

**HENDERSON COUNTY
PLANNING BOARD MINUTES**

October 17, 2006

The Henderson County Planning Board met on October 17, 2006 for their regular called meeting at 5:30 p.m. in the Meeting Room of the Land Development Building at 101 East Allen Street, Hendersonville, NC. Board members present were Tedd Pearce, Chairman; Stacy Rhodes, Gary Griffin, Jonathan Parce, John Antrim, Tommy Laughter, and Renee Kumor. Others present included Anthony Starr, Planning Director; Matt Card, Planner; Matt Cable, Planner; Anthony Prinz, Planner; Sarah Zambon, Associate County Attorney and Kathleen Scanlan, Secretary. Board members Mike Cooper and Mark Williams were absent.

Chairman Pearce called the meeting to order and asked for the approval of the September 12, and September 19, 2006 minutes. Renee Kumor made a motion to approve both sets of minutes and John Antrim seconded the motion. All members voted in favor.

Adjustments of the Agenda. There were no adjustments to the agenda made.

Staff Reports. Mr. Starr mentioned the handout regarding legal and legislative updates that he received at the Planning Conference in Hickory. He noted some legal information regarding the handling of moratoriums, vested rights, and the zoning amendment procedures. Also some information regarding Haywood County's proposed Steep Slope Ordinance.

OLD BUSINESS:

Application to Amend Section 15 Development Plan for Carriage Park – Bob Grasso, Agent for Carriage Park Associates, LLC. Jonathan Parce and Stacy Rhodes were recused because of personal and business dealings from any discussion or decision of this project.

Mr. Card said that on January 21, 2003, the Planning Board held a quasi-judicial hearing for Section 15 (Carriage Crest). The original plan, which was approved with conditions, showed a total of 55 units both townhouse units and detached single-family residential units on 35 acres of land. Despite approval, Carriage Park Associates, LLC, (the Applicant) never began construction on Section 15. On July 19, 2005, an amendment to the Section 15 Development Plan was approved with conditions by the Planning Board. This amendment added lots bringing the total to 65 which included 11 single-family residential units and 54 townhouse units. The road configuration also changed. The last amendment was approved by the Planning Board on December 20, 2005 for a total of 66 units which included 7 single-family residential lots and 59 townhouse units on 49.5 acres of land. It appears that a final plat was not recorded and no lots have transferred ownership. Mr. Card said that the new Section 15 amendment proposes to increase the lot sizes for lots within the Section and does not substantially change the lot locations, road layout and turnaround dimensions. A total of 65 lots are proposed. The Section 15 Development Plan originally showed mostly townhouse units surrounded by open space. On the amended Plan the applicant has decreased the amount of open space in this Section to allow for larger lots. Mr. Card said apparently the type of unit to be built in this Section will not change. Since the applicant is now proposing single-family type lots, the road standards have changed. The applicant now proposes residential streets with a 45-foot right-of-way as apposed to neighborhood drives with a 30-foot right-of-way. Since this amendment reduces the amount of open space and the applicant has modified the Development Plan, Planning Staff felt that this amendment should be reviewed by the Planning Board pursuant to SP-93-13-A3.

The Applicant has proposed public water and public sewer (both provided by the City of Hendersonville) to serve Section 15. The project area is located in the R-30 zoning district and the Water Supply Watershed IV (WS-IV) district.

As part of the notice requirements of Special Use Permit # SP-93-13 (as amended), the Planning Department was to notify any owners of property located outside of Carriage Park that are within 100 feet of the proposed Section. The Planning Department sent out notices on September 29, 2006 to Carriage Park Associates LLC, Carriage Park Home Owners Association, adjacent property owners and all other recipients on the Carriage Park mailing list of the upcoming hearing on Section 15.

