

Draft

Planning and Zoning Board

Minutes

Thursday, March 20, 2014

5:30 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, March 20, 2014 for their regularly scheduled meeting. Chairman West called the meeting to order at 5:30 pm. Members present were David Laughter, Lisa Stripling, Alice Roess and David Harwood. Member Natalie Bovino was absent. Staff members present were Planning Director Kevin Rothrock and Administrative Assistant Tammy Bentley.

Chairman West asked if there were any changes to the agenda. Ms. Stripling noted that the date of the meeting in the first paragraph was incorrect and should be corrected to read “Thursday, February 20, 2014.”

Mr. Harwood made a motion to approve the minutes as corrected. The motion was seconded by Mr. Laughter. All members were in favor of the motion.

Installation of New Board Members

New members Wes Carter, Rich Scheurer and Genie Starnes were sworn in. Chairman West welcomed them to the Board and asked all members to introduce themselves.

Election of Officers

Chairman West asked if there were nominations for the Chair and Vice Chair positions. He pointed out that he is the current Chair and that Mr. Harwood is the Vice Chair.

Ms. Roess made a motion that Chairman West and Vice Chair Harwood remain in those capacities, seconded by Ms. Stripling. All members were in favor of the motion.

Ms. Roess then left the meeting so she could attend the BRAAC meeting for which she is Chair.

Chairman West made a motion that the agenda be changed to have Right-of-Way Discussion as Item 3 and the Planning Board Training as Item 4.

Mr. Harwood made a motion to approve the agenda change, seconded by Ms. Stripling. All members were in favor of the motion.

Right-of-Way Discussion

Mr. Rothrock gave the staff report for the right-of-way issues that arose during The Ridge at Blowing Rock Subdivision, CUP# 2013 – 003, meeting held on October 17, 2013. Chairman West had requested that Mr. Rothrock get clarification of some of the issues regarding the existing right-of-way on Morningside Drive and what the Planning Board can require an applicant to provide through the review process.

Mr. Rothrock said that the Applicant was asked if they had permission to connect a public street through the available right-of-way shown on the recorded plat and that Mr. Allen Moseley, Town Attorney recommended that the Applicant obtain title insurance and provide a title opinion that there were no right-of-ways or easements that would prevent connecting the public street for the subdivision as proposed. Mr. Rothrock added that some of the public comments at the meeting asserted that the Town had no right-of-way other than the width of the pavement (13 to 14 feet).

Mr. Rothrock informed the Board that according to a local attorney and confirmed by Mr. Moseley, that the recordation of the Morningside Drive (Abernathy) plat constitutes a dedication of the right-of-way to the property owners and that upon Town acceptance of the maintenance it becomes a Town street with a 30' foot right-of-way. The attorneys also advised that the dedication by the Town can be by formal action, or by the Town assuming maintenance of the street.

Mr. Rothrock said that there are many issues that vary from street to street, but that proof of rights-of-way and easements can be requested in the following ways:

- a) by staff upon receipt of plans and application;
- b) by Planning Board after a public comment period of meeting reveals a need for information prior to a recommendation;
- c) by Town Council prior to making a decision; or
- d) after Council decision but prior to issuance of final permit.

The Board discussed the findings. Mr. Scheurer asked if Morningside Drive is behind the hardware store. Mr. Rothrock confirmed.

Chairman West opened the meeting to Public Comment.

Mr. Veorse, who lives at 632 of Morningside Drive, wanted to clarify that this is an implied right-of-way and added that 15 feet from the center of the road would be at his doorstep. He also added that several other properties on Morningside Drive would be adversely affected.

Chairman West closed the meeting to Public Comment.

Chairman West clarified the situation for the new members by adding that one of the issues that arose is who had the right to widen or improve a street. Ms. Starnes asked if maintenance equals conveyance. Mr. Rothrock replied that, according to the Town Attorney, maintenance does equal

conveyance. She also asked what recourse a homeowner had if their property was adversely affected by widening. Mr. Rothrock said that would be hard to say. Chairman West told Ms. Starnes that homeowners did have some recourse in the public hearing and discussion process.

Chairman West also stated that the Planning Board's job is to hear people and be sure the rules are applied properly.

Planning Board Training

Mr. Rothrock reviewed the Planning Board training presentation with members. Current Board members and Mr. Rothrock answered questions from the new members.

Draft Ordinance – Metal Roofing

Mr. Rothrock gave the staff report and added that Town Council had asked him to present a draft ordinance to the Planning Board.

Mr. Harwood asked if metal roofs would be subject to the same pitch. Mr. Rothrock said yes, unless the existing roof is being replaced. Chairman West asked when the use of metal roofing is appropriate and who decides if metal roofing “can” as opposed to “may” be permitted. Mr. Rothrock replied that the staff would decide unless it is a conditional use permit. He added that there would be a limitation on colors. Chairman West asked if there is some way to reduce the reflectivity of standing seam metal roofs.

The Board discussed the draft ordinance and concluded that more specifics were needed in the draft ordinance.

Mr. Harwood made a motion to re-draft the ordinance adding specific wording regarding color, texture, size and criteria and present to the Board at a later date. Mr. Laughter seconded. All members were in favor of the motion.

Draft Ordinance – Sandwich Boards

Mr. Rothrock gave the staff report. The Board discussed the draft ordinance and questioned who would monitor the signs, including on weekends, and who decides if the sign location would impede traffic. The Board also discussed how sandwich boards would be handled at multiple-tenant locations (Martin House and SouthMarke). Mr. Rothrock said that there would be controls on where the signs could be located. Mr. Harwood said that the ordinance should be vague and any issues could be addressed later. Mr. Rothrock said this could be revisited.

Mr. Laughter made a motion to get more information and clarification based on the Board's comments, seconded by Ms. Starnes. All members were in favor of the motion.

Subcommittee Assignments

The Board decided on the following Subcommittee Assignments:

Zoning

Mr. Harwood
Ms. Roess
Ms. Starnes
Mr. Scheurer

Planning

Mr. West
Ms. Stripling
Mr. Laughter
Mr. Carter

Chairman West appointed Mr. Carter to fill Mr. Ray Pickett's spot on the Comprehensive Plan Steering Committee.

Other Business

Mr. Laughter asked about traffic delays on Highway 321 and North Main Street near Cliff Dwellers. Mr. Rothrock referred him to Caprice Cheek, the NCDOT liaison for this project.

Mr. Scheurer asked if the Planning Board would be involved with the proposed renovations to the Blowing Rock School Playground and if the renovations had been approved. Mr. Rothrock said the renovations had not been approved and it may come before the Planning Board.

With no other business *Ms. Stripling made a motion to adjourn the meeting, seconded by Ms. Starnes.*

Chairman West adjourned the meeting at 8:10 pm.

Chairman Jim West

Tammy Bentley, Administrative Assistant