

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
WEDDINGTON TOWN HALL
MARCH 26, 2018 – 7:00 P.M.
Minutes
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1. OPEN THE MEETING

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

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

Quorum was determined with all Board Members in attendance: Chairman Rob Dow, Board members Walt Hogan, Brad Prillaman, Barbara Harrison, Jim Vivian, Steve Godfrey, and Gerry Hartman.

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

Visitors: John Ross, Bill Deter, Marty Davis, Alix Phillips, Council member Mike Smith, Anne Marie Smith, Lidia Kondratuk, Michael Shea

3. APPROVAL OF MINUTES

A. February 26, 2017 Regular Planning Board Meeting Minutes

Board member Vivian asked to amend the minutes to include his question about the Planning Board not being invited to participate at the Council Retreat.

Motion: Board member Hartman made a motion to approve the February 26, 2017 Regular Planning Board Meeting Minutes as amended.
Second: Board member Hogan
Vote: The motion passed with a unanimous vote.

4. OLD BUSINESS

A. Review and Consideration of Woodford Chase Preliminary Plat/Construction Plans

Ms. Thompson reviewed the issues listed by the Planning Board at the February 26, 2018 meeting:

1. The cul-de-sac is too long.
2. The cul-de-sac requires a bulb at the end. DOT did not want a bulb at that location, maybe a suggestion would be to shift the location of the end of the road and put a bulb.
3. In the past, the Town has only allowed a private access driveway easement where there is no other alternative.
4. After the widening of 84, the front yard setbacks will be diminished.
5. No buffering (viewshed) for the houses facing 84.
6. It will require Council to grant the use of the private right of way.

John Ross from Eagle Engineering presented an example of this parcel developed as an R-CD subdivision. He stated that this plan would only provide for 6 buildable lots that are smaller in area than the proposed conventional plan. Mr. Ross addressed the issues the Planning Board had with the original design and presented options that he believed to be a reasonable compromise. He stated

that he recognizes that the Town Council has to approve the longer cul-de-sac and the private access driveway easement. He proposes an additional 40 foot setback from the private access right of way to create a greater separation from Highway 84 to the front of any structures. He also proposed a 30 foot wide tree save area that will front all of the lots, with clearing in the buffer for driveways only. Mr. Ross also proposed additional plantings at the end of the cul-de-sac.

Chairman Dow stated that he believes that the only way the applicant can accommodate 9 lots in this subdivision is to face the houses toward Highway 84 so there is no requirement for a 100 foot buffer. He stated that the Planning Board wants a reasonable use of the property to protect the quality and standards of the town and follow the ordinances.

Chairman Dow stated that the applicant has 9 lots that are larger than 1 acre. He asked the applicant if they can't get at least 6 lots with half or quarter acres with an R-CD. The applicant stated that with the flood plain, drainage easements, and utility easements, there is not enough room for another lot.

Board member Prillaman asked if setbacks for a conventional subdivision are different from setbacks for an R-CD. Chairman Dow responded that they are, however, buffering is allowed as part of the conservation space in an R-CD. The Applicant stated that with a conventional subdivision there is not 100 foot wide buffer requirement and the lots extend in to the flood plain.

Mr. Hinson, representing the property owner, stated that they believe a higher quality subdivision plan is being presented over an R-CD plan.

Chairman Dow stated that in order for the Planning Board to forward this plan to the council with a favorable recommendation, it is contingent upon the Council granting the private access driveway and extending the cul-de-sac length. The cul-de-sac waiver isn't a big deal, but the exemption is based on the fact that there is no other alternative. He stated that if the developer submitted a yield plan that was strictly adherent to the ordinances, there would probably only be 6 lots. The Applicant stated that if they planned for driveway cuts on Highway 84, there would be 9 lots.

Chairman Dow stated that the applicant has the right to push the plans on to Council for approval with exemptions for the cul-de-sac length and the private access drive. He stated that he doesn't see an approvable yield plan for 9 lots.

Board member Hartman asked Mr. Ross if two road cuts on to Highway 84 were approved. Mr. Ross responded that NCDOT would allow two road cuts, but because of the elevation difference, they opted for only one.

Board member Prillaman asked how many lots would there be without the exemptions being granted. Ms. Thompson responded that the applicant would probably lose a lot. Board member Prillaman stated that six lots should be the starting point because that is how many can be done without exemptions.

Chairman Dow stated that the buildable acreage of this parcel is 7 plus acres, so there can be 7 one acre lots. The question is does the Council feel like they are lowering the standards of development in the Town so that they can get a few more lots.

Mr. Ross asked: aside from the ordinance issue regarding the private access drive, which would the Board rather see built. Chairman Dow stated that he would rather own a house in an R-CD subdivision. He stated that it is a personal preference and doesn't really have a place here.

- Motion:** Board member Hartman made a motion to forward the Preliminary Plat/Construction Plans for Woodford Chase Subdivision to Town Council with an unfavorable recommendation based on non compliance with town ordinances: the length of cul-de-sac, requirement for a private road, and the yield plan, and the Planning Board feels the R-CD could offer a better option.
- Second:** Board member Vivian
- Vote:** The motion passed with a unanimous vote.

