

**TOWN OF YOUNGSVILLE
PLANNING BOARD VIRTUAL MEETING
Microsoft Teams Teleconference
August 4, 2020
6:00 PM**

Chairman Mark Hurt called the meeting to order at 6:00 PM.

In attendance were Chairman Hurt; Members Scott Anderson, Robert Martin, and Keith Tew; Planning and Zoning Administrator Erin Klinger; and Planning and Zoning Officer Bob Clark. Vice-Chairman John Cyrus and Town Administrator Phil Cordeiro were not present.

Chairman Hurt then requested a motion to approve the Minutes prepared of the Planning Board meeting held on May 5, 2020. Without further discussion, the following motion was made by Member Keith Tew, seconded by Member Scott Anderson, and unanimously carried.

MOTION: The Minutes of the Planning Board meeting held on May 5, 2020, are approved, as presented.

The next item on the Agenda was review and approval of the revised preliminary plan for Phases 6 and 7 of East Woods of Patterson. Ms. Klinger stated that earlier in the year, the developers of this subdivision had a soil study completed that showed the original location of the stub road was consuming all the usable soils in that area, leaving the developers with unsellable lots on either side of the stub. Ms. Klinger mentioned that the new plan adjusted the location of the stub road, necessitating modifications to the lot layouts; however, the number of lots remained the same as on the original plan. She also noted that Planning staff had told the engineer they would need to add a temporary hammerhead turnaround at the southern end of the stub road as well as to show sidewalks on one side of the road and that this could be recommended as a condition of the Planning Board's approval.

Chairman Hurt asked if the applicant would need to make the revisions and then resubmit the plan in order to obtain approval. Ms. Klinger responded that it would just need to be a condition of their approval that the changes were made. Member Tew observed that it appeared the original sketch had forty-seven lots while the revised plan showed forty-six. He also questioned what the required minimum area was for suitable soils per lot. Ms. Klinger answered that she did not know offhand, but that she could research the matter and let Mr. Tew know. She said that it would not necessarily be a matter the Town would have jurisdiction over. Chairman Hurt stated that he would need to recuse himself from voting on this project as he owned property adjacent to this land and Ms. Klinger thanked him for letting them know.

Member Tew continued by inquiring what might happen if a lot was recorded with insufficient suitable soil area and if that would be upon the developer or the Town to fix. Ms. Klinger responded that would likely be upon the developer to fix. Chairman Hurt answered that typically one had to have a repair area that was the same size as any kind of fill line area, and Member Tew countered that was one of the reasons he mentioned this particular topic since it seemed like some of the lot areas were small.

Mr. Clark reminded the board members that they would need to include in their motion a condition of approval to show the temporary hammerhead turnaround on the final plan. When there were no further comments or questions, the following motion was made by Member Anderson, seconded by Member Tew, and unanimously approved following a roll call vote (with Chairman Hurt abstaining):

MOTION: To approve the revised preliminary plan for Phases 6 and 7 of East Woods of Patterson with the following conditions: (1) a hammerhead turnaround needs to be shown for the stubout street in Phase 7 and (2) sidewalks need to be shown on one side of the road.

In keeping with the Agenda, Chairman Hurt turned everyone's attention to the next item: text amendments to the Youngsville Development Ordinance to comply with legislation from Chapter 160D of the North Carolina General Statutes. He mentioned that he believed the new legislation was trying to help jurisdictions like Youngsville have their own stormwater ordinance and that it would also allow the Town to either hire or appoint someone to regulate such an item, requesting that Ms. Klinger clarify the matter. She responded that the amendments before the Planning Board that evening were all-inclusive to the entire Ordinance. While the stormwater piece was something the Town might take responsibility for in the future, they were not prepared to do so at this time. Chairman Hurt said the reason he mentioned it was because it seemed like the State was trying to push local jurisdictions to take on the matter themselves.

