



June 2014 Edition
Quarterly
Newsletter

THE BILTMORE FOREST CHRONICLE

"The verdure of trees, the scent of flowers, the songs of birds, views of great range and Beauty, these stamp Biltmore Forest with the impress of Nature and of that charming atmosphere which Nature alone can provide." D. Hiden Ramsey; The Story of Biltmore



***PLEASE CELEBRATE INDEPENDENCE DAY
WITH US ON FRIDAY, JULY 4, 2014***



Registration for the parade begins at 9:30am at the Biltmore Forest Town Hall. Children can decorate their bicycles and dress in patriotic attire. Prizes awarded for best costume, best float, and best wheels (bicycles, tricycles, strollers, wagons). Judging takes place at 9:45am. Volunteers are needed for judges. Please call the Town Hall if you can volunteer (828) 274-0824. Awards presented and invocation at 10:00am. Parade travels to Rosebank Park at 10:05am.

The fun continues at 10:15am following the parade at Rosebank Park (between Vanderbilt & Park Road). Kids of all ages can enjoy the face painting, balloon twisting, and the fun inflatable slide and obstacle course! Bring your appetite because there will be hot dogs, chips, watermelon, ice cream, cotton candy, and sno-cones. Sing along and have fun listening to our new musical entertainment, "The Caribbean Cowboys." They have been entertaining audiences for over 23 years. They provide a wide variety of music and complete their shows in a respectable professional manner. They are highly respected in the entertainment industry in WNC.

BECOME FAMILIAR WITH TOWN ORDINANCES

Section.19-5. Enforcement

Prior to removing any tree, even if dead, it is the obligation of the property owner to contact the Town Administrator. If any unauthorized removal, cutting or damage to trees takes place, the Town Administrator shall issue a Stop-Work Order which shall remain in effect until all corrections are made that are necessary.

Section 12-2. Sounds Impacting Residential Life

All construction activities and property maintenance by any person or entity other than the resident(s) of a property, including delivery of materials, machinery or equipment to or from a work site, may be conducted between the hours of 7:30 a.m. and 6 p.m., Monday through Saturday. Such activities are prohibited on Sundays, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. These restrictions apply to all properties within the Town except for private clubs.

Individuals residing on a property in the Town may work on such property, including using mechanized equipment on the property, at any time during daylight hours.

Should conditions within the Town that have the potential for injury or damage to persons or property occur on any property during prohibited hours, persons in charge, or involved in such matters, shall contact the Town's police officer in charge, present the problem, and seek permission to take appropriate action (an example of such emergency matters would be trees falling on the house or a water line burst).

Section 4-33. Restraint of Dogs.

Every person owning or having possession, charge, care, custody or control of any dog shall keep such dog exclusively upon his or her premises. However, such dog may be off premises if it is under the physical control of a competent person and physically restrained by a chain, leash or harness, not to exceed eight feet in length and held in the hand of said person. At all times dogs shall be under sufficient control so as not to disturb neighbors by barking excessively, and more particularly after dark.

Section 800 of the Zoning Ordinance covers Conditional Uses. In order for a Home Occupation to be approved as a Conditional Use in Biltmore Forest, it must meet the following conditions:

802.024 Home Occupation

An occupation providing a service carried on by the occupants of a dwelling provided that: The occupation is conducted entirely within the dwelling and not in an accessory building or out of doors. The use of the dwelling unit for the home occupation shall be clearly incidental and secondary to the use of the dwelling for residential purposes. There shall be no display, no outside storage, no change in outside appearance of the building or premises, or other visible evidence of the conduct of such home occupations. Any need for parking generated by the conduct of such home occupation shall be met off the street and not in the front yard. No equipment or process shall be used in such Home Occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses. In the case of electrical interference, no equipment or process shall be used which creates a visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in the line voltage off the premises

No retail sales shall be conducted as part of the Home Occupation . In Biltmore Forest, Home Occupations are allowed as a Conditional Use only in zoning districts R-4 and R-5. Home Occupations are not permitted in any other zoning district, even as a Conditional Use. See permitted use table in the Zoning Ordinance. When Zoning Ordinances were first adopted, occupations traditionally done in the home were allowed to continue in neighborhoods zoned residential. The theory was that certain occupations which had been practiced customarily in the home, and were consistent with residential life should continue to be allowed. Typical of these customary home occupations were medicine, law, dressmaking, sewing, home cooking, and preserving. Although Zoning Ordinances differ as to the type of use allowed and specific rules applicable to such occupations, some generalities exist. The uses must be customary and they must be incidental to the principal use of the residence.