Staff has reviewed the amended Development Plan for Section 15 for conformance with the Henderson County Subdivision Ordinance (HCSO), the Henderson County Zoning Ordinance (HCZO), the Henderson County Water Supply Watershed Ordinance (WSWSPO) and Special Use Permit #SP-93-13 (as amended) and offers the following comments:

1. **Private Roads.** Because private roads are proposed, the final plat must contain a note stating: *The private roads indicated on this final plat may not meet the requirements of the North Carolina Department of Transportation for acceptance into the state road system.* (HCSO 170-21B and Appendix 7)
2. **Final Plat Requirements.** The Final Plat(s) must meet the requirements of Appendix 7 of the Subdivision Ordinance.
3. **Private Road Standards.** Special Use Permit #SP-93-13 (Exhibit A [12]) requires that roads be constructed to NCDOT standards for vertical alignment and grade. The applicant must build all roads to said standards of NCDOT and the requirements of SP-93-13.
4. **Open Space.** The required open space will need to be put on record prior to or concurrent with the recordation of the Final Plat for lots in Section 15. The applicant must provide an additional 1.03 acres of open space to offset the amount of units proposed. The open space shown on site information is incorrect.
5. **Review Agency Comments.** The applicant must obtain approval of all road names in Section 15 prior to Final Plat approval. Fire Marshal's Office suggested that all parcels must be located within 1,000 feet of a fire hydrant.

Mr. Hamlin mentioned that regarding the item of *evidence of infrastructure development*, Carriage Park has provided the 900 feet of sewer connection and water is at the edge of the parcel project. Mr. Card mentioned that he has received evidence of this and just wanted it clarified before the Board.

Ms. Burke, resident of Governor's Point, was concerned that the project narratives did not show that both Section 15 and Section 16 were amendments and additionally she wanted to know what the amendments were for. Chairman Pearce said that the change is from townhome lots to single-family residential lots and because of this, it changes the road standards accordingly. He added that this also changed the reconfiguration of lots (i.e. larger lots) to bring it before the Planning Board rather than approve it administratively. This reconfiguration makes it one fewer lot – from 66 lots to 65 lots and the open space has been decreased accordingly. It was determined that as long as the other reports indicate the amendment and the reason for the amendment, there are no requirements for Carriage Park in their narrative to show the amendment.

Renee Kumor made a motion that the Planning Board find and conclude that the amendment to development parcel plan for Section 15 of Carriage Park Planned Unit Development complies with the provisions of the Henderson County Zoning Ordinance, Water Supply Watershed Protection Ordinance, Subdivision Ordinance, and the Special Use Permit regulating the Planned Unit Development (#SP-93-13, as amended) except for those matters addressed in Staff Comments section of Staff's memo. It was noted that the original memo indicated comment # 3 (Soil Erosion and Sedimentation Control notice) and comment # 4 (Evidence of Infrastructure Development) as part of the requirements, but both has been satisfied by Staff and Board and that the open space figure would be decreased and amended to 1.03 acres and that this would need to be put on record prior to or concurrent with the recordation of the Final Plat for lots in Section 15. John Antrim seconded the motion and all members voted in favor.

Application to Amend Section 16 Development Plan for Carriage Park – Bob Grasso, Agent for Carriage Park Associates, LLC. On July 18, 2006 the Planning Board approved the Development Plan for Section 16 with a total of 66 detached townhouse units on 24 acres of land. Section 16 is served through Section 15 (Carriage Crest) off of Knob Hill Loop. As one of the conditions of approval the applicant was to modify the entrance road Knob Hill Loop to minor collector road standards. It appears from the new Development Plan that Knob Hill Loop is a minor collector road.

Mr. Card said Carriage Park Associates, LLC, applicant, is now proposing a total of 63 single family residential lots and 2 utility lots. On the amended Plan the applicant has reduced the amount of open space to allow for larger lots. The applicant has also eliminated one road that served 4 townhouse units and replaced it with 2 larger flag lots; lot # 32 and lot # 33 on the new Plan. The applicant is proposing residential streets with a 45-foot right-of-way to serve lots in Section 16. It appears that all the correct setbacks and buffers are labeled on the Plan. The Applicant has proposed public water and public sewer (both provided by the City of Hendersonville) to serve Section 16.

