

TOWN OF UNIONVILLE MINUTES OF PUBLIC HEARING

The Town Council of the Town of Unionville met at 7:15 p.m. on Monday, November 19, 2018 at Unionville Town Hall, 1102 Unionville Church Road, Monroe, NC, for a public hearing regarding Text Amendment TC-18-01. Mayor Baucom and Commissioners Andrew Benton, Edd Little, Jaren Simpson and Gene Price were present. Commissioner Ken Brown and Attorney Ken Helms were absent.

Mayor Baucom welcomed all in attendance and called the meeting to order at 7:15 p.m.

Mayor Baucom then opened the floor for public comments regarding Text Amendment TC-18-01, an amendment to Sections 238 and 239 of the Land Use Ordinance regarding on-site waste water disposal.

Darrell Baucom addressed the Council first. He shared comments against the zoning text change. He began by stating his understanding that the change would deal with eliminating of septic easements on properties. Mr. Baucom made note that two developments in the Town, Old Gate and The Vineyard, have worked with easements successfully for several years. He stated his concern that Mr. Flowe from N-Focus seemed to have a clear bias against septic tank easements. Mr. Baucom then made note that Land Use Administrator Gaddy conducted a poll and these easements are pretty commonly used by other Towns. He stated that the land does not perc well in Unionville and an ordinance like this would severely hinder the development that could be done and hurts the value of the land. When descendants have the land, it will be difficult to market the land with such tight restrictions on easements. Mr. Baucom furthered that the Union County Health Department is the resource to determine the number of bedrooms a home can support, not the septic system. In addition, these easements are disclosed to homeowners when they purchase the property. Finally, Mr. Baucom stated that it is his understanding that sewer service is a pretty good ways down the road; for example, Duncan Rd. is not expected to have sewer until 2030. This ordinance would prevent developers from having any other alternatives to do anything. He stated that this ordinance would hurt his ability to develop land he owns and would hinder him from being able to realize the value of the land.

Ron Rushing then stated that while he does not have any plans for a major or minor subdivision and nor did he own enough property in Unionville for a subdivision, he did want to state that the Council should carefully consider Mr. Flowe's advice. He stated that Mr. Baucom had touched on many of the points he would make in opposition to the amendment. Mr. Rushing stated his understanding of the proposed text amendment was to eliminate septic or drain easements. When builders are building on a lot, there are two equal areas created for the septic system, a line for the house and a repair area. This proposal also includes eliminating drain field lots that were acceptable in other properties in the past. To get to the drain field lot, there has to be a dedicated easement, and it is common practice. When this is done, they color code the pipes and originate them in the system where the tank will be to help resolve any potential questions or concerns if

repairs are needed. Mr. Rushing stated his concerns that this would significantly hinder the opportunities for growth and development in the Town. He stated that if Mayor Baucom had 2.2 acres on Unionville Road, he could potentially build two homes, since the land is zoned as RA-40. However, if only one site on that parcel would perc, then it would reduce him to having a 2.2 acre parcel, but only one building site. Mr. Rushing stated that one of his primary concerns was as a resident. The Council should look for the highest and best use for the land. He stated that he understood the problem. While he thinks this ordinance would work fine up front, but he feels that this will create issues down the road. Septic easements are a matter of public record and are recorded as part of the title search and must be shown on the survey. There should be no reason people are not fully informed in a real estate transaction. He stated that almost every property owner in the county has easements and rights of way on their land. He encouraged Council to consider the amendment carefully and thoroughly prior to voting on it. He stated that he felt that this was not something that was in the best interest of all citizens if they are without the capability to utilize the drain field easements.

There being no further comments, Mayor Baucom adjourned the public hearing at 7:27 p.m.

Respectfully submitted,

Melody Braswell
Deputy Clerk