

**HENDERSON COUNTY PLANNING BOARD  
MINUTES  
March 19, 2009**

The Henderson County Planning Board met on March 19, 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, Jonathan Parce, Vice-Chair; Renee Kumor, Tommy Laughter, Steve Dozier, Mike Cooper, Gary Griffin and Stacy Rhodes. Others present included Anthony Starr, Planning Director; Autumn Radcliff, Senior Planner, Sarah Zambon, Associate County Attorney; Mark Williams, Commissioner and liaison to the Planning Board, and Kathleen Scanlan, Secretary. Board member Suprina Stepp was absent.

Chairman Pearce called the meeting to order and asked for the approval of the February 19, 2009 joint meeting minutes. Renee Kumor made a motion to approve the minutes and Steve Dozier seconded the motion. All members voted in favor.

Adjustment of Agenda. There were no adjustments.

Staff Reports. Mr. Starr mentioned that the workshop for the Etowah-Horse Shoe Plan is scheduled with the Board of Commissioners on March 26, 2009 at 7:00 p.m. at the Historic Courthouse. After this workshop, the Commissioners will then schedule a public hearing. Mr. Starr said that the Edneyville Plan is moving along and in the next couple of months there will be some drafts of the Plan for review.

Public Input Process for Planning Board Review of Community Plans and other Area Specific Plans – Presentation by Anthony Starr. Chairman Pearce said that he requested that the Board review the process for receiving public input at the Planning Board meetings when reviewing community plans and other area specific plans. Mr. Starr stated that under the law, the Planning Board is not allowed to take any public input for any matter that the Board takes up, because the Planning Board is not mandated to have hearings, but the Board of Commissioners are different in that aspect, as they are required to have a public comment period at every meeting each month. Mr. Starr added that the Rules of Procedure state that you take public input at a general matter and provides for a process in which you can take public input at each agenda item, but you are not required to. Chairman Pearce stated that his opinion would be that when the Board is taking up the area plans and public input on them, the input should be from stakeholders in the area first (property owners, business owners, residents) in the area. Public input from others outside the area would be taken during the regular public input period. Renee Kumor stated that the Board should not silence people from other areas of the County to share their opinions. Chairman Pearce feels that the Board is not silencing other people outside of the study area but that these stakeholders may have more time than speakers not directly impacted by the purposed plan or area plan. Most Board members agreed that the public input should be for individuals whom have a direct interest in the study area of the community plan or the Board needs to be aware and made mindful that this could cause some criticism from the outside public and to not be too restrictive. Chairman Pearce felt that on the sign-up sheet it should identify whether they live or have a direct interest in the study area. Gary Griffin suggested that the Chairman could also ask each citizen when they come up to speak, where they live or if they are from the district or have an association with the district, even though the sign-up sheet will indicate this, so that there would be no signs of discrimination or separation. All members agreed on this policy without having to change the Rules of Procedure.

Proposed Intake on the French Broad River and Expanded Water Supply Watershed Boundary – Presentation by Autumn Radcliff. Chairman Pearce indicated that this is an update and for your information only at this time. Ms. Radcliff stated that there is no Planning Board action necessary on this subject at this time but any new reclassifications that are done and approved by the State will come back through in a rezoning process. She stated that any proposed text and map amendments concerning the Water Supply Watershed Overlay district will require a recommendation by the Planning Board before the Commissioners may adopt the amendments. She stated that the City of Hendersonville has proposed a new surface water intake on the French Broad River north of the confluence of Mills River and this was due to current drought conditions which the current source is not adequate during these types of conditions. She said that as part of that, the NC Department of Environment and Natural Resources (DENR), Division of Water Quality (DWQ) section has to follow through with that request. She said by following through with the request, they determine what classification would apply to that and contact jurisdiction in the affective area. In this particular case, the proposed intake would require that the existing WS-II Balance of Watershed and Critical Area be expanded. This expanded reclassification would include a small portion of land located within the Town of Mills River, which is mostly farmland and a permitted use in the water supply watershed districts. Ms. Radcliff also mentioned that an error has been discovered with the existing water supply watershed boundary based on the location of the existing intakes. The boundaries are set by the DWQ and as a result, the boundaries of our current WS-II watershed will need to be corrected. After discussing and showing the location of the proposed intake on the French Broad River and the expanded watershed boundary as well as the Town of Mills River's jurisdiction, Ms. Radcliff ended by saying that the Environmental Management Commission approves any new intakes and reclassifications and the Rules Review Commission reviews the document. Then the State is complete and the local jurisdictions have 270 days to adopt the watershed map and regulations. She said the timeframe for adoption at this point is uncertain. The State requested that the Board of Commissioners provide a resolution for support, opposition, or neutral stance for the State to proceed to the Water Quality Committee. A resolution for the Town of Mills River will also be needed before the State can proceed with the request.

Public Input.

Rick Burt. He mentioned that the next time existing and proposed water supply watershed maps are shown; they should also include existing wastewater treatment plants because he feels they impact the water quality of the water that will be taken out in the future. Mr. Starr noted this suggestion.

Adjournment There being no further business, the meeting was adjourned at 6:05 p.m. All members voted in favor.

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Tedd Pearce, Chairman  
Henderson County Planning Board

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Kathleen Scanlan, Secretary