

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
WEDDINGTON TOWN HALL
1924 Weddington Road
Weddington, NC 28104
AUGUST 28, 2017 – 7:00 P.M.
MINUTES
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1. OPEN THE MEETING

Chairman Dow called the meeting to order at 6:59 p.m.

2. DETERMINATION OF QUORUM/ADDITIONS OR DELETIONS TO THE AGENDA

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

Staff Present: Town Administrator/Planner Lisa Thompson and Town Clerk Karen Dewey

Visitors: Mayor Bill Deter, Philip Gutierrez, Barbara Gutierrez, Max McLeod, Alicia Neville, Cooper Young, Terry Moore, Mike Carver, Brian Graham

3. APPROVAL OF JULY 24, 2017 REGULAR PLANNING BOARD MEETING MINUTES

The Board reviewed the July 24, 2017 Regular Planning Board Meeting minutes. Board member Harrison corrected a typo on page 2 (replace “they” with “the”). Board member Hartman corrected listed names. It should read “Hogan and Hartman”. Chairman Dow clarified his statement regarding the landscaping near power lines text amendment. It should read “...expressed the need to come up with a plan for more appropriate trees planted”.

Motion: Board member Harrison made a motion to approve the July 24, 2017 regular Planning Board Meeting Minutes as amended.
2nd: Board member Klink
Vote: The motion passed with a unanimous vote.

Chairman Dow asked if there was any objection to swapping New Business with Old Business. The Board agreed unanimously.

4. NEW BUSINESS

A. Review and Consideration of Conditional Rezoning Amendment for Columbarium at Weddington United Methodist Church.

Ms. Thompson presented the staff report. Weddington United Methodist Church requests a Conditional Rezoning (CZ) for property located on the southeast corner of NC16 and Hwy 84 to construct a columbarium in front of the existing cemetery. The parcel size is about 5.43 acres. The columbarium area includes a new sidewalk, fountain, pavers, benches and brick columbarium walls with niche units, and a precast concrete top. The project is broken up in 3 phases. Phase one includes 192 niches, phases two and three have 72 niches. The applicant will remove and refurbish the existing fence to use between the units. Cemeteries are conditional uses in the R-CD zoning district. The use may be permitted after review through the conditional district rezoning process. The required public involvement meetings for this project were held on July 31, 2017. One person attended the meeting for informational purposes only.

Staff recommends with 3 conditions in staff report:

1. Any proposed lighting shall comply with Town Lighting Ordinance;
2. The landscaping shown on the plan shall be required; any deviation shall received DRB review and approval; plant material shall be approved by the zoning administrator; and
3. Any future revisions to the approved site plan and other approved documents must comply with Section 58-271(i) of the Weddington Zoning Ordinance

Board member Hartman asked if any lighting was proposed. Ms. Thompson replied that there is decorative lighting as an optional lamp post proposed in the floor plan.

Board member Prillaman confirmed that the lamp post shown as optional in the floor plan is actual. He also asked if there was a time limit on the proposed lighting. Ms. Thompson responded that the Town does not have a time limit in the ordinances; however, with other conditional zoning applicants, there is a 9:30 p.m. limit. The Applicant confirmed that the existing streetlight is in the middle of where the columbarium will be built and there are no plans for other lighting at this time.

Chairman Dow asked where the current security light was located.

The Applicant confirmed that the current security light is in the current columbarium area. He explained: the columbarium essentially replaces existing fence line. The lamp posts are not tall only about 10-12 feet. Not like power poles. They are more or less for ornamental lighting. Ms. Thompson confirmed that the lighting ordinance will allow provisions for ornamental lighting, but the parking lights will have to be cut off at a specific time.

Chairman Dow asked if the columbarium would be facing the rest of the property, away from Providence Road. The Applicant confirmed that the niches in the columbarium would be facing away from the road. The presenting surface is stone, brick, and fence.

Chairman Dow asked if there are plans for expansion. The Applicant confirmed there are no plans for expansion.

Board member Klink asked over what period of time the 3 phases would be completed. The Applicant replied it would probably be done all at once, depending on finances.

Chairman Dow confirmed that the structures around the columbarium include an ornamental tree and concrete benches around it and that there were no other lights. He asked if there was a security light. The Applicant confirmed that the current security light on the building would remain.