Section 1104. Accessory Structures and Accessory Buildings

FROM THE PUBLIC WORKS DIRECTOR TERRY CROUCH

Accessory structures and buildings will require approval from the Board of Adjustment and are not limited to statues, fountains, water features, playsets, playhouses, fences, and decorative walls.

August 7, 2014 will be the white goods pick up. Please call and reserve a pick up time.

The Public Works Department will be replacing all street name signs on the street lights this year to comply with the new Federal Standards. If you would like to have one of the old signs please call the Public Works Department at 274-3919. Signs will be given out on a first come first serve basis.



Remember to help protect your garbage man! Please place all garbage in garbage bags. This will help with loading of the garbage and reduce litter at the same time. Mike Sparks and Gabriel Crespo our two garbage men, collect 560 tons of garbage per year on average so make each bag as light as possible. Thank You!

The recycling center is always open for Biltmore Forest residents and so is the dumpster. Please remember that only bagged household garbage is allowed in the dumpster. There is an unauthorized materials list posted on a sign next to the dumpster if you have any questions.

The Town will be purchasing a new Knuckleboom truck to collect brush. The truck utilities a hydraulic boom with a clam shell to pick up the brush and load it into the truck. This piece of equipment will keep from damaging the road and road shoulders.



If you are considering installing an irrigation system, be aware that the new tap fee is \$1770 for a 1” meter. There are approximately 150 irrigation systems in Biltmore Forest. Each of these has a backflow device protecting our water system and gets inspected every year.

Electronics are collected for recycling at the Public Works building between 8am and 4pm Monday thru Friday. The Public Works Department can be reached at 828 274-3919 for questions and comments. Have a great summer!

A LETTER FROM THE MAYOR



Dear Residents:

On behalf of your Commissioners, I wanted to announce that our Town Administrator, Nelson Smith, will retire August 31, 2014. Nelson has been an outstanding employee for almost 25 years and he will be missed. The town will hold a reception to honor Nelson on Tuesday, August 26, 2014 from 5:30 to 7:00 PM at the Town Hall. Please join us in thanking Nelson for his faithful and dedicated service to our town, and wishing him well in his retirement.

Due to Nelson's retirement, your Town Council has evaluated 89 applications for Nelson's position. After many hours of reviewing and interviewing potential candidates, we are pleased to announce that we have hired Jonathan Kanipe. Jonathan is a native of Marion, NC and he received his Bachelors degree from UNC Chapel Hill and his Masters of Public Administration degree from Appalachian State University. Jonathan is married to Emily and they are the proud parents to two girls, Alice and Anna. Jonathan has served as the Town Manager for the town of Catawba, NC and most recently, as the Town Manager for the town of Columbus, NC. Jonathan's start date will be July 1st. He, his wife, and his daughters will be at the July 4th parade and picnic. Please come and meet Jonathan and his family.

Respectfully,

George Goosmann, Mayor



FROM THE CHIEF OF POLICE ERIC TINSLEY



Most of you have noticed the camera at the intersection of Busbee and Vanderbilt. It is a dedicated, license plate recognition camera. It “reads” license plates and compares them to a database of stolen and wanted vehicles, or vehicles that dangerous felons are occupying. We have a direct link, via fiber optics, from the camera to police dispatch. We also have the ability to create our own data base of tags. I intend to build a list of people we have arrested for B&E’s, violent crimes, and people who have been ordered by the court to stay away from individuals that live or work in the town.