Staff has reviewed the amended Development Plan for Section 16 for conformance with the Henderson County Subdivision Ordinance (HCSO), the Henderson County Zoning Ordinance (HCZO), the Henderson County Water Supply Watershed Ordinance (WSWSPO) and Special Use Permit #SP-93-13 (as amended) and offers the following comments:

1. **Private Roads.** Because private roads are proposed, the final plat must contain a note stating: *The private roads indicated on this final plat may not meet the requirements of the North Carolina Department of Transportation for acceptance into the state road system.* (HCSO 170-21B and Appendix 7)
2. **Final Plat Requirements.** The Final Plat(s) must meet the requirements of Appendix 7 of the Subdivision Ordinance.
3. **Water and Sewer Plan Approval.** A letter from the Hendersonville Water and Sewer Department regarding capacity to provide water and sewer service for the entire PUD project was provided on June 11, 1993. The Applicant should provide evidence that the water and sewer plans serving Section 16 have been approved by the City of Hendersonville Water and Sewer Department and NCDENR prior to beginning construction (HCZO Section 200-33 F(4)(b)[6]).
4. **Evidence of Infrastructure Development.** The Applicant has indicated on the Plan that water and sewer is located 1,220 feet away from the Section 16 boundary. The Applicant shall, prior to any request for review or approval of plans for any development parcel, provide evidence that development infrastructure including roads, drainage, water and sewer, have

been extended to the boundary of said parcel; or otherwise provide an improvement guarantee in a form acceptable to the Henderson County Board of Commissioners. The applicant should clarify the location of water and sewer at the Planning Board meeting. (#SP-93-13 Exhibit A [A] [2] [d]).

5. **Private Road Standards.** Special Use Permit #SP-93-13 (Exhibit A [12]) requires that roads be constructed to NCDOT standards for vertical alignment and grade. The applicant must build all roads to said standards of NCDOT and the requirements of SP-93-13.

6. **Open Space.** The required open space will need to be put on record prior to or concurrent with the recordation of the Final Plat for lots in Section 16. Mr. Card stated that the applicant must provide an additional 21.07 acres of open space, not the original amount mentioned of 27.7 acres, to offset the amount of units proposed.

7. **Review Agency Comments.** The applicant must obtain approval of all road names in Section 16 prior to Final Plat approval. Fire Marshal's Office suggested that all parcels must be located within 1,000 feet of a fire hydrant.

8. **Exterior Perimeter Buffer.** The Planning Board made a condition during the last approval of Section 16 that pursuant to condition 4 of the Conditions Governing Special Use Permit # SP-93-13, the applicant must maintain an undisturbed buffer thirty (30) feet in width. Such buffer shall consist of trees and natural vegetation existing as of the date of issuance of the permit. Such trees may be selectively cut or trimmed for the purposes of constructing trails and developing incidental amenities but not beyond the extent that the purpose of the buffer will be diminished. At the Planning Board's request Staff was to monitor said buffer to ensure that the buffer is not disturbed.

Chairman Pearce made a motion that the Planning Board find and conclude that the amendment to development parcel plan for Section 16 of Carriage Park Planned Unit Development complies with the provisions of the Henderson County Zoning Ordinance, Water Supply Watershed Protection Ordinance, Subdivision Ordinance, and the Special Use Permit regulating the Planned Unit Development (#SP-93-13, as amended) except for those matters addressed in Staff Comments section of Staff's memo. He also noted the change of open space from 27.7 acres to 21.07 acres and that they will need to put this on record prior to or concurrent with the recordation of the Final Plat for lots in Section 16. Renee Kumor seconded the motion and all members voted in favor.