There was no further discussion.

- Motion:** Board member Hartman made a motion to forward the Weddington United Methodist Church conditional rezoning request to Town Council with a favorable recommendation with staff conditions and the additional condition that the lighting be consistent with the church conditional zoning requirements.
- 2nd :** Board member Vivian
- Vote:** The motion passed with a unanimous vote.

B. Review and Consideration of Conditional Rezoning Amendment for Additional Parking Spaces and Change in Lighting Requirement for All Saints Anglican Church.

Ms. Thompson presented staff report. All Saints Anglican Church requests an amendment to their Conditional Rezoning (CZ) for property located at 5328 Hemby Road to construct 18 parking spaces and amend the condition that the parking lot lights must be off at 9:30 PM. The church rezoning was approved on July 13, 2015. Phase 1 included a 13,900 sq ft multi-purpose building, parking, detention, two access drives off Hemby Road, and the required landscape buffering. The applicant received their certificate of occupancy with a condition that the 9' staggered evergreen bushes/trees that supplement the required landscaping along the rear property line (a condition from Town Council) be planted prior to December 1, 2017. The new parking spaces are proposed for the West side of the church with a sidewalk connection to the existing sidewalk. The spaces will be internal to the existing access drive. The town engineer concluded that the new impervious area was taken into account and changes to the detention pond are not necessary. The church would also like to amend the Town Council's condition that the parking lot lights must be turned off after 9:30 PM and request the lights remain on until dawn for security purposes. The required public involvement meetings for this project were held on August 7, 2017. Approximately 15 people attended the on-site meeting and approximately 13 people attended the evening meeting.

Board member Prillaman stated that he drove by the property and confirmed that the lights are very low key. He asked if the neighbors of the church, specifically next door and across the street have any issue with the lights. Board member Klink stated that neighbors he has spoken with have a big problem with the lighting and they are unhappy with the current 9:30 cut off time. The Applicant stated that the concern is having kids hanging out unseen. With the current construction, darkness provides opportunity for people to do things that they shouldn't be doing. The lighting doesn't permeate anybody's yard. One can see the lights, but they aren't shining in anybody's yard or into anybody's house.

Board member Prillaman explained that he drove around to compare lighting. He found a church farther away down Hemby more remote where kids would probably be hanging out. Weddington

United Methodist Church has more lights from building shining out-they are security not street lights.

Board member Hogan believes that the surrounding homeowners will be affected by housing going in east of the church -they will have streetlights also. He stated that when driving around, he found lights throughout the town that are not shut off at 9:30. If it's a security and safety issue, maybe have an agreement to turn off the lights at midnight.

Board member Vivian suggested motion lights.

Chairman Dow asked what has been done in other situations: Weddington United Methodist Church has security lights on back and in parking lots that go off at a certain time (9:30). The applicant confirmed that the security lights do not go off.

Board member Harrison is concerned with setting a precedent. There can't be a denial if it's done once. She asked for confirmation if there were security lights on the outside of the church. The Applicant responded that there was no exterior security lighting, only interior emergency lighting required by code.

Board member Hartman asked the applicant if there had been any incidents. The Applicant responded that there were only thefts while under construction. The Applicant stated that a motion light has been considered, but wildlife would set the light off at all hours.

Chairman Dow asked if the Applicant has considered a gate at the driveway. Board member Prillaman stated that Optimist Park has a gate that controls entry and exit and serves as a deterrent.

Board member Klink stated that as a Planning Board, one of our goals is to preserve rural character. He stated that by lighting up the place, it becomes more like a city. There were no issues with the added parking spaces. Chairman Dow confirmed that the additional spaces are approved by bonding.

Motion: Board member Klink made a motion to forward the All Saints Anglican Church conditional district amendment request to extend the lighting conditions to Town Council with an unfavorable recommendation
2nd: Board member Prillaman
Vote: The motion passed with a unanimous vote.

Motion: Board member Hartman made a motion to forward the All Saints Anglican Church conditional district amendment request to add 18 parking spaces to Town Council with a favorable recommendation.
2nd Board member Vivian
Vote: The motion passed with a unanimous vote.