The camera does not have the ability to read the speed of vehicles, check registration violations, or enable us to take any enforcement action. Most of the expense to have this installed came from donations. This piece of equipment is almost equal to having a police officer sit at that intersection. When a vehicle passes that is displaying a tag in the database, we receive an alert within three seconds. If a crime occurs anywhere in the area, and we have a suspect, we can enter their tag, and be able to see if they have driven past that camera within the last month. This is a very valuable tool for our investigators, that no inter local agency has. Currently, I know of two agencies that are seeking funding to do what we have done.

When one of our residents becomes a victim of a crime, we work diligently to recover property and arrest the perpetrator. It is not uncommon to spend 100 or more man hours investigating, and locating criminals. This equipment has the potential to greatly reduce that.



OFFICER KENNETH MERRITT

Congratulations to Officer Kenneth Merritt who was recently recognized by the Asheville Optimist Club for outstanding service to the Town of Biltmore Forest. Officer Merritt does an exceptional job and is well deserving of this award.

Congratulations to Officer Matthew Kelly, who recently located an armed robber who ran from Asheville Police into Biltmore Forest. Officer Kelly used our thermal imaging camera to locate the robber. We are frequently called for assistance by Asheville Police Department and have located several suspects for them using our camera. It has been



OFFICER MATTHEW KELLY

instrumental in many of our own cases.

Congratulations to Sergeant Mark Allen. South Asheville recently had hundreds of break in's, mostly cars. On Sunday night, June 15th, Sgt. Allen heard on the scanner that many APD units were searching the Biltmore Park and Skyland areas, because dozens of B&E's were being reported. About 3:00 am, he heard that a computer store was hit in Gerber Village. At that time he realized the perpetrators seemed to be headed in the direction of Biltmore Forest. So, he parked with his lights off on the connector between the Parkway and Stuyvesant Road.

Within a few minutes of the computer store B&E being dispatched, he saw a car approaching him from Hendersonville Road; but, when the headlights hit the marked patrol car, it turned abruptly onto the Blue Ridge Parkway. Sgt. Allen followed, and pulled it over on the Parkway just on the other side of the Hendersonville Road overpass. The vehicle was full of duffle bags, and was occupied by two twenty something white males, who were out of breath unable to produce identification. They jumped out of the car and ran while Sgt. Allen was notifying APD about the suspects. Sgt. Allen was able to catch one of them.



SERGEANT MARK ALLEN

Officer Matthew Kelly arrived quickly to the scene and secured the area until APD arrived. Officers surrounded the area, and called in a K-9 Officer. BFPD day shift officers, Sgt. John Driver and Officer Kim Rhinehart arrived and joined the effort. The second suspect was found hiding in brush not far from Officer Kelly’s location.

APD charged the two suspects with over twenty B&E's that occurred Sunday night, and Sgt. Allen charged them with RDO, possession of stolen goods, and possession of methamphetamine. The vehicle they were driving was later reported stolen.

POLICE DEPARTMENT EQUIPMENT

The Biltmore Forest Police Department aims to provide the highest level of protection and service to the residents of Biltmore Forest. We utilize state of the art equipment to help achieve this goal.

Much of our equipment has been purchased entirely, or in part with grant funds. Over the past several years we have participated in the NCSS surplus program, and the U.S. Navy Department of Navel Surface Warfare lend/lease program. We have also received grant funds and/or equipment from the Bureau of Justice Assistance through the Governor's Crime Commission, The Governor's Highway Safety Program, Commercial Equipment Direct Assistance Program or CEDAP, a now defunct FEMA program, NC Surplus Property, Law Enforcement Support Services, and the C.O.P.'s program.

Through these programs, we have been able to obtain bullet proof vests, TASERS, Glock 9mm pistols, computer equipment, military equipment, and state of the art search and rescue equipment. We utilize most of this equipment on a regular basis and have assisted neighboring departments many times with our thermal imagers and night vision.

We have the ability to "see in the dark" at a moments notice. Although the two larger departments in the county have similar equipment; our ability to have it up and running within a few minutes has resulted in the capture of dangerous felons, locating critical case evidence, and saving the lives of lost and near drowning victims.

