

TOWN OF UNIONVILLE  
MINUTES OF REGULAR PLANNING BOARD MEETING

The Planning Board of Town of Unionville met on Monday, May 6, 2019, at Town Hall, 1102 Unionville Church Road, Monroe, NC. Chairman Ken Trull, Board members Jeff Broadaway, Craig Rushing, Andy Fowler, Jerry Adams, and Alternate Barry Baucom were present. Absent were Joe Medlin and Aaron Tarlton and Alternate Scott Barbee.

Everyone stood and recited the Pledge of Allegiance to the United States flag, after which Jeff Broadaway led the prayer of invocation.

Chairman Trull called the meeting to order and welcomed all to the meeting at 7:32 p.m. One correction was made to the minutes, changing 2018 to 2019 in the third paragraph. After a motion by Jeff Broadaway, seconded Jerry Adams, the Board unanimously approved the minutes from the March 4, 2019, regular meeting as corrected.

Chairman Trull introduced the first item of business, the recommendation of Aaron Tarlton's expiring term. Aaron had a family emergency and was not able to attend the meeting. Chairman Trull stated that his term is expiring, and the Board needed to consider someone to take his place. There was one application in the packet sent to the Board. Chairman Trull asked for anyone's thoughts on the matter. Jeff Broadaway stated that in the past, the Board typically moved an alternate up. Chairman Trull stated that Alternate Barry Baucom was in attendance for the meeting. Jeff Broadaway stated that there were some concerns with attendance in the past. He asked Barry if those issues had been resolved. Barry Baucom stated that when he was first selected as an alternate he was working in Richmond/Scotland counties; however, he is now stationed here. He went on to state that there might be times he has to be in Raleigh, but for the majority of the time, he will be local. Jeff Broadaway then made a motion to recommend Barry Baucom to fill Aaron's vacated spot on the Planning Board. The motion was seconded by Craig Rushing. Chairman Trull asked Barry if he would be willing to serve, and Barry stated he would be willing. The motion carried unanimously.

Next, Chairman Trull moved on to recommend an alternate to replace Barry's seat. Land Use Administrator Gaddy stated that she had one application on file for Matt Price. She stated that it was the only one on file that is current. Craig Rushing asked how long the applications were held. Land Use Administrator Gaddy stated that they are held for one year; however, Mr. Price renewed his application after it had expired. Craig Rushing then made a motion to recommend Matt Price as an Alternate for Planning Board. The motion was seconded by Andy Fowler and passed unanimously.

Chairman Trull then introduced the next item of business, the consideration of Subdivision #19-05, owned by Jimmy Funderburk and located on Lawyers Road. Land Use Administrator Gaddy stated that this was a 2.191 acre lot. It would create one lot out without road frontage. There would be a 20-foot dedicated easement and the subdivision meets all criteria of the ordinance. Upon a motion made by Jeff Braodaway, seconded by Barry Baucom, the subdivision was unanimously approved.

