

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, JUNE 22, 2009 - 7:00 P.M.
MINUTES**

The Planning Board of the Town of Weddington, North Carolina, met in a Regular Session in the Town Hall Council Chambers, 1924 Weddington Road, Weddington, NC 28104 on June 22, 2009 at 7:00 p.m., with Chairman Dorine Sharp presiding.

Present: Chairman Dorine Sharp, Vice-Chairman Rob Dow, Jack Steele, Scott Buzzard, Beth Masurat and Jeff Perryman and Town Planner Jordan Cook

Absent: None

Visitors: None

Item No. 1. Open the Meeting. Chairman Dorine Sharp called the June 22, 2009 Regular Planning Board Meeting to order at 7:04 p.m.

Item No. 2. Determination of Quorum/Additions or Deletions to the Agenda. There was a quorum.

Item No. 3. Approval of Minutes.

A. May 18, 2009 Planning Board Meeting Minutes. Mr. Jack Steele moved to approve the May 18, 2009 Regular Planning Board Meeting minutes. Mr. Jeff Perryman seconded the motion, with votes recorded as follows:

AYES: Perryman, Masurat, Buzzard, Steele and Vice-Chairman Dow
NAYS: None

Item No. 4. Old Business.

A. Update on Proposed Text Change to Section 46-76 (Road Standards and Buffering along Major Thoroughfares) of the Code of Ordinances. The Planning Board received a copy of the proposed text change:

Section 46-76 at the end, add (m) below.

(l) Connection to public water lines. If county or municipal water lines are located within one-half mile of a subdivision of ten to 39 lots, or one mile of a subdivision of 40 lots or more, where the distances are measured along the roadway to the nearest edge of the property, then the developer must connect to these lines to provide water service and fire protection for the subdivision.

(m) Connection to public sewer lines. If county or municipal sewer lines are located within one-half mile of a subdivision of ten to 39 lots, or one mile of a subdivision of 40 lots or more, where the distances are measured along the roadway to the nearest edge of the property, then the developer must connect to these lines to provide sewer service for the subdivision. The developer of any private sewer system capable of serving two (2) or more users shall be responsible for constructing the private sewer system in a manner which is compatible with county or municipal sewer lines at the time of construction and for connecting the private sewer system to county or municipal sewer lines within one (1) year after public sewer service becomes available to the subdivision.

Vice-Chairman Rob Dow - The big issue with this language was that it did not take into account basins at all. While you may be within the distance to sewer, it may be uphill and the county would not let you pump to it. Union County is having their legal department review the text change.

Town Planner Jordan Cook - We met with Attorney Fox last week to discuss the text change. Attorney Fox advised us that we can craft this language however we want. We were going to try to see what other towns have done as well. We could give the developer options with conditions. This language does not take into account topography or basins.

Chairman Sharp – Attorney Fox pointed out that sewer lines do not follow roads like water lines do. You may have to change the distances.

Mr. Steele - I want to make sure that we are thinking all the way through this in light of the recent decision regarding The Woods private sewer system. It requires the developer to construct the piping so that it would be compatible with the county system. It also says that the developer is responsible for connecting the private sewer system to the county or municipal lines within one year after public sewer service becomes available. As we now know, that may be a decade or more after the subdivision is completely sold out and the developer is gone. There needs to be somebody to come in and do this when the developer is gone.

Chairman Sharp - The developer or the homeowners association would be required to.

Mr. Steele - Then you would have to require a homeowners association in this type of development. That could be one of the conditions. We need more inclusive language so that somebody will be responsible for paying for that connection at the time down the road when the county is available to make that connection.

Mr. Perryman - What is the basic intent of this text change?

Chairman Sharp - What was brought up at the Retreat was the Council wanted something requiring the developer to hook up to sewer if sewer is available within a certain distance. The same way we require a developer to hook on to water if water is available.

Vice-Chairman Dow - It is the intent then of the Town Council not to allow developments with septic.

Chairman Sharp - If they were within a certain distance of a sewer line the intent was to require the developer to hook on to sewer and we were supposed to develop what those standards would be.

Mr. Steele - The general intent was that any new subdivision with 10 or more lots that were within the specified distance of water or sewer had to construct at the time the subdivision was initially built a water and sewer system capable of servicing the homes in the subdivision and capable of hooking on to the county system when it became available.

Chairman Sharp – I do not believe that the Council realized that it would be five years or more before water and sewer would be available.

Mr. Steele - You can clearly require that a developer put in the infrastructure and then require it to be hooked up as long as they are able to do the other in the interim. I think the attorney is going to have to answer the question on whether you can legally deprive a person the ability to build a subdivision on their property because you refuse to allow private wells or private sewer when county water and sewer are not available.

Chairman Sharp - The Town can put certain limitations on properties but he was rather vague whether this would actually be an issue or not.

The Planning Board will wait to receive feedback from Union County, the Town Attorney and Mr. Cook's review of other municipalities' ordinances before reporting back to the Town Council.

Item No. 5. New Business.

A. Appoint Planning Board Member to Downtown Development Committee. Vice-Chairman Dow moved to appoint Mr. Jack Steele as the Planning Board Member to the Downtown Development Committee. Mr. Perryman seconded the motion, with votes recorded as follows:

AYES: Perryman, Masurat, Buzzard, Steele and Vice-Chairman Dow
NAYS: None

Item No. 6. Updates from Town Planner. The Planning Board received the following update from Town Planner Cook:

- Martin/Alexiou/Bryson held a Public Meeting May 27, 2009 from 6:30-8:30pm at Rea View Elementary School. Approximately 25 citizens attended this meeting along with staff and steering committee members from the four municipalities. The final Steering Committee meeting was held on Thursday, June 11, 2009 to review and make final comments on the Final Draft. Town Staff will forward the Final Draft to the Planning Board and Town Council for review prior to the Town Council/Planning Board Joint Meeting on July 13th at 6:00 pm. Don't forget to go to look at the project's website for all the latest information and let us know if you have any questions or would like to provide input on the study. The website is www.lartp.org.
- The Town of Weddington received twelve proposals for the Downtown Development Master Plan. Town Staff and four members of the Downtown Development Committee will interview the final four consultants this week. Fees for the remaining proposals range from \$53,500 to \$69,500.
- The Helms Property Conditional Zoning/Rezoning is currently scheduling their Public Involvement Meetings. They will be on the Planning Board agenda following the completion of their Public Involvement Meetings. This project was submitted prior to the adoption of the moratorium and is exempt from its provisions.
- The sign repairs at Chesterbrook Academy have been completed and now comply with what was presented and approved during the 2007 CUP process.
- Bonnie Fisher, Dorine Sharp, Rob Dow and Jordan Cook meet with Ken Dowd of the Bromley Subdivision to discuss the Town's policies on Bonds and Letters of Credit. The Town Attorney is currently reviewing draft language revising our policies on Bonds and Letters of Credit. The Text Amendment will be presented to the Planning Board once the Town Attorney has made the proper revisions.

Item No. 7. Other Business.

A. Report from the June 8, 2009 Regular Town Council Meeting. The Planning Board received a copy of the June 8, 2009 Regular Town Council Meeting agenda as information.

Item No. 8. Adjournment. Mr. Perryman moved to adjourn the June 22, 2009 Regular Planning Board Meeting. Mr. Steele seconded the motion, with votes recorded as follows:

AYES: Perryman, Masurat, Buzzard, Steele and Vice-Chairman Dow
NAYS: None

The meeting adjourned at 7:55 p.m.

Dorine Sharp, Chairman

Attest:

Amy S. McCollum, Town Clerk