NEW BUSINESS:

Special Use Permit Amendment Application – (#SP-04-01-A1) – Referral of Special Use Permit Amendment Application from the Board of Commissioners – Request for an Amendment to Mountain Lake Homes Planned Unit Development Special Use Permit SP-04-01 – Todd Leoni, Agent for Camp Riley, Inc. Owner and Applicant. Mr. Cable said that the special use permit concerns changing from group septic to a sewer system. He added that the only change is from group septic to public sewer and that this change should be noted in the permit order and that the Planning Board is making a recommendation for this change, which is an amendment to the original special use permit. (Stacy Rhodes and Jonathan Parce returned to the meeting).

Mr. George Leoni, agent for his son, Todd Leoni stated that he was present on his son's behalf, who was present via the telephone, in case of any questions. Chairman Pearce said that since there are no other changes except the utilities, he feels that the Board should go ahead with the request. Mr. Todd Leoni reiterated that he was approved for the 26 drain fields and wants to make sure that, should public sewer not go into the area because of easement issues, he has

the option to go back to group septic. Chairman Pearce asked Ms. Zambon whether the Planning Board can make a recommendation to the Board of Commissioners that the proposed special use permit be allowed to have either the septic as originally proposed or if public sewer becomes available that the special use permit be approved with the public sewer. Ms. Zambon said that there isn't any problem with that wordage and also with the stipulation that once public sewer is in, that other land would not be approved for group sewer any longer. Mr. Todd Leoni was concerned when the final approval would take place? Mr. Cable said that a hearing would need to be set with the Board of Commissioners and then they would hold the hearing to do that final approval. Mr. Leoni asked whether he could withdraw at any time before that. Mr. Cable said that he could, but the recommendation from the Planning Board will cover both ways.

Chairman Pearce made a motion to recommend to the Board of Commissioners that Special Use Permit SP-04-01-A1 for Leoni's Mountain Lake Homes Planned Unit Development be amended to allow Mr. Leoni approval for either group septic in the open space that was originally provided, or if he can obtain the easements, public sewer in lieu of group septic. In the event the public sewer is installed the private sewer option for the open space would no longer be enforced. Renee Kumor seconded the motion and all members voted in favor. All seven members present voted in favor (7 to 0).

Revised Master Plan Review of Pinnacle Falls Renaissance – (File # 2006-M42) - 147 Single-Family Residential Lots – Located off Pinnacle Mtn. Road – Luther E. Smith and Associates, Agent for Pinnacle Falls, LLC, Owner. Stacy Rhodes was recused from any discussion or decision regarding this subdivision as he is involved with the project. Mr. Card stated that this is a second revision to the Master Plan and that the applicant is now proposing to add a 3.4 acre tract of land which was recently purchased by Pinnacle Falls, LLC and is located to the west of the subdivision. The applicant is proposing to add three new lots on this tract of land. The project will now have a total of 147 lots on 353.95 acres of land. Access to these lots will come off of Pinnacle Falls Lane through a proposed road with an alternate turn around. According to the Plan, the design of the alternate turnaround is consistent with the other approved alternate turnarounds in the subdivision. The project will have both community and individual water and septic systems. Private roads are proposed. Pinnacle Falls Renaissance is located in the Open Use zoning district which does not regulate the residential use of land.

Mr. Card said since this request is only for Master Plan approval, a development plan or a revised phase development plan will also need approval before construction can begin. Staff has reviewed the revised Master Plan for Pinnacle Falls Renaissance for conformance with the Henderson County Subdivision Ordinance (HCSO) and offers the following comments:

1. **Development Plan.** A development plan for this section (proposed lots 145 – 147) will need approval before construction of any improvements begins.

Review Agency Comments

2. **Comments from the Fire Marshal.** The Henderson County Fire Marshal's Office stated those road widths of 16 feet and less will not support two-way traffic for fire apparatus but can be achieved if the shoulders are maintained as an all weather driving surface. Also because of the remote location, any water supply point should be developed as a certified water point for fire protection purposes.