C. Review and Consideration of Canisteo (formerly Deal Road Subdivision) – Preliminary plat/Construction Plans.

Ms. Thompson presented the staff report. Cameron Helms with Deal Road Ventures, LLC submitted a preliminary plat and construction plans for a 15 lot subdivision on 19.96 acres located at northeast corner of Highway 84 and Deal Road. The proposed subdivision contains 15 lots on 19.96 acres with a total density of .75 units per acre. This is a conservation subdivision where 50% of the gross acreage must be retained as conservation land. 8.97 acres is required and 9.06 acres has been provided. The 100' viewshed buffer includes a 10' landscape buffer along the thoroughfare to screen residential lots from the thoroughfare. A 50' buffer surrounds the property which also includes a 10' landscape buffer. The subdivision will be served by Union County Public Water and Sewer. The subdivision is accessed by an entrance off of Deal Road. The entrance is 600'+ from Highway 84 which is NCDOT's minimum standard. The Town Engineer approved the construction plans and they have been submitted to other outside review agencies including NCDOT, Public Works, NCDEQ and the Army Corps of Engineers. A draft maintenance plan and CCRs have been submitted for review. Staff recommends approval with the conditions outlined in the staff report.

Board member Hartman confirmed the 100 foot viewshed buffer.

Board member Hogan expressed concern with the possible overload of the flood plain with the change in topography. Chairman Dow explained that the intent of flood ordinance is to take a flood experience and keep it the same after development as before. Ms. Thompson explained that retention areas catch the rain and there are pre development calculations of flow and the retention area catch and release the water at the rate of the pre development calculations.

Board member Harrison expressed concern that the power lines are close to road. Ms. Thompson confirmed that when NCDOT widens NC 84, they will request 50 feet on Deal Rd. and 60 feet on NC 84. She confirmed that the right of way may cut into buffer.

Board member Hartman confirmed the location of the mailbox cluster and that it was approved by the United States Postal Service.

Motion: Board member Klink made a motion to forward the Canisteo Subdivision Preliminary Plat with favorable recommendation to the Town Council with the following conditions:

- The Applicant must provide approvals from all local, state, and federal agencies prior to commencing construction
- The maintenance plan and agreement shall be reviewed by the town attorney
- The name of the County and Township shall be added to the Title block

2nd: Board member Harrison

Vote: The motion passed with a unanimous vote.

5. OLD BUSINESS

A. Review and Consideration of Text Amendment to Section 46-76 (d)(16) Regarding Landscaping Near Power Lines

Ms. Thompson presented staff report. Union Power presented information on planting the appropriate trees within or near power line easements. After seeing the presentation, the Board agreed that the town should revise the ordinances. Section 46-79 currently does not allow landscaping within the right of way. However the issue seems to be the canopy of the trees near

the utility lines. Staff drafted text to further regulate landscaping near overhead lines. In addition, the arborist with Union Power reviewed the approved plant list. An asterisk was added to species that cannot be located within the utility right of way. *(The text amendment with plant list is hereby submitted for the record).*

The Board agreed to take bamboo off of the approved plant list.

Chairman Dow discussed an issue with Atherton landscaping on Weddington Matthews Road. The large trees planted in the utility right of way and the berm will cause a problem-was it part of an approved plan? Ms. Thompson explained that Staff requires landscaping details when the construction plan is submitted for approval. Chairman Dow believes that the landscaping requirements should be added to submittal requirements checklist. He expressed concern with how to keep compliance manageable for Planner. Ms. Thompson responded that other municipalities she has worked for required bonds for conservation landscape and maintenance and not releasing bonds until the landscaping is checked.

Board member Prillaman asked if final landscape drawings need to be submitted for approval based on species.

Board member Vivian suggested leaving the landscaping with the preliminary plat submittal because it's primarily for the developer's benefit. He commented that the Atherton plantings will get cut back by Union Power within 5 years.

Board member Harrison confirmed that the landscaping is checked for RCD districts as well as R-40

Board member Hogan confirmed that the Union Power arborist mentioned that the developers should understand that the berm is counted in the tree height restrictions.