Chairman Trull then brought forward the next item of business, the consideration of Major Development Permit for Serena Hill Phase I, an eight-lot major subdivision at the corner of Unionville-Indian Trail Road and CJ Thomas Road with one lot with no road frontage. Mr. Helms was in attendance and welcomed any questions. Jeff Broadaway asked if there were any concerns about people coming out on the road. Mr. Helms stated that the Department of Transportation made recommendations, which are reflected on the plat. A couple of driveways have been combined at DOT's request. Lots one and two will come out on CJ Thomas Road. Lot three will have a drive on the edge of Lot four. Lots four and five will share a driveway. There will be an easement for Lot eight in Lot seven. There will be three driveways for six lots on Unionville-Indian Trail Road. There will be six more lots for the second phase, but will be on CJ Thomas Road. All soil work has been done and is reflected on the plat. The Town's ordinance states that if water is within 300 feet of the subdivision, it must be extended to all the properties in a subdivision, which is why there will be a second phase because the water lines must be run. Land Use Administrator Gaddy then mentioned that fire hydrants must also be within 1,000 feet, and the Town may later make a text change in the ordinance to reflect this. Mr. Helms stated that it would be \$25,000 to install the hydrants. Land Use Administrator Gaddy stated that the subdivision has met all requirements. The only negative response received was from the school system due to two of three schools are close/at capacity. Barry Baucom asked how many lots were proposed. He also inquired about open lots in the Town to build on. Land Use Administrator Gaddy stated that she did not know exactly, but there were some in the Old Camden development. Chairman Trull asked about the fire hydrant and if one would be sufficient per ordinance. Land Use Administrator Gaddy confirmed that based on Ken Brown's discussion, the fire departments carry plenty of water lines for the one hydrant to be sufficient. Jerry Adams clarified that lots one and two would not come out on Unionville-Indian Trail Road. Mr. Helms stated that that was correct. Jerry Adams stated that the intersection there was dangerous. Craig Rushing asked if the proposed drainfields included repair field areas also. Mr. Helms confirmed that the repair areas were included. Jeff Broadaway made a motion to approve the subdivision and that it was reasonable and consistent with the Land Use Plan adopted March 2006, which was seconded by Andy Fowler. Barry Baucom stated that he was concerned about the schools becoming over-capacity, considering this would be phase I with an additional phase to come and the schools are already at capacity. Jeff Broadaway stated that he was reading some documents and discovered that Monroe is approving 240+ single-family units and it will bog down all the area schools. Piedmont Middle School is at 104% capacity, Unionville Elementary School is at 96% capacity, but, there's not much that we can do under our ordinance. Jerry Adams added that school choice selections also just closed, but he did not know if that would affect the area schools. The motion passed with 5 in favor, one opposed.

Craig Rushing asked Mr. Helms if there would be any kinds of restrictions to ensure the value of the property. Mr. Helms stated that it would be monitored heavily and that lots would sell at \$50,000 a piece, so there would not be any lower-end construction.

Chairman Trull then brought up the next item of business, the recommendation of Text Amendment # TC-19-01, to define barns and exempt barns from the accessory structure definition in definitions and Section 150 (B)(3). This amendment was recommended from Town Council. Land Use

Administrator Gaddy stated that based on our current ordinance, a homeowner cannot have a house that is smaller than the barn. This amendment would change the wording to make it a little easier to build the size home that is desired. She stated that there were three proposed changes. First, there would be an added definition of "Barn: A building that is accessory to a residential or agricultural use and that is used exclusively for storage of grain, hay and other farm products and/or the sheltering of poultry, livestock or farm equipment." Second, an added definition of "Accessory Building, Exempt: The issuance of a zoning permit is not required for any proposed accessory building less than 144 square feet. Barns are also exempt from the accessory structure requirement when a farm structure application is approved." Third, is to add to section 150 (b) (3): "With the exception of approved barns, the total square footage of all accessory use building(s) on any one lot shall not exceed the total square footage of the principal building on the same lot."

There is a gentleman that is waiting on the Planning Board to make a decision on this amendment so he can move forward with moving his house in. Jeff Broadaway stated that he thought it was a smart move and a good thing for the town. Chairman Trull stated that he liked the wording and that it looked good. Chairman Trull made a motion to approve the recommended TC-19-01 and that it is reasonable and is consistent with the town's Land Use Plan adopted March 2006. The motion was seconded by Barry Baucom and passed unanimously.

Chairman Trull then introduced the next item for business, recommendations for the Town's Land Use Plan. Land Use Administrator Gaddy stated that Nadine from N-Focus has recommended that we update the Land Use Plan. There are no recommendations currently to consider, but the Board should begin noting any ideas or option to talk about. Land Use Administrator Gaddy stated that she anticipated a June meeting and the Board should come to the meeting expecting discussion. Jeff Broadaway stated that they would plan to look at it and Chairman Trull asked that it be placed on the next meeting's agenda. Land Use Administrator Gaddy noted that there would be some minor changes, for example the bypass has been built, so that wording needs to be made current, rather than using future tense. She stated she would add it to the next meeting's agenda.