3. **Comments from Property Addressing.** All road names must be approved by the Property Addressing office before a final plat is approved by the Planning Department.

Mr. John Cannon with Luther E. Smith and Associates stated that we have submitted a Phase 3 Development Plan to Staff today. Mr. Cannon said that they have submitted to Property Addressing a road name for the road, which will be called *Ridge Pond Trail*. He said that regarding the Fire Marshal's office, they have installed a dry hydrant is in the process of being constructed on the pond and the roads do meet the Subdivision Ordinance standards. As far as the shoulders, they plan on the standard grass shoulders. Mr. Ball, agent for the developer stated that the area is fairly flat, so the roads will be easy to build the shoulders and sustain them and will consult with the Fire Marshal to their satisfaction.

John Antrim made a motion that the Planning Board find and conclude that the Master Plan appears to comply with the provisions of the Subdivision Ordinance; and further move that the Master Plan be approved subject to the conditions listed in Staff's memo. Tommy Laughter seconded the motion and all members voted in favor.

Master Plan Review for Bright's Creek – (File # 2006-M43) – 15 Single-Family Residential Lots - Located in Polk County – William Buie with William Lapsley & Associates, Agent for Bright's Creek Holdings, LLC, Owner. Mr. Rhodes returned to the meeting. Mr. Card said Bright's Creek is an existing subdivision which began in Polk County and is now proposing to expand into Henderson County. A large portion of Bright's Creek is approved for construction in Polk County and it appears that most of the infrastructure has been built to serve these areas.

Mr. Card said Bright's Creek Holdings, LLC, owner of the project, is proposing a total of 15 single family residential units almost all of which are entirely in Henderson County. The owner is proposing to serve these lots through Polk County by Haddington Drive, an existing road in the subdivision. The owner is also proposing to build a road which will extend to Summer Road in Henderson County. It appears that this road will be built during future construction of a clubhouse and golf course. The owner is also proposing to build 10 condo units on the remaining portion of the property which are exempt from the Subdivision Ordinance and are not regulated by the Open Use zoning district.

Mr. Card said that private community water and sewer (Aqua America) are proposed. According to County tax records, the property is not in a designated fire district but is closest to the Dana Fire District. According to review agency responses received by the Planning Department the Edneyville Fire & Rescue District would respond to emergencies in this area of Henderson County by using Summer Road.

Staff has reviewed the submitted Master Plan and Development Plan for Bright's Creek for conformance with the Henderson County Subdivision Ordinance (HCSO) and offers the comments that follow:

1. **Final Plat Requirements.** The final plat(s) must meet the requirements of Appendix 7 of the Subdivision Ordinance.
2. **Private Roads.** Because private roads are proposed, the final plat(s) must contain a note stating: *The private roads indicated on this final plat may not meet the requirements of the North Carolina Department of Transportation for acceptance into the state road system.* (HCSO 170-21B and Appendix 7)
3. **Soil Erosion and Sedimentation Control.** The Developer should submit notice from NCDENR that a soil erosion and sedimentation control plan has been received or provide documentation that no plan is required prior to final plat approval.

4. **Stream Setbacks.** A minimum thirty-foot setback for buildings or other structures is required along all perennial streams. The thirty-foot setback must be noted on the final plat (HCSO 170-37A).

5. **Water and Sewer.** The applicant has proposed private water and private sewer (Aqua America). According to the HCSO, the applicant must provide evidence that the water supply and sewer system plans have been approved by the appropriate agency. All public or private (community) water supply and sewerage systems shall be installed and shall meet the requirements of the Henderson County Health Department or other government authorities having jurisdiction thereof. The development plan may be approved contingent on final approval from such agencies; however, the final plat shall not be approved until all such final approvals have been obtained. Any subdivision served by a public water system shall meet the respective county or municipality's minimum requirements for fire hydrants installation (HSCO 170-20). The Henderson County Fire Marshal's Office has requested that hydrants are spaced 1000 feet apart or closer.