5. NEW BUSINESS

A. Review and Consideration of Final Plat for Harlow's Crossing-Phase 1 Map 2

Ms. Thompson presented the staff report: M/I homes is seeking approval of their final plat application for 22 of 71 lots on 117.64 acres located at the northeast and northwest corners of Weddington-Matthews Road and Beulah Church Road/Hemby Road intersection. The Town Council approved the final plat application for Harlow's Crossing phase 1, map 1 on November 13, 2018 which included 20 lots. This is an R-CD subdivision and it meets the 12,000 square foot minimum lot size and meets the R-CD setbacks. Staff recommends approval of the final plat phase 1, map 2 of the Harlow's Crossing subdivision with the conditions that the maintenance plan and agreement and the CCR's are reviewed by the town attorney prior to recording. Marty Davis from M/I Homes is present to answer any questions.

Chairman Dow asked if there were any substantial changes in the plans. Ms. Thompson responded that there were not.

Board member Prillaman asked about a gate that is required. Ms. Thompson responded that the gate is on Map 3 and will be reviewed when that is submitted for approval. She stated that the preliminary covenants for the maintenance of the gate have been reviewed and the trees that were disturbed along the Waybridge Subdivision have been replaced to the satisfaction of the neighbors.

- Motion:** Board member Hartman made a motion to forward the Final Plat of Harlow's Crossing Subdivision Phase 1, Map 2 to the Town Council with a favorable recommendation with the conditions that the maintenance plan and agreement and the CCRs are reviewed by the town attorney prior to recording.
- Second:** Board member Prillaman
- Vote:** The motion passed with a unanimous vote

B. Review and Consideration of Final Plat for Atherton Subdivision-Phase 2 Map 4

Ms. Thompson presented the staff report: Shea Homes is seeking approval of their final plat application for 30 lots of the approved 130 lot subdivision. The maintenance agreement and HOA covenants for the entire subdivision were reviewed and recorded. A HOA is established for the community. Staff noted some minor revisions to the maps that will be corrected before the plat is sent to Town Council. Michael Shea is here to answer any questions.

Chairman Dow noted that the vicinity map area outlined is not the same area as depicted on the map and it doesn't include septic easements. He also asked if the amenity area has been built. The Applicant responded that it was approved and built; this area is behind the amenity area.

- Motion:*** Board member Hartman made a motion to forward the Final Plat of Atherton Subdivision Phase 2, Map 4 to Town Council with a favorable recommendation with the conditions that the performance bonds are approved by the Town prior to recording the plat, the number of lots in the notes be amended from 31 to 30, sheet 3 is revised to state the correct map number, and the vicinity map is corrected to show the accurate area on the plat and include the sewer easement.
- Second:*** Board member Prillaman
- Vote:*** The motion passed with a unanimous vote.

6. UPDATE FROM TOWN PLANNER

Ms. Thompson presented an update: Staff presented an ordinance regulating donation boxes last month. Planning Board recommended use of accessory structure definition for donation boxes, it is not a permitted use and the accessory structure has to be incidental and has to be subordinate to the primary structure on a property. She asked the Town Attorney Anthony Fox and he stated that the town could use that ordinance to place the property owner in violation so there is no need to move forward with a donation box ordinance.

The Wesley Chapel Volunteer Fire Department conditional district site plan has an issue with the right of way. The Applicant will go through right of way abandonment process to make the right of way line the same as the property line. The Applicant will not have to purchase ROW, but will have to go through the abandonment process. Staff plans to run the abandonment process concurrently with the rezoning, so Planning Board should see it at the April meeting and approval will be conditional on the right of way abandonment.

Ms. Thompson stated that she has spoken with a developer about a church proposal for Refuge Ranch Ministries on the southwest corner of Rea Road and Highway 16. There should be an application submitted in the next two months.

7. REPORT FROM THE MARCH TOWN COUNCIL MEETING

Ms. Thompson presented the report from the March Town Council Meeting. Council has called for a public hearing for the Wesley Chapel Volunteer Fire Department rezoning at Rea and Reid Dairy Roads. The Council heard a presentation from Arborbrook for a satellite campus of their school located at the Crossroads Church site on Highway 84.

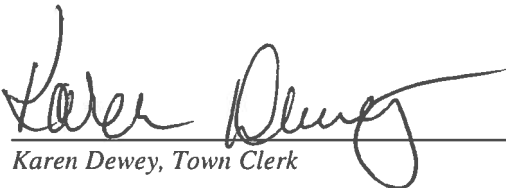
8. ADJOURNMENT

Motion: Board member Prillaman made a motion to adjourn the March 26, 2018 Regular Planning Board Meeting at 8:00 p.m.
Second: Board member Godfrey
Vote: The motion passed with a unanimous vote.

Adopted: April 23, 2018



Robert Dow, Chairman



Karen Dewey, Town Clerk

