

TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, NOVEMBER 23, 2020 – 7:00 P.M.
WEDDINGTON TOWN HALL*
MINUTES
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**PLEASE NOTE: DUE TO THE CURRENT STATES OF EMERGENCY RELATED TO COVID-19, THE GOVERNOR'S EXECUTIVE ORDER NO. 121 PLACING LIMITS ON CERTAIN GATHERINGS AND REQUIRING CERTAIN SOCIAL DISTANCING METHODS, AND THE IMPORTANCE OF ENSURING THE SAFETY OF TOWN RESIDENTS, STAFF, AND THE PLANNING BOARD, THE MEETING WILL BE CONDUCTED VIRTUALLY AND HAVE LIMITED PHYSICAL ATTENDANCE. THE MEETING WILL BE LIVE STREAMED ON SOCIAL MEDIA.*

1. Open the Meeting

Chairman Brad Prillaman called the meeting to order at 7:01 p.m.

2. Determination of Quorum

Quorum was determined with Chairman Brad Prillaman, Vice Chairman Walt Hogan, Board members Jen Conway, Ed Goscicki, Jim Vivian present. Board member Steve Godfrey joined the meeting at 7:06 and Board member Tami Hechtel was absent.

3. Approval of Minutes – October 26, 2020 Regular Planning Board Meeting Minutes

Motion: Vice Chairman Hogan made a motion to approve the October 26, 2020 Regular Planning Board Meeting minutes.
Second: Board member Goscicki
Vote: The motion passed with a unanimous roll call vote.

4. Public Hearing for the Consideration of a Temporary Use Permit Application by Christ South to host a Live Production of the Christmas Carol at 323 Reid Dairy Road on December 12, 13, 19, and 20.

Chairman Prillaman opened the public hearing. There were no public comments. Ms. Thompson presented the staff report: Mr. Jeff Taylor submitted an application for a Temporary Use Permit for a Christmas performance. The proposed event will be located at Christ South located at 323 Reid Dairy Rd. on December 12, 13, 19, and 20. The event will be from 12-7 p.m., including setup and tear down. The performances will be no longer than an hour and a half. There are no proposed temporary structures. The attendance is limited to 50 persons per performance. The existing buildings will be used for restrooms. In accordance with the provisions of *Article I, Section 58-13* of the *Weddington Zoning Ordinance*, the property owners and the owners of the parcels of land within 200 feet of the property involved in the Temporary Use Application have been sent notification of the public hearing.

Chairman Prillaman asked about amplification. The applicant responded that there were limited microphones and this production would be more like a reader's theater. Chairman Prillaman asked about COVID protocols. The applicant responded that attendance would be capped at 50 attendees and the audience would be spaced out.

Before issuing any temporary use permit, the planning board shall make the following determinations:

- *That the proposed temporary use will not materially endanger the public health, welfare and safety;* The planning board unanimously agreed that as this temporary use was planned for outside and includes social distancing measures, it will not materially endanger the public health, welfare, and safety.

- *That the proposed temporary use will not have a substantial negative effect on adjoining properties;* The planning board unanimously agreed that as this temporary use will only run during daylight hours with limited sound projection, it will not have a substantial negative effect on adjoining properties.
- *That the proposed temporary use is in harmony with the general purpose and intent of this chapter and preserves its spirit;* The planning board unanimously agreed that this temporary use is in harmony with the general purpose and intent of this chapter and preserves its spirit.
- *The proposed temporary use is held no more than four times per year at any particular location.* The planning board agreed that this temporary use is held no more than four times per year.

Chairman Prillaman called for a Special Meeting to be held on November 24, 2020 at 6:30 p.m. via ZOOM to consider the temporary use permit application from Christ South to host a live production of the Christmas Carol at 305 Reid Dairy Road.

5. Old Business

6. New Business

A. Discussion and Consideration of Minor Subdivision for the Mary M. Morris, Heirs Property

Ms. Thompson presented the staff report: The applicant, Daryll Matthews is seeking minor subdivision approval for property located at 201 S. Providence Road (parcel 06150077D). It is a total of 24.01 acres and is zoned RCD Residential Conservation District. The resultant lot is 5 acres, leaving a residual property of 19.10 acres. The lot meets the minimum lot size requirement, the minimum front, side, and rear yard setbacks and is at least 120' wide at the established front setback. The proposed minor subdivision is in general conformity with the Town of Weddington Zoning and Subdivision Ordinances; therefore, staff recommends approval.

- Motion:** Board member Goscicki made a motion to approve the minor subdivision for the Mary M. Morris, Heirs Property
- Second:** Vice Chairman Hogan
- Vote:** The motion passed with a unanimous roll call vote.