6. **Henderson County Access.** The Henderson County Emergency Management office and the Property Addressing office have expressed concern over the proximity from the proposed residential lots and condo units to fire protection and emergency services. As stated above, this area of Henderson County is served by the Edneyville Fire and Rescue Department who would use Summer Road for access to the property. There is currently no good access from Summer Road to the proposed residential lots, but the Master Plan shows a future extension of Summer Road to the subdivision. Section 170-3 of the HCSO states that due to inadequate road access and distance from services all land may not be suited to be subdivided for the purpose of dense development. Section 170-16, B of the HCSO states that the Planning Board shall review the master plan taking into consideration the applicable recommendations of the Henderson County Land Use Plan and the potential use of the land to be subdivided, together with the impact of the subdivision and proposed use. The Henderson County Comprehensive Plan states that this area of Henderson County be developed at a low-density with land areas devoted to agriculture and undeveloped lands. For reasons of public safety, adequate road access and to address the concerns of Emergency Management and Property Addressing, Staff strongly encourages that the Planning Board require the future Summer Road extension be built before construction occurs in the Henderson County portion of Bright's Creek.

Review Agency Comments

7. **Comments from the Fire Marshal.** The Henderson County Fire Marshal's Office said that it will be served by Edneyville Fire and Rescue. They added that an all-weather access road from Summers Road must be provided for emergency services before structural construction begins. Regarding the roads, they suggested that 18-foot road width will support two-way traffic for emergency vehicles. All parcels should be located within 1000 feet of fire hydrant and any potential water supply point should be developed as a certified water point for fire protection purposes.

8. **Comments from County Property Addressing.** Applicant will need road names for proposed roads 1 and 2 and will work with Polk County to ensure that address numbers will coordinate with Polk County's address numbers.

Mr. Buie with Lapsley and Associates along with Mr. Barton Tuck, developer and owner of the project gave an overview of the project. Mr. Tuck stated that the project comprises approximately 5,000 acres of land and in Phase 1 there is a golf course with about 300 lots. He said in Phase 2, there will be 166 units and after a 300-member level, there is proposed another golf course. There is a 280,000 gallon water tower on the site and will supply water and fire

protection to this project. The project has its own water and sewer system, natural gas, fiber optic cablevision throughout the entire development including the 15 lots on the Henderson County portion. Mr. Buie mentioned that there will be a gate at the entrance of the project and that everything will be discussed regarding fire safety with the Fire Marshal's office regarding the gated entrance. He added that regarding the fire fighting issue, everything will be taken care of regarding access, the water system and the fire hydrants according to the Fire Marshal not only for Henderson County but also for the residences located on the Polk County side.

There was considerable discussion regarding the access from Summer Road to the proposed residential lots. Chairman Pearce made a motion that the Master Plan and Development Plan complies with the provisions of the Subdivision Ordinance except for those matters addressed in Staff Comments section of the memo that need to be addressed. Regarding comment # 6, dealing with the access, prior to recordation of the final plat the developer will provide a road and right-of-way built to local road standards that will be acceptable by the Henderson County Emergency Management Office and the designation of that right-of-way would be put on the final recorded plat. If adjustments need to be made to the road or right-of-way, since it does not adjoin any lots but will only serve the golf course and the residents, the Planning Board would direct staff to approve it administratively, unless it is a significant change, then it would come back to the Planning Board for review. Tommy Laughter seconded the motion and all members voted in favor. Ms. Kumor was concerned that even though the Planning Board made this motion regarding access specifically for fire protection and that there are not in any specific fire district, will there be an opportunity to be added to a fire district or what will happen in this case? Mr. Starr said that he has the understanding that the County is in the process of expanding the fire districts from five to six miles and so he feels that will address this and most of the County, if not all of the County, but he said he would have to verify that. Ms. Kumor said that it would be helpful for the Edneyville Fire District to pick up this tax base from this development.