Chairman Dow asked if Atherton was in violation. Ms Thompson confirmed that their plans were approved. Chairman Dow asked Staff to check Atherton for compliance with the current landscaping ordinance restricting planting in the utility right of way.

Chairman Dow suggested adding an item for the submittal checklist that will show the landscaping outside of the utility right of way.

Motion: Board member Prillaman made a motion to forward the text amendment to Section 46-76(d)(16) Regarding Landscaping near Power lines to Town Council with a favorable recommendation with the conditions that any type of bamboo be removed from the approved plantings list and add an item to the submittal requirement checklist showing compliance of the landscaping ordinance.

2nd Board member Harrison

Vote: The motion passed with a unanimous vote.

6. Update from Town Planner

Ms. Thompson presented the update. The applicant for Weddington Matthews Road Subdivision will submit preliminary plat and construction plans for the September Planning Board meeting.

Town has received a CUP amendment for Weddington Swim and Racquet Club for 2 additional tennis courts.

7. Report from the August Town Council Meeting

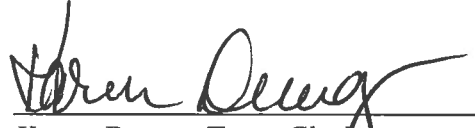
8. Adjournment

Motion: Board member Prillaman made a motion to adjourn the August 28, 2017 Regular Planning Board Meeting at 8:03 p.m.
2nd: Board member Klink
Vote: The motion passed with a unanimous vote.

Adopted: 25 September 2017



Robert Dow, Chairman



Karen Dewey, Town Clerk

**TOWN OF
W E D D I N G T O N**

MEMORANDUM

TO: Chairman and Planning Board
FROM: Lisa Thompson, Town Administrator/Planner
DATE: August 28, 2017
SUBJECT: Text amendment to Section 46-76(d)(16)

Union Power presented information on planting the appropriate trees within or near power line easements. After seeing the presentation, the Board agreed that the town should revise the ordinances.

Section 46-79 currently does not allow landscaping within the right of way. However the issue seems to be the canopy of the trees near the utility lines. Staff drafted text in **bold** to further regulate landscaping near overhead lines.

In addition, Union Power reviewed the plant list. An asterisk was added to species that cannot be located within the utility right of way.

Sec. 46-76. - Road standards and buffering along thoroughfares.

(d) *Buffering along thoroughfares.*

(16) If aboveground utilities are to remain in the buffer yard, then all landscaping, including the location of a berm, must be located **as follows** ~~outside the right of way for the utilities.~~

***a. Overhead.* Trees next to power lines shall be planted using the table below. The measurement shall be made from the nearest edge of the tree trunk.**

Distance from Power Line	Tree Specification
40 feet or greater	Any tree listed in Appendix D

18—30 feet	Small Maturing Trees Listed in Appendix D except trees as marked (*) shall not be located within the utility right-of-way.
0—18 feet	Shrubs with a mature height of 10 feet less than wire height.

b. *Underground.* Roots planted near underground utility or power lines may be damaged in the event that repairs are required. Utmost care shall be taken when planting new trees and when carrying out any excavation work near trees.

LARGE MATURING TREES	
Abies firma	Japanese fir
Acer platanoides	Norway Maple
Acer rubrum	Red Maple
Acer saccharinum	Silver Maple
Saccharum	Sugar Maple
Altis laevigata	Sugar hackberry
Amelanchier Canadensis	Serviceberry
Betula negra	River Birch
Carya illinoensis	Pecan
Carya glabra	Shagbark hickory
Carya cordiformis	Pignut hickory
Cedrus deodara	Deodar cedar
Celtis occidentalis	Hackberry
Cryptoeria japonica	Japanese cryptomeria

Cupressocyparis leylandii	Leyland cypress
Diospyros virginiana	Persimmon
Fagus grandiflora	American beech
Fraxinus americana	White ash
Fraxinus pennsylvanica	Green ash
Ginkgo biloba	Ginkgo
Gleditsia triacanthos inermis	Thornless honeylocust
Gymnocladus dioicus	Kentucky coffee <i>tree</i>
Juniperus virginiana	Eastern red cedar
Liquidambar styraciflua	Sweetgum
Liriodendron tulipifera	Tulip poplar
Magnolia acuminata	Cucumber <i>tree</i>
Magnolia grandiflora	Southern Magnolia
Nyssa sylvatica	Black gum
Picea abies	Norway spruce
Picea orientalis	Oriental spruce
Picea pungens	Colorado spruce
Pinus bungeana	Lacebark pine
Pinus echinata	Short leaf pine
Pinus nigra	Austrian pine
Pinus sylvestris	Scotch pine
Pinus thunbergi	Japanese black pine