He also asked whether they would be going through each of the proposed amendments individually. Ms. Klinger responded that they would not, but there were several to which she wanted to call the Planning Board's attention. She said that Mr. Rick Flowe spoke extensively about the 160D amendments during the Ordinance rewrite process and thus she would not need to review every item again. She mentioned that many of the amendments replaced either statute numbers or terms; for example, conditional use permits were now special use permits throughout the Ordinance. Several new definitions were added; oaths of office were now required for new members of both the Planning Board and the Board of Adjustment; new conflict of interest provisions were added; and clarification was added as to what constitutes an abutting property when referring to public notice requirements, to what conditions municipalities can place on permits, to when a Certificate of Compliance can be issued, to who has standing to appeal a decision and participate in an evidentiary hearing, and to who may apply for a zoning permit. She summarized her statements by saying the amendments mostly consisted of terminology alignment and statute number changes, but that the amendments in the packet were the ones she thought to be most important. She also said that this was State law as of June 19th. Mr. Clark inserted that it was not possible to include the pending statutes in the draft Ordinance that was presented and adopted last year. He added that the new provisions would go into effect following a public hearing and that the changes were recommended by Planning staff.

Chairman Hurt noted that both the Chairman and Vice-Chairman must now be sworn in. Ms. Kling responded that this was correct, but that it would be for new members moving forward. He then inquired if there were any other amendments to share that may have stood out and Ms. Klinger responded no, but mentioned that the Board of Commissioners would conduct the public hearing in September if the Planning Board decided to recommend approval of the amendments. Chairman Hurt asked the other members if they wanted to take the time to read through all the amendments and if they wanted to accept Planning staff's recommendation or would prefer to

deny the amendments. He double-checked with Ms. Klinger to ensure the proposed amendments were not inconsistent with the land use plan and she responded they were not. Mr. Clark articulated that staff always presents different motions for consideration, that there was always one for denial, and that the Board could also consider continuing the case; however, with the housekeeping nature of these amendments, he certainly recommended the Planning Board consider the first motion as presented. Member Anderson said he noticed several places where statute numbers were not mentioned and wanted to make sure that this was not an omission of error. Ms. Klinger responded that this was correct and that Chapter 160D-102 added several definitions, which was where all the new definitions came from. She also mentioned that most of the original definition section in the Ordinance did not reference the General Statutes.

When there were no further questions or comments, the following motion was made by Member Anderson, seconded by Member Tew, and unanimously approved following a roll call vote:

MOTION: To accept the planning staff report and recommend the Board of Commissioners approve the requested amendments to the Youngsville Development Ordinance because: (1) the amendments are required due to changes in the applicable North Carolina General Statutes.

Continuing with the Agenda, Chairman Hurt asked for comments from the Planning Board members. He thanked staff for all their hard work as it did make the Agenda packet easier to navigate and to understand what the Planning Board was trying to accomplish. Member Anderson asked if there were any public comments and Ms. Klinger responded that no one had signed up for the public comment period. Mr. Anderson said that he wanted to make a comment as a member of the public and asked who oversaw the implementation of new speed limit signs. Ms. Klinger stated that it depended on the road, but that typically Town Administrator Cordeiro and the Public Works department had been doing so in conjunction with one another. Mr. Anderson replied that perhaps he should bring up the matter at the next meeting of the Town Board, and Ms. Klinger suggested that he do so.

As there were no other citizens' comments, Chairman Hurt moved to the Around-the-Town Report from Planning staff. Ms. Klinger began by stating that Steve Gould had formally submitted the revised phasing plan for Phase 6 of Holden Creek Preserve that had been brought before the Planning Board at their May meeting; however, some revisions were needed before it could be officially heard by the Board. She also said there were several projects to be aware of: a potential subdivision on the Conyers property off of Holden Road, an expansion of the existing Wake Electric facility, and a new auto service building at the corner of Bert Winston Road and Northbrook Drive that was under review. She then stated that the Planning Board currently had two vacancies, one for an in-town member and the other for an extra-territorial jurisdiction member and asked the Board to please help spread the word so those positions could be filled. Following her remarks, she asked if Mr. Clark wanted to add anything and he mentioned two bond releases that would be heard before the Board of Commissioners at their next meeting. He also discussed a street closing petition that may be submitted soon and reminded everyone that Ms. Klinger was now the Planning and Zoning Administrator. Member Anderson then mentioned he had seen some soil samples being taken from the railroad and wondered what the outlook from that was. Ms. Klinger responded she had not previously heard of the soil samples and that the State had been discussing routing the S-line through the existing CSX railroad

corridor but that Youngsville was not in support of this and that it was a DOT-funded project; however, DOT at the moment did not have the necessary funding to support the project's completion. She said that it had been quite some time since she had heard any updates on the status of the S-line and that she did not know whether the project would be proceeding as planned.

At the conclusion of Ms. Klinger's remarks, Chairman Hurt adjourned the meeting at 6:41 PM.