B. Discussion and Recommendation of Preliminary Plat for Cardinal Row (formerly Woodford Chase)

Ms. Thompson presented the staff report: Mr. Scott Swierski submitted a preliminary plat and construction plans for a 9-lot subdivision on 13.32 acres located near the southwest corner of Highway 84 and Lester Davis Road. A preliminary plat for a 9-lot subdivision was approved in June 2018. A preliminary plat is void two years after the approval date if a final plat is not submitted. The owner at the time had a buyer that wanted to purchase 3 larger lots so a final plat for 3 lots was approved by Planning Board. The new applicant would like to go back to the original approved 9-lot development. During the preliminary plat review, the Planning Board raised a few concerns and recommended denial. Concerns included the cul-de-sac length, needing a bulb end to the cul-de-sac for a turn-around, availability of other roadway alternatives, minimal front yards after widening Highway 84, and no buffering.

The applicant improved the plans to address the Planning Board concerns prior to Town Council consideration. They provided a bulb turn-around. They established a new front yard setback beyond the 50' requirement to create a viewshed buffer and added a 30' non-disturbed area. They also included a right-turn lane as requested by the Town Council. Since then, the town amended the cul-de-sac length requirement to 16 home sites or 1200' whichever is less.

The following conditions were added to the approval from 2018:

- The driveway pipe for lot 8 is a built to NCDOT specifications,
- The maintenance for the pipe shall be included in the HOA documents,
- Maintenance of the shared driveway is included in the HOA documents,
- All maintenance documents and CCRs are reviewed by the town attorney, and
- A fire hydrant shall be added near lot 8 if necessary.

The preliminary plat has not changed from the original approval therefore staff recommends approval of the Cardinal Row major subdivision with the same conditions bulleted above. Chairman Prillaman pointed out a conflict in the notes on the plans: #9-maintenance of the driveway pipe on lot 8 would be the responsibility of the property owner.

Board member Goscicki asked if this would be on Union County Sewer and Water. Ms. Thompson replied that it is. Ms. Thompson stated that the fire hydrant placement will be reviewed by Chief McClendon.

Planning Board agreed that this is not a favorite project of theirs, but it meet the town requirements. Board member Goscicki asked how the widening of 84 would overlay on this project. Ms. Thompson showed a plan overlaying the improvements for the Highway 84 widening. Vice Chairman Hogan asked if the developer has contacted the surrounding property owners. Ms. Thompson responded that there was no requirement for new notices.

- Motion:** Vice Chairman Hogan made a motion to forward the preliminary plat for Cardinal Row to the Town Council with a recommendation for approval.
- Second:** Board member Goscicki
- Vote:** The motion passed with a unanimous roll call vote

C. Discussion and Recommendation for a text amendment to Section 46-79 Connection to Public Water Lines

Ms. Thompson presented the staff report: Chief McClendon requested that staff looking to this text amendment. The fire department is having issues with water accessibility when a fire hydrant is only available on the opposite side of a street of a development causing them to have to shut the entire road down. This text amendment requires a hydrant to be placed on the same side of a development and within 500' of a principal structure. Board member Goscicki stated that this presumes that water will be extended into a development. He also added that the language should include that the hydrant be placed on the same side of a development, within 500' of a principal structure within the particular development.

Ms. Thompson explained that this will be sent to the Council in December to call for a public hearing in January.

- Motion:** Board member Goscicki made a motion to forward the text amendment to Section 46-79 Connection to Public Water Lines to the Town Council, including the

phrase “within a particular development”, with a favorable recommendation to Town Council.

Second: Vice Chairman Hogan

Vote: The motion passed with a unanimous roll call vote.

D. Review of Unified Development Ordinance Sections 8 and 9

Town attorney, Kevin Bringewatt, reviewed Section 8 of the Unified Development Ordinance. Section 8 includes Subdivision Regulations, defined in section 802A as the division of tracts or parcels, not residential developments.

- Section 801-authority statement
- 802 – Applicability. Follows state statute. Defines subdivision.
- 803 – review process, filing, and recording. Procedures to be followed in approval or denial. Minor subdivision-2 step process with administrative review and approval. Major subdivision-conditional zoning-a 3 step process with planning board recommendation and council approval. Conservation subdivision- 5 step process including required pre application meeting, site walk. Site specific development plan include planning board and council review and approval. The final plat is administratively approved. The planning board agreed that this section is laid out nicely and they like including the charette in the process. They discussed the number of lots for a minor subdivision. The original consensus was 8 or less would be a minor subdivision and 9 or more would be defined as a major subdivision. Board member Goscicki asked if there was any concern with coordinating the definitions with adjacent jurisdictions. Ms. Thompson stated that she can provide a list of how the neighboring municipalities define minor and major subdivisions. Most are between 8 and 10 lots. The planning board continued discussion of minor subdivision definitions and agreed that 6 lots and less would be their recommendation. Ms. Thompson reminded the board that all new major subdivision would be reviewed as though conditional zoning process.
- 804 – Contents and requirements of regulations. Here is where the bonds and maintenance agreements would be.
- 805-Notice of new fees and increases-follows the state statute
- 806-recording plats-follows the state statute
- 807 – penalties – state statute language
- 808 – appeals – state statute language