Pinus taeda	Loblolly pine
Pinus virginiana	Virginia pine
Platanus acerifolia	London planetree
Platanus occidentalis	Sycamore
Pseudotsuga menziesii	Douglas Fir
Quercus acutissima	Sawtooth oak
Quercus alba	White oak
Quercus bicolor	Swamp white oak
Quercus borealis	Northern red oak
Quercus coccinea	Scarlet oak
Quercus falcata	Southern red oak
Quercus laurifolia	Laurel oak
Quercus macrocarpa	Bur oak
Quercus nigra	Water oak
Quercus phellos	Willow oak
Quercus rubra maxima	Eastern red oak
Quercus shumardi	Shumard oak
Quercus velutina	Black oak
Quercus virginiana	Live oak
Salix babylonica	Weeping willow
Sophora japonica regent	Japanese pagoda <i>tree</i>
Taxodium distichum	Bald cypress

Tilia cordata	Littleleaf linden
Tsuga caroliniana	Carolina hemlock
Tsuga canadensis	Eastern hemlock
Ulmus alata	Winged elm
Ulmus americana	American elm
Ulmus parvifolia	Lacebark elm
Zelkova serrata	Japanese zelkova
SMALL MATURING TREES	*non utility r/w
Acer buergeranum	Trident maple
Acer campestre	*Hedge maple
Acer ginnala	Amur maple
Acer griseum	Paperbark maple
Amelanchier arborea	Service berry
Betula platyphylla japonica	*Japanese white birch
Carpinus betulus	*European hornbeam
Carpinus carolinana	*American hornbeam
Catalpa bignonioides	*Southern catalpa
Cornus florida	Flowering dogwood
Cornus kousa	Kousa dogwood
Cornus mas	Cornelian-cherry dogwood
Cercis candensis	Eastern redbud

<i>Crataegus phaenopyrum</i>	Washington hawthorne
<i>Cupressus arizonica</i>	*Arizona cypress
<i>Eleganus angustifolia</i>	Russian olive
<i>Eriobotrya japonica</i>	Loquat
<i>Halesia carolina</i>	*Carolina siverbell
<i>Hamamelis mollis</i>	Chinese witch-hazel Ilex
<i>Fagus sylvatica</i>	*European beech
Fosteri	Foster holly
<i>Ilex opaca</i>	*American holly
<i>Ilex opaca hume</i>	*Hume holly
<i>Ilex x attenuata</i> 'Fosteri'	Foster hybrid holly
<i>Ilex x attenuata savannah</i>	*Savannah holly
<i>Kowlrwuteria bipinnata</i>	* Chinese flame tree
<i>Koelreutraria paniculata</i>	Golden raintree
<i>Lagerstroemia indica</i>	Crepe myrtle
<i>Magnolia soulangeana</i>	Saucer magnolia
<i>Magnolia stellata</i>	Star magnolia
<i>Malus floribunda</i>	Flowering crabapple
<i>Malus hybrida</i>	Flowering crabapple
<i>Morus alba</i>	*White mulberry
<i>Morus alba</i> 'Pendula'	Weeping white mulberry
<i>Osmanthus americanus</i>	Devilwood