Combined Master Plan and Development Plan Review for Edneyville Inn – (File # 2006-M44) – 11 Single-Family Residential Lots – Located off U.S. 64 East – Jon Laughter, Agent for Edneyville Inn Development Company, LLC. Mr. Prinz said that the Edneyville Inn Subdivision is proposed to consist of 31 single-family residential lots and will be developed in one phase. The developer plans for all the homes to be served by public water and individual septic systems. There are three private roads (Hillcrest Drive, Hillcrest Lane and J.T. Way) are proposed to serve the development. The project site is located in an Open Use zoning district, which does not regulate residential uses of land and is not within a designated water supply watershed area. Mr. Prinz showed the location of the proposed subdivision and the topography of the land.

He stated that Staff has reviewed the combined Master Plan and Development Plan for conformance with the Henderson County Subdivision Ordinance and offer the following:

Mr. Prinz stated that there are no revisions to the Master Plan.

1. The following changes must be made for the Development Plan portion of the combined Master Plan and Development Plan to be in compliance with Appendix 5:
 - (a) The proposed location of fire hydrants for fire suppression shall be shown on a revised combined Master and Development Plan.
 - (b) The entry gate proposed for the development must be shown on a revised combined Master and Development Plan.
2. Road Names. All proposed roads names must be approved and reserved by the Henderson County Property Addressing Office.

3. Water Supply. The proposed project site is located within 5,000 feet of the nearest public water supply, therefore; the applicant is required to connect to the public water supply to satisfy this requirement of the Subdivision Ordinance. The applicant has proposed public water for the project and as a result must also provide evidence that the water supply plans have been approved by the appropriate agencies – City of Hendersonville and NCDENR. The combined Master Plan and Development Plan may be approved contingent on final approval from such agencies; however, a final plat will not be approved for the project until all such final approvals have been obtained. Any subdivision served by a public water system shall meet the respective county or municipality's minimum requirements for fire hydrant installation.
4. Soil Erosion and Sedimentation Control. The Developer should submit notice from NCDENR that a soil erosion and sedimentation control plan has been received or provide documentation that no plan is required prior to beginning construction.
5. Driveway Permit. The applicant must obtain driveway permit through NCDOT for the proposed entrance on US 64 East and provide evidence of permit issuance to the Planning Department.
6. Driveway Permit. The applicant must obtain a driveway permit through NCDOT for the proposed entrance on US 64 East and provide evidence of permit issuance to the Planning Department.
7. Farmland Preservation Program. The subject property is within ½ mile of a Henderson County Farmland Preservation District by which the developer is required by the Henderson County Subdivision Ordinance to submit an Affidavit of Understanding of Farmland Preservation District with their major subdivision application.
8. Final Plat Requirements. Final Plat must meet the requirements of Appendix 7 of the Subdivision Ordinance for approval.

Review Agency Comments:

Mr. Prinz stated that the Fire Marshal stated that the 18-foot travelway provides adequate access for emergency service vehicles. Mr. Prinz stated that he also recommended that all structures should be located within 1,000 feet of a fire hydrant. Mr. Prinz stated that this will be a gated community, but presently are working with the Department of Transportation on the particulars and will get back with the Fire Marshal's Office on their requirements.

Tommy Laughter made a motion that the Planning Board find and conclude that the combined Master Plan and Development Plan for Edneyville Inn Subdivision complies with the provisions of the Subdivision Ordinance except for those matters addressed in the Staff comments section of the memo. Gary Griffin seconded the motion and all members voted in favor.

Subcommittee Assignments and Meeting Dates. The Planning Board agreed to schedule a meeting to review the final draft of the Land Development Code for October 26, 2006 at 4:00 p.m. Chairman Pearce asked the secretary to get in touch with the Board members that were not present to make sure that they would be aware of this date scheduled and would be able to attend.

Adjournment. There being no further business, the meeting adjourned at 6:44 p.m. All members voted in favor.

Tedd Pearce, Chairman

Kathleen Scanlan, Secretary