifies if the location of accessory furnishing on the right of way are only allowed there for traditional business hours, is there a special permission for events, where tents and other things will be needed. Daniels answered that this ordinance would just be for day-to-day workings any event would need approval. In reference to the color pallet Daniels stated that he believes the official color pallet is still black, white and red but he has seen some other images with a lot of different colors. Gerst asked if it would be possible to get everyone to buy the accessory furniture from the same place, May included could they buy them through the town. Daniels responded that is a question for legal. Citizen Cynthia Martain stated she thinks it is dangerous to have the right of way from the curb to in and thinks it should be on the inside and tables allowed at the curbside. if it is crowded and cars are parking over the curb, someone could get hurt. Casavant thinks if you put the tables out further the cars on going to hit them, he thinks it gives the business more room if they do it the is new way. Della Pullara worries that people that do illegal upturns in the parking spots could hit someone then there could be a lawsuit. Casavant stated it is a fire safety issue, you should be able to look down the sidewalk and have a clear view. Pullara stated that currently in front of her building there is 4 feet, there is plenty of room for people to walk. Citizen David Wallen stated he thinks the ordinance should state 4 feet from the curb because there wouldn’t clearance left over for the three-foot right of way for the handicap. It needs to state that there needs to be a three-foot right of way maintained at all times. Citizen Elizabeth Bradley pointed out that in reference to the accessory furniture only being black, black absorbs the sun, people sitting at a table in the middle of summer are going to feel the heat more. If the furniture is white, it would reflect the sun. Casavant stated that he thinks either way is fine for the right of way but it needs to be consistent all the way down main street. May stated that red, white and black are not the official colors they are just a long-standing tradition. She suggested a variety of color choices from the new branding. Kristy Mooler asked if an issue negatively impacts a business do you talk to the business owner, for their input, prior to the decision, for example the creamery

and the bottle. Daniels responded that he did not talk to the creamery but he did talk to Pullera. Casavant suggested using a few paring spots, in front of business for tables, at the towns expense, and ensure it would still be ADA compliant. Ebratt brings up the issue of reconfiguring the parking spot, he thinks that would help with the current topic as well. Casavant suggested making oak a one-way street possibly use it for me seating. Daniels stated he spoke with the town manager about parking. Pullara brings up the issue of all the business owners and employees taking up all the parking spaces on main street, there would be plenty of parking. Pullar stated that if the ordinance is updated, she will have to get rid of her picnic table, even though she has plenty of room for people to walk. Daniels states ADA is already law, having anything in the ordinance is just a reminder. Daniels suggested changing it to read that accessory furnishing shall adhere to the ADA, allowing for three-foot clearance. Daniels also suggested to table the color pallet till the official colors are determined. May suggested to Daniels to go door to door to business to get their input. Daniels stated he would also discuss with the tourism board and with the TDDA to put together a public forum. Ebratt motions to table this topic. Casavant second the motion. All in Favor.

Citizen Comments

Daniels informed the board about the upcoming 4th Friday, he stated that it was themes community caretakers. There will be 6 tables set up for the foothills Greenhill commission, kudzu, historic preservation, habitat for humanity, TDDA, and conserving Carolina will be present. Daniels also informed the board that there is a new housing development on new market in process. There will be 8 or 9 cottages, 50% greenspace. The special use permit will be discussed at the next meeting.

Meeting Adjourned

Meeting was adjourned at 4:08 PM.

Prepared by: **Approved by:**

Jordan McKeown
Billing Clerk

John Walters
Chairman