

# HENDERSON COUNTY PLANNING BOARD

## MINUTES

### June 18, 2009

The Henderson County Planning Board met on June 18, 2009 for their regular meeting at 5:30 p.m. in the King Street Meeting Room located at 100 North King Street, Hendersonville, NC. Planning Board members present were Tedd Pearce, Chair, Gary Griffin, Renee Kumor, Tommy Laughter, Steve Dozier, Stacy Rhodes and Suprina Stepp. Others present included Anthony Starr, Planning Director; Autumn Radcliff, Senior Planner, Matt Cable, Planner, Sarah Zambon, Associate County Attorney; and Kathleen Scanlan, Secretary. Board members Jonathan Parce and Mike Cooper were absent.

Chairman Pearce called the meeting to order and asked for the approval of the May 21, 2009 meeting minutes. Steven Dozier made a motion to approve the minutes and Renee Kumor seconded the motion. All members voted in favor.

Adjustment of Agenda. There were no adjustments needed.

Staff Reports. No Staff reports to report.

Old Business:

Seven Falls Golf and River Club – Phase 1 Development Plan Extension – Presentation by Matt Cable. Mr. Cable stated that the Planning Board approved the Seven Falls Golf and River Club, Phase 1 Development Plan subject to the completion of conditions imposed during the Planning Board Meeting of June 21, 2007. Mr. Keith Vinson, Member Manager for Seven Falls Golf and River Club submitted a letter requesting a one-year extension of the Development Plan for Phase 1 because of major delays with permitting and other issues. Tommy Laughter made a motion that the Planning Board grant a one-year Development Plan extension for Seven Falls Golf and River Club, Phase 1, extending approval through June 21, 2010. Steve Dozier seconded the motion and all members voted in favor.

Eagle Spring Major Subdivision Development Plan Extension. Mr. Cable stated that at the June 21, 2007 Planning Board meeting, the Development Plan was approved subject to the completion of conditions imposed. Mr. William Lapsley, agent for the owner submitted a letter requesting a one-year extension of the Development Plan stating that the roadway has been graded but the stone base and pavement installation remains to be done and that the final utility lines have not been installed. He also added that due to the economic environment, it has curtailed completion of the site improvement for this subdivision.

Tommy Laughter made a motion that the Planning Board grant a one-year Development Plan extension for Eagle Spring, extending approval through June 21, 2010. Stacy Rhodes seconded the motion and all members voted in favor.

Special Subdivision Road Standards – Presentation by Autumn Radcliff. Ms. Radcliff stated that at its May 21, 2009 meeting, the Planning Board discussed concerns with the special subdivision road standards. Staff anticipated addressing these concerns during the 2009 annual review of the Land Development. As per the Planning Board's request, Staff has provided a summary of the current special subdivision road standards and listed possible solutions to these standards. Ms. Radcliff added that the Planning Board will need to initiate a text amendment to address these concerns outside of the annual review of the Land Development Code. Ms. Radcliff stated that

one of the Board's main concerns with the current special subdivision road standards is that all proposed row are required to be constructed and inspected before a final plat is approved and lots are recorded. She stated a possible solution would be to allow for special subdivision of 5 or fewer lots to record a final plat and sell lots before the proposed roads have been constructed provided that the road did not exceed 1,000 feet in length and that the applicant would be required to dedicate the ROW and name the road. She added that once a building permit is issued for any construction activity within the subdivision; the roads would be constructed and inspected. The owner applying for a building permit would be required to construct the portion of the new road that will access their driveway and it would be inspected by Planning Staff before the Certificate of Occupancy is granted. This option would place the expense and burden of building the road on the individual property owners and would require an additional inspection before the CO is granted and some roads may take years to be completed. She also added that a property owner at the end of the road would be required to construct the entire road without compensation, if that owner is the first to apply for a building permit. She said property owners that will access their lots from a different road or through an easement would not have to construct any portion of the road. Board members discussed road widths and turnarounds and Stacy Rhodes suggested that if the road is less than 1,000 feet, the end road should be a cul-de-sac or a T-turnaround and every 300 feet there should be a place to pull off for another vehicle to pass. Ms. Radcliff stated that currently this is not required for a Special Subdivision, so if we want to start requiring that, we can. Ms. Kumor questioned as to how this will serve the future property owners who may no longer be in the family. Chairman Pearce suggested another solution in addressing this concern is having some means of guaranteeing that the money for the road is set aside or a bond be established for that purpose. He added there are two issues - whether they decide on some means or a method of protecting the individuals involved so that a road doesn't have to be built and whether the 45-foot right-of-way and the road bed of 12 feet wide is really necessary for a five-lot or less Special Subdivision.

Mr. Rhodes said his main concern was if there is an existing road there that they want to put a right-of-way on and this road has been used for many years by property owners, emergency vehicles, and other commercial use trucks, why is it necessary to add an extra two feet to the road.

After considerable discussion, Chairman Pearce felt that Planning Staff suggestion on the road width is fine. He felt that within Special Subdivisions that a flag lot would be allowed, but a Certificate of Occupancy could not be pulled until a driveway met some type of standard, which would be decided upon, similar to what is discussed in Staff's memo or if the right-of-way met emergency vehicle recommendations. Mr. Starr stated that this would require more inspections and administrative tracking to inspect individual driveways. Chairman Pearce stated that he feels the Board should accept the recommendations on the possible solutions for the road widths and that this would change them to a 30-foot right-of-way, with 10-foot travelways. He also feels that the property owners should be given credits for existing roads and the regulations should also require a turnout every 300 feet where practical, and a turnaround at the end of the road if it exceeds 1,000 feet. He added that he is in favor of these road changes only and to not give them a waiver for the rest. He suggested that Staff bring back a text amendment at the July's Planning Board meeting. He also stated that in addition, that the Board would accept the possible solution for the Certificate of Understanding which states that it be removed from the final plat, but require that a signed copy by the property owner be submitted with the subdivision application.

Update on amendments to the Henderson County 2020 County Comprehensive Plan – Economic Development Element – Presentation by Anthony Starr/Steve Dozier. Mr. Dozier stated that he and Andrew Tate with Planning Staff to continue their work on updating the Economic Development Element and hope to have a final version to the Board at next month's meeting.

Public Input. There was no public input.

Adjournment There being no further business, the meeting was adjourned at 6:08 p.m. All members voted in favor.

---

Tedd Pearce, Chairman  
Henderson County Planning Board

---

Kathleen Scanlan, Secretary