The next item on the agenda Chairman Trull brought forward was House Bill #495 to Prohibit Municipal Regs/Offsite Easements. Chairman Trull stated that the Board recommended it, Council passed it, and it went to the State. This bill would make our recommendation null and void. Jeff Broadaway stated that it would be tied up in Rules Committee. Until after the crossover period, there will be nothing coming out of the rules committee. The Senate will not take on anything seemingly controversial. House bills are on hold for at least another week before being considered. Chairman Trull stated that the inclusion of this information was to serve as an update to the Board. Craig Rushing clarified that whatever we have coming up must adhere to the town's current ordinance. Land Use Administrator Gaddy stated that the first writing made it retroactive to October, but that has since been removed. Jeff Broadaway stated that there seems to be concern that this is not a state issue, but a local issue. But, the Home Builders Association is concerned that towns will go overboard to overly regulate. There seems to be some clarification going on. Chairman Trull asked Land Use Administrator Gaddy to keep the Board informed and updated. Craig Rushing stated that he thought we were going to have the proposed drainfield and repair field areas designated on the plats. Land Use Administrator Gaddy stated

that they could make that stipulation. Craig Rushing asked if the ordinance did not require repair areas to be shown on the plats. Jeff Broadaway asked how the ordinance was written. Craig Rushing stated that he thought that Scott Barbee brought up having the repair area included on the plat. Jeff Broadaway reviewed the ordinance and in Part 3A it did not necessarily say that it had to be two separate designations on the plats.

In other business, Jeff Broadaway followed up with Mr. Keziah's request for zoning change. He asked if there had been any further conversation. Land Use Administrator Gaddy advised the Board that it would likely be on next month's agenda for a Conditional Use Permit - LI - Mini Warehouse. Mr. Keziah had to move it over due to the county's water easement request. It will be the same drawing, but with an easement included. Chairman Trull clarified that this would be a CUP, not a request for a general re-zoning. Land Use Administrator Gaddy confirmed this change, which meant that the Board could recommend various conditions. Craig Rushing asked if the Town would need to clarify that this would be for storage use only. Land Use Administrator Gaddy stated that he was proposing for outside storage in addition to mini-warehouse storage. Chairman Trull asked if that would be a fenced area for boats or campers. Use Administrator Gaddy confirmed that it would be for that purpose and would be at the back of the property. Chairman Trull asked if it would be posted. Land Use Administrator Gaddy confirmed that it must be advertised by posting a sign and alerting adjoining property owners. Craig Rushing asked if this type of request had been made in the past and been denied. Land Use Administrator Gaddy stated that it had. Chairman Trull noted that some of that was due to location and this might be a better location. There was a large public outcry about the requested change and they were ultimately not approved. Craig Rushing asked if these were requested as re-zoning requests or CUP's. Land Use Administrator Gaddy stated that they were all CUP. Our ordinance prefers CUP. Chairman Trull asked if the property was zoned for industrial use on the Land Use Plan. Land Use Administrator Gaddy stated that the property is zoned as RA-40. Vann's Welding shop was zoned as Light Industrial because it was existing prior to the development of the Town's zoning. The Board then reviewed the current Land Use Plan with the designations for zoning.

Also in other business, Jeff Broadaway asked if there were any updates from the cell tower. Land Use Administrator Gaddy stated that the most recent tower request had gone away and the requested property was being sold to Union County Schools. Chairman Trull asked what the school would do with it and if it might be used for parking. Land Use Administrator Gaddy stated that she did not know.

There being no other business, and upon motion duly made by Barry Baucom, seconded by Craig Rushing, the Board unanimously adjourned the meeting at 8:18 p.m.

Respectfully submitted,

Melody Braswell

Deputy Clerk