Article 9: Mr. Bringewatt explained that there was some difficulty in organizing the flow of this section. It will be divided into sections not tracked to the state statute as tightly. He will reference the state statutes where he can and not copy all of it. Planning Board reviewed the Table of Contents and agreed with it as follows:

Part 1: Particular Land Uses-list of uses and their regulations

Part 2: Environmental Regulations-Erosion Control

Part 3: Wireless Telecom Facilities

Part 4: Historic Preservation

Part 5: Community Appearance Commission

Additional Supplemental Regulations for Particular Uses.

They agreed to delete process on planned residential development as an applicant should request private roads and/or gates through the conditional rezoning process when they apply for the development approval. The supplemental standards can pick up the gate standard and community design standards. Mr. Bringewatt reviewed uses by right and some that have Additional review

standards required-. - The Board agreed to remove the Bio-solid waste Section as it is regulated by the State and consider standards to outlaw the application within a specific distance of residential area. Mr. Bringewatt will look into deleting the entire section and replace with reference to the state statute with size and distance requirements – easy for staff to measure. Under the Environmental section of 160D we can-add the technical stuff as appendix to UDO. Like the erosion control flood plain and stormwater regulations. For December, the board will continue to review article 9. Mr. Bringewatt will present the revised document with the new Table of Contents structure.

7. Update from Town Planner and Report from the November Town Council Meeting

Ms. Thompson presented the update: Council will be holding the public hearing for the annexation agreement with Marvin. Staff received a sketch plan for a 10-lot subdivision off Old Mill Road for conventional lots. Public Involvement Meetings for Roots Farm will be held on Monday, December 7, 1 to 3 on site and 5 to 7 over Zoom. The application will come to the Planning Board at the December meeting. The plans are online. Ms. Thompson will review the text amendment and other details with the planning board.

8. Board member comments

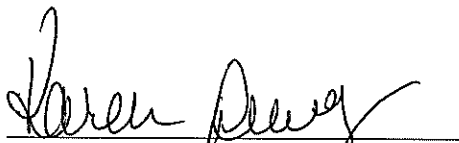
Chairman Prillaman stated that Board member Tami Hechtel is moving tonight and this was to be her last meeting. We hope she can come to December’s meeting.

Vice Chairman Hogan wished everybody a Happy Thanksgiving.
Board member Goscicki wished the same to everybody.

9. Adjournment

- Motion:** Vice Chairman Hogan made a motion to adjourn the November 23, 2020 Regular Planning Board Meeting at 8:31 p.m.
Second: Board member Vivian
Vote: The motion passed with a unanimous roll call vote.

Approved: 21 December 2020



Karen Dewey, Town Clerk



Brad Prillaman, Chairman

**TOWN OF WEDDINGTON
PLANNING BOARD SPECIAL MEETING
NOVEMBER 24, 2020 6:30 P.M.
ZOOM
MINUTES
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1. CALL TO ORDER

Chairman Prillaman called the meeting to order at 6:33 p.m.

2. QUORUM

Quorum was determined with Chairman Brad Prillaman, Vice Chairman Walt Hogan, Board members Jim Vivian and Ed Goscicki present.

Staff present Karen Dewey, Town Clerk

3. CONSIDERATION OF TEMPORARY USE PERMIT APPLICATION FROM CHRIST SOUTH TO HOST A LIVE PRODUCTION OF A CHRISTMAS CAROL AT 305 REID DAIRY ROAD ON DECEMBER 12, 13, 19, AND 20

There were no public comments submitted by email.

Motion: Vice Chairman Hogan made a motion to approve the Temporary Use Permit Application for Christ South to host a live production of A Christmas Carol at 305 Reid Dairy Road on December 12, 13, 19, and 20.

Second: Board member Vivian

Vote: The motion passed with a unanimous roll call vote.

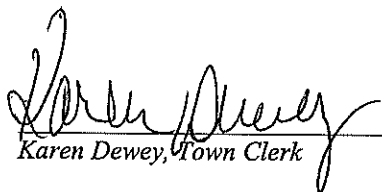
4. ADJOURNMENT

Motion: Board member Goscicki made a motion to adjourn the November 24, 2020 Special Planning Board meeting at 6:34 p.m.

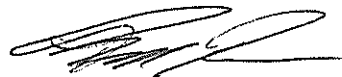
Second: Board member Vivian

Vote: The motion passed with a unanimous roll call vote.

Approved: 21 December 2020



Karen Dewey, Town Clerk



Brad Prillaman, Chairman