

**Town of Seven Devils  
Planning Board Minutes  
Regularly Scheduled Meeting and Organizational Meeting  
March 20, 2018**

The Seven Devils Planning Board met on Tuesday, March 20, 2018 at Town Hall. Town Manager Powers called the meeting to order at 5:30 PM. Members present were George Ehlinger, Bob Haugh, Barry Isquith, Butch McLean, Brady Sasse, Frank Sell; member Jack Byrnes was absent. Town Attorney Rob Angle was in attendance. The minutes were recorded by Hillary Gropp, Town Clerk.

**Swearing in of Re-Appointed Members**

Town Clerk Gropp swore in the following re-elected members: George Ehlinger and Bob Haugh.

**Election of Chair and Vice-chair**

Manager Powers opened the floor for nominations for Chair. Member Haugh nominated Butch McLean; Member Sasse seconded the motion. All members present voted and agreed unanimously that Member Butch McLean be elected as Planning Board Chair.

Manager Powers passed the gavel to Chair Butch McLean and he opened the floor for nominations of Vice-chair. Member Sell nominated Jack Byrnes; Member Sasse seconded the nomination. With no further nominations, Chair McLean closed the floor for nominations. All members present voted, and agreed unanimously. Member Jack Byrnes was elected as Planning Board Vice-chair.

**Adopt Agenda**

Chair McLean asked for a motion to adopt the agenda. Member Haugh made a motion to adopt the agenda; Member Sasse seconded the motion. The members agreed unanimously.

**Approve Minutes—January 17, 2017**

Chair McLean asked for a motion to approve the minutes of January 17, 2017. Member Sasse made a motion to approve the January 17, 2017 minutes; Member Isquith seconded the motion. The members agreed unanimously.

**Administrative Comments**

Chair McLean offered his sincere thankfulness to Manager Powers and Town Clerk Gropp for the administrative support of tonight's meeting.

Manager Powers reports at some date in the future the Planning Board will need to meet and create ordinances that address 1) Beekeeping 2) Drones and 3) an update to the Tree Ordinance as a requirement for the Tree City USA designation.

**Old Business—NONE**

## **New Business**

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### **a) Review Comprehensive Land Use Plan – CLUP**

Manager Powers explained the current CLUP has not been updated since 2009. Before dialogue could continue, Member Ehlinger asked that this New Business item be moved to a later date.

### **b) Regional Training Workshops – UNC SOG**

Manager Powers encouraged the Planning Board members to attend the Regional Board Workshop for Planning and Development Regulation. There are several dates and locations, with the closest being Asheville on May 10, 2018. The Town will cover the cost of registration. Chairman McLean stated the benefit of attending is to increase knowledge as a Planning Board Member. **~CLOSED~**

### **c) Hawksnest Zipline Re-Zoning Application Review**

The Re-Zoning Application is to request a change from Recreation to High Density Residential (HDR) zoning.

Chair McLean allowed Attorney Tucker Deal, (Representative for the Applicant, Lenny Cottom) to give a presentation. Attorney Deal identified the property location on the current Town zoning map; he asked the question, “Is this location is an appropriate location for a HDR zoning classification?” Attorney Deal states the UDO does a very good job of incorporating the goals of the CLUP into the regulations. Realizing that the emphasis of the CLUP is single family homes, we feel there is room for inclusion of multi-family dwellings, while maintaining community character. The highlights of his presentation include:

1. Harmony with the surrounding area, as there is a significant boundary between zoning classifications.
2. The property does not lend itself to other recreational activities; a zoning change will add tax value to the Town.
3. The property sits down below the road, so any residential buildings would not negatively impact the views of others.
4. Environmentally, tree cover will be preserved & protected, with additional tree planting upon development will help the Town’s goal of Tree City, USA.
5. Currently, there is a sewer treatment plant with adequate capacity and permits to handle the extra flow.

Attorney Deal requested a positive recommendation from the Planning Board.

Chair McLean began dialogue among the Planning Board members that they understand the pros and cons of this Re-Zoning request. Chair McLean asked if there are any citizens comments.

**Lou McLean – 130 Wildwood Court** – She states she is not favor of rezoning, as she wants to maintain the quality of life & peacefulness that she has enjoyed in Seven Devils. She states since the opening of Otter Falls, it has caused disruption to the natural wildlife such as deer and turkey sightings. She experiences noise pollution, an increase in dust & dirt, along with safety issues from vehicle traffic. If the rezoning application is allowed she is concerned about a potential for increase in crime.

Member Sell asked Attorney Deal the following:

Has the current sewer treatment plant been evaluated by a professional to confirm it can handle the increased usage? Attorney Deal states he defers to the Owner, Lenny Cottom, as he has no personal knowledge of the capacity.

Member Sell then inquired with Town Manager Powers if the Town's current water system is sufficient to handle the increase for usage? Manager Powers replied that depending on the total number of new units built, likely there will be a need for an additional well. All infrastructure would be provided by the developer, per the subdivision ordinance in the UDO.

Member Ehlinger requested this item to be deferred to another meeting so detailed dialogue can occur with Public Safety Officer Chief Chuck Davis, Fire Chief Bobby Powell, Public Works Director Kevin Aldridge and Town Engineer David Poore regarding effects on Town infrastructure and support services.

Member Sell comments that the job of the Planning Board is to uphold the content of the CLUP, emphasizing single family homes. Town Manager stated that the main objective of the Planning Board is to create a written recommendation to the Town Council that addresses plan consistency (NC GS 160A-383) when it approves or rejects any proposed zoning map amendments. "The board's statement must describe how the action is or is not consistent with the plan and briefly explain why the board considers the action reasonable and in the public interest." Quote from David Owens - UNC SOG Publication "Introduction to Zoning and Development Regulations".

Discussion continued regarding potential questions:

- 1) Hire extra Police
- 2) Purchase additional Police vehicles
- 3) Town Engineer - Set backs from Main Road - Skyland Drive
- 4) How far down can they build? On flat?
- 5) Water - additional lines, additional well, tankage constraints
- 6) Fire - hydrant capacity
- 7) Storm water concerns
- 8) Impact on Tax Base
- 9) Increased traffic - during construction & after completion
- 10) Effect on wildlife

Email questions to Town Manager or Town Clerk and the list of questions will be consolidated for next meeting.

Discussed possible scenarios - Minimum - Mid - Maximum impacts.

**Citizen Comments - No additional comments**

**Board Member Comments-None**

**Recess**

Member Ehlinger made a motion to recess the Planning Board meeting until Tuesday, April 17, 2018 at 1:00pm; Member Sell seconded. The members agreed unanimously. The meeting recessed at 6:28pm.