Our latest grant funded equipment purchase will be state of the art, body worn cameras. The video evidence provided by these cameras will aid in the conviction of suspects, and protect our officers from wrongful accusations of misconduct.

We are very proud of our Police Officers and the excellent job they do. We are also very proud to provide them with the equipment they need to keep them safe; and, make them more effective.

GET UPDATED INFORMATION WITH OUR NEW MESSAGING SERVICE

The Police Department is now using a state of the art messaging service to share information with residents. We will create and publish messages through the Nixle Community Information Service. Nixle will then deliver this information to you instantly via text, email and/or web message. Notifications can also be accessed online at Nixle's web site at www.nixle.com. The service is secure, reliable and easy for our group to use. YOU decide what information you want and whether you want it sent to your cell phone, email, or just simply over the web. Please register now at the company's main web site: www.nixle.com.

OPTIONAL TOWN VEHICLE IDENTIFICATION STICKERS

If you live in and or own property in the Town of Biltmore Forest, you are eligible to purchase identification stickers for any or all of the vehicles you own. The stickers are 4 inches round, reflective and should be placed on the rear windshield of the vehicle. If you wish to also have one on the front windshield of your vehicle, you must purchase 2 stickers. Each sticker will have a unique number. The stickers cost \$5.00 each and may be purchased at the Police Department. Payment may be made in the form of a check or exact cash amount only. Please bring the following with you to purchase: Proof of residency, (if drivers license does not show a physical town address, a utility bill will be acceptable). Drivers license, license plate number, make and model of vehicle, registered owner, year and color of each vehicle. The sticker numbers and associated vehicle information will be kept on file at the Police Department to more readily identify vehicles that belong to residents of Biltmore Forest. Please fill out the form at the police department and have exact cash or check available. **Having a sticker on your vehicle will in no way influence a Police Officer's decision to take enforcement action when warranted.** All Biltmore Forest resident vehicle identification stickers must be removed and returned to the Police Department whenever a vehicle is sold or traded, or when residential status changes.

Town of Biltmore Forest

PO Box 5352

Asheville, NC 28813

PRSRT STD
U.S. POSTAGE
PAID
ASHEVILLE, NC
PERMIT # 335

Mayor:

George F. Goosmann, III

Commissioners:

Fran Cogburn

E. Glenn Kelly

Doris P. Loomis

Town Administrator:

Nelson Smith

828-274-0824

townhall@biltmoreforest.org

Chief of Police:

Eric Tinsley

828-274-0822

chieftinsley@biltmoreforest.org

Director of Public Works:

Terry Crouch

828-274-3919

pwdiretor@biltmoreforest.org

Brush Pick Up

Brush should not be put out earlier than the 10th for the NORTH & 25th for the SOUTH

NORTH pick up dates are the 15th of each month: Amherst, Arboretum, Browntown, Buena Vista, Busbee, Cedarcliff, Deerfield, East Forest, Fairway Place, Forest, Hendersonville Road-Browntown North., Lone Pine, Park Road, Stuyvesant Road, Vanderbilt, & White Oak.

SOUTH pick up dates are the 30th of each month: Brookside, Brooklawn Chase, Cedar Chine, Cedar Hill, Chauncey Circle, Eastwood, Fir Tree, Frith, Greenwood Road and Greenwood Place, Hendersonville Road-Browntown South, Hemlock, Hilltop, Holly Hill, Niagra Drive, Ridgefield Place, Southwood, Stuyvesant Crescent, Stuyvesant Road-Country Club South, and Westwood.

Please place leaves, brush, and limbs no longer than 4-5 feet and no greater than six inches in diameter parallel to the road on your road shoulder. Keep all debris off of the road and away from fire hydrants, signs, walls, trees, and low hanging limbs. Please keep your brush and leaves free of grass clippings, rocks, and lumber. Also place your debris within 5 feet of the edge of the pavement. **During the months of July and August, the Town will make 1 extra brush collection for both the North and South sides of the Town.**

Town directories are available by email. Please send your request to:
townhall@biltmoreforest.org