

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
WEDDINGTON TOWN HALL**

**1924 Weddington Road
Weddington, NC 28104
MAY 22, 2017 – 7:00 P.M.**

Minutes
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OPEN THE MEETING

Chairman Dow called the meeting to order at 7:00 p.m.

DETERMINATION OF QUORUM/ADDITIONS OR DELETIONS TO THE AGENDA

Quorum was determined with all members in attendance: Chairman Rob Dow, Boardmembers Walt Hogan, Barbara Harrison, Brad Prillaman, Bruce Klink, Jim Vivian, and Gerald Hartman.

Staff present: Town Administrator/Planner Lisa Thompson, Town Clerk Karen Dewey

Visitors: Mayor Bill Deter, Councilmember Mike Smith, Anna-Marie Smith, Christoph Tschegg, Wayne Griffin, Harry and Debra Welch, and Catherine Toomey

There were no changes to the agenda.

APPROVAL OF MINUTES

April 24, 2017 Regular Planning Board Meeting Minutes

There were no changes to the minutes.

Motion: Boardmember Hartman moved to adopt the April 24, 2017 Regular Planning Board Meeting Minutes as presented.
Second: Boardmember Hogan
Vote: The motion passed with a unanimous vote.

OLD BUSINESS

Update on Lot Size Amendments for RCD

Boardmembers Prillaman and Vivian have been working together with opposing points of view. Mr. Prillaman maintains that the minimum lot size needs to be larger. 12,000 square feet does not fit with our community. There is an excess of conservation area that can be used to increase the lot sizes closer to our community standards when developing this district. Mr. Vivian asserts that the lot sizes can be smaller than 12,000 square feet and still be in line with town standards. Larger conservation area is better for the town. It provides more privacy for neighborhoods and greater vistas and open space. The smaller lot standard provides creates an innovation in

development on the part of the builders. It fits better with the Land Use Plan with more open space and larger viewshed buffers.

The Board held an in depth discussion of the lot size requirements for the RCD. The majority believes that the lot sizes should be larger. Boardmembers Prillaman and Vivian were tasked with gathering more data and present a plan for what is most suitable for a conservation district at next month's Planning Board meeting. The Board will then present a recommendation to the Council.

NEW BUSINESS

Discussion and Recommendation of Final Plat for Carrington Subdivision

Ms. Thompson presented the staff report. M/I homes is seeking approval of their final plat application for 71 lots on 117.64 acres located at the north east and west corner of Weddington-Matthews Road and Beulah Church Road/Hemby Road intersection. Planning Board approved the Sketch Plan on December 21st, 2015. The Town Council approved the Preliminary Plat on September 12, 2016 with the following conditions:

1. Development subject to review and final approval of construction documents by Town's Engineering Consultant, US Infrastructure. Applicant must provide proof of approval of the construction documents before commencing with construction. Significant changes to the site plan during construction document finalization may require a second planning board review.

Review comments from USI were satisfactorily addressed, and all permits from the state were obtained for this project. The plans sealed on January 10, 2017 were recommended for acceptance by USI.

2. Development subject to review and approval/permitting of construction documents by Union County Public Works. Applicant must provide proof of approval of the construction documents before commencing with construction.

Union County Public Works approved the plans. An accessibility letter was obtained by staff on March 3, 2017.

3. That NCDOT approval for left and right hand turns is attained.

Internal roads were approved on January 17, 2017. The access permits were approved on January 30, 2017.

4. The emergency gate is installed and/or working with the adjoining Waybridge HOA for control and maintenance and to insure that it achieves the safety requirements of the volunteer fire department for emergency access.

MI homes has an agreement with the Waybridge HOA to install a gate at the emergency access point. They will be required to build the access road per plan. In addition MI homes will install fencing on the line near the gate.

Recommended Conditions of Approval:

1. The emergency access road, gate, and fencing shall be maintained by the HOA.
2. Bond Estimates shall be approved by USI.
3. Performance and Maintenance Bonds to be approved by the Town Council.

4. Approval of CCR's by Town Attorney.

The final plat is in conformity with the preliminary plat and construction plans therefore staff recommends approval of the Carrington Subdivision Final Plat Phase 1; Maps 1 and 2.

The Board discussed the maps. There was question about width of some lots, which Ms. Thompson pointed out the answers on the curve table on the plat. The Board also discussed conditions for the approval and came to agreement on the conditions listed by staff.