<i>Ostrya virginiana</i>	*Ironwood
<i>Oxydendrum arboreum</i>	*Sourwood
<i>Paulownia tomentosa</i>	*Empress tree
<i>Prunus carolinana</i>	Carolina cherry laurel
<i>Prunus cerasifera</i> 'Atropurpurea'	Pissard plum
<i>Prunus cerasifera</i> pissardii	Purpleleaf plum
<i>Prunus cerasus</i>	Sour cherry
<i>Prunus serrulata</i> kwanzan	*Kwanzan cherry
<i>Prunus subhirtella</i> pendula	Weeping cherry
<i>Prunus yedoensis</i>	*Yoshino cherry
<i>Pyrus calleryana</i>	*Callery pear
<i>Pyrus calleryana</i> Bradfordi	*Bradford pear
<i>Pyrus calleryana</i> 'Redspire'	*Redspire pear
<i>Pyrus calleryana</i> 'Capital'	*Capital pear
<i>Quercus acuta</i>	Japanese evergreen oak
<i>Quercus glauca</i>	Ring cupped oak
<i>Ulmus parvifolia</i>	*Chinese elm
<i>Viburnum rufidulum</i>	Southern blackhaw
SHRUBS	
<i>Abelia grandiflora</i>	Glossy abelia
<i>Abelia x grandiflora</i>	Kaleidoscope abelia

<i>Aucuba japonica</i>	Japanese aucuba
<i>Azalea hybrida</i>	Glendale azalea
<i>Azalea indica</i>	Indian azalea
<i>Azalea obtusum Kaempferi</i>	Kaempferi azalea
<i>Bambusa multiplex</i>	*Hedge bamboo
<i>Berberis julianae</i>	Wintergreen barberry
<i>Berberis thunbergii</i>	Japanese barberry
<i>Camellia japonica</i>	Camellia
<i>Camellia sasanqua</i>	Sasanqua camellia
<i>Chaenomeles speciosa</i>	Flowering quince
<i>Cleyera japonica</i>	Cleyera
<i>Euonymus alatus</i>	Winged euonymus
<i>Euonymus japonicus</i>	Evergreen euonymus
<i>Eleagnus pungens</i>	Eleagnus
<i>Forsythia intermedia</i>	Forsythia
<i>Hammamelis virginiana</i>	Witch-hazel
<i>Hydrangea quercifolia</i>	Oakleaf hydrangea
<i>Ilex aquifolium</i>	*English holly
<i>Ilex cornuta</i>	Chinese holly
<i>Ilex cornuta burfordi</i>	Burford holly
<i>Ilex cornuta burfordi nana</i>	Dwarf burford holly
<i>Ilex crenata 'convexa'</i>	Convex japanese holly

Ilex crenata 'hetzi'	Hetzi japanese holly
Ilex crenata 'roundifolia'	Roundleaf japanese holly
Ilex 'Emily Brunner'	Emily brunner holly
Ilex glabra	Inkberry holly
Ilex latifolia	Lusterleaf holly
Ilex pernyi	Perny holly
Ilex vomitoria	Yaupon holly
Jumperus chinesis pfitzeriana	Pfizer jumper juniper
Jumperus chinesis hetzi	Hetzi jumper juniper
Laurus nobilis	Laurel
Ligustrum japonicum	Japanese privet
Ligustrum lucidum	Glossy privet
Ligustrum vicaryi	Vicary goldern privet
Loropetalum chinense	Loropetalum
Mahonia lealei	Leatherleaf mahonia
Myrica cerifera	Wax myrtle
Nandina domestica	Nandina
Osmanthus fortunei	Fortune tea olive
Osmanthus fragrans	Fragrant tea olive
Osmanthus heterophyllus	Holly osmanthus
Osmanthus heterophyllus roundifolius	Curly leaf tea olive
Photinia fraseri	Fraser photinia

Photinia serrulata	Chinese photinia
Pieris floribunda	Mountain andromeda
Pieris japonica	Japanese andromeda
Pittosporum tobira	Pittosporum
Prunus laurocerasus	English laurel
Prunus laurocerasus angustifolia	Narrow leaf english laurel
Podocarpus macrophyllus maki	Podocarpus
Pyracantha coccinea	Scarlet firethorn
Raphiolepis umbellata	Yeddo-hawthorn
Spirea cantoniensis	Reves spirea
Spirea thunbergi	Thunberg spirea
Spirea prunifolia plena	Bridalwreath spirea
Spirea vanhouttei	Vanhoutte spirea
Taxus cuspidata	Japanese yew
Viburnum prunifolium	Blackhaw viburnum
Viburnum rhytidophyllum	Leatherleaf viburnum
Viburnum tinus	Laurestinus viburnum