Motion: Boardmember Prillaman made a motion to forward the Final Plat for Phase 1 of Carrington Subdivision, Maps 1 and 2, to the Town Council with a recommendation for approval with the conditions Listed in the staff report:

- The emergency access road, gate, and fencing shall be maintained by the HOA.
- Bond estimates shall be approved by USI.
- Performance and Maintenance Bonds will be approved by the Town Council.
- CCRs will be approved by the Town Attorney.

Second: Boardmember Harrison

Vote: The motion passed with a unanimous vote.

Discussion and Recommendation of Final Plat for Tuscan Ridge Minor Subdivision

Ms. Thompson presented the staff report. The applicant was present. In 2015 Lawd Properties, LLC submitted a final plat application for 11 lots of the approved 13 lot conventional subdivision. The two lots accessed off Stirrup Ct. were not included in the final plat.

The applicant submitted a subdivision application to plat the final two lots, lots 11 and 12.

The two lots meet the R40 setbacks and lot width. Both will be accessed off of Stirrup Court, with a walking path connection to Shagbark Lane between lots 4 and 13.

Lots 11 and 12 are consistent with the approved preliminary plat and construction plans, therefore staff recommends approval with the condition that all lots are included in the approved CCR's and the document is re-recorded if necessary.

Motion: Boardmember Prillaman made a motion to forward the Final Plat for Tuscan Ridge Minor Subdivision to the Town Council with a recommendation for approval with the condition that all lots are included in the approved CCRs and the document is re-recorded if necessary.

Vote: The motion passed with a unanimous vote.

Discussion and Recommendation of Text Amendment Chapter 34: Public Nuisances

Ms. Thompson presented the staff report: A public nuisance is a condition or activity involving real property that amounts to an unreasonable interference with the health, safety, morals, or comfort of the community.

Both GS 160A-193 City Nuisance – Abatement Authority and GS 160A-174 (a) Public Nuisances and the General Police Power, provides the Town with the ability to regulate conditions detrimental to the public health, safety, and welfare of the residents.

The Board held an in-depth discussion about the nature of public nuisances. They agreed that the text amendment as written is too specific and wields too much control.

Action: The Planning Board agreed to table recommendation of this text amendment until the regular meeting next month. They directed staff to look into current ordinances and identify the specifics that need to be covered.

Discussion and Recommendation of Text Amendment Chapter 22: Environment; Noise

Ms. Thompson presented the staff report and gave an explanation of the nature of the complaints staff has received. This text amendment gives determining factors on whether a noise is unreasonable; lists specific activities that shall be considered disturbing, however the list is not exclusive; adds to the list of exceptions; and includes a more specific penalty and enforcement for such violations.

Discussion and comparison of the Town noise ordinance to the county noise ordinance ensued. The Board agreed that the proposed text amendment mimics what most of what already exists in the county ordinance.. The Board determined that the town needs to identify the most critical problems not covered by the current ordinance. The Board agreed to consider the proposed text amendment further at the next Regular Planning Board meeting.

Action: The Planning Board agreed to table recommendation until the regular meeting. They directed staff to check Union County enforcements, and identify the most critical problems not covered by the current Town noise ordinance.

UPDATE FROM TOWN PLANNER

Ms. Thompson presented an update. On Tuesday, June 20, 2017 NCDOT will be holding a public open house meeting for the Rea Road Extension Project. It will be at Graceway Baptist Church from 4 p.m. to 7 p.m.

Staff received construction plans for the Graham Allen subdivision and they will be on next month's Planning Board Agenda.

OTHER BUSINESS

Report from the April Town Council Meeting

Ms. Thompson reported that the Council agreed to table the Small Cell Communications Text Amendment because of a pending bill on the floor of the State House that raised some questions.

ADJOURNMENT

Motion: Boardmember Prillaman moved to adjourn the meeting.
Second: Boardmember Harrison
Vote: The motion passed with a unanimous vote.

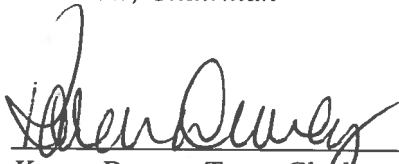
The May 22, 2017 Regular Planning Board Meeting adjourned at 8:20 p.m.

Action items:
Review county noise ordinance and the enforcement.
Review public nuisance issues and enforcement

Adopted 24 June 2017



Rob Dow, Chairman



Karen Dewey, Town Clerk