

TOWN OF UNIONVILLE
MINUTES OF REGULAR PLANNING BOARD MEETING

The Planning Board of Town of Unionville met on Monday, October 1, 2018, at Town Hall, 1102 Unionville Church Road, Monroe, NC. Chairman Joe Medlin, Vice-Chairman Craig Rushing, Board members Jeff Broadaway, Andy Fowler, Ken Trull, Jerry Adams, and Alternate Barry Baucom were present. Absent were Aaron Tarlton and Alternate Scott Barbee.

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

At 7:32 p.m., Chairman Medlin called the meeting to order and welcomed all those in attendance. Upon a motion duly made by Ken Trull, seconded by Craig Rushing, the Planning Board unanimously approved the minutes of the August 6, 2018, Joint Work Session with Town Council and Regular Meeting.

Chairman Medlin opened the floor to consideration of Subdivision #SUB-18-09, a three-lot subdivision with easements on parcel #09072008C located on Old Camden Road. Ron Rushing offered to answer questions. The property was the Heath Williams property that a family bought. They made three new lots out of an 8-acre tract. One tract is 2.5 acres with Mr. Williams' old homeplace, and then there are two 2-acre lots and a 1.2-acre lot. They have complied with all requests per Sonya's recommendation. It will be in conformity with what is around it when homes are built. Ken Trull asked if the subdivision met all of the ordinance requirements. Land Use Administrator Gaddy confirmed that the subdivision conformed to all the requirements set forth by the Land Use Ordinance. Upon a motion made by Ken Trull, seconded by Jerry Adams, the Board unanimously approved SUB-18-09.

Chairman Medlin then opened the floor for the consideration of Text Amendment TC-18-01, Revisions to Section 238. Chairman Medlin recognized Richard Flowe from N-Focus Planning to address the Board. Mr. Flowe introduced himself to the group. There are two sections that would be amended. One amendment would be to make changes and another to renumber a question. He advised the Board that he was there to answer any questions regarding the easement issues in what he refers to as a family subdivision. As a person who has administered these things for many years, he knows that no good deed goes unpunished. He has for years seen Boards raise concern over inheritances. He has only seen one murder over subdivisions in his experiences. He told the Board that in Midland, there was a subdivision under Cabarrus County's subdivision ordinances in the 90's. There were 4 heirs, and each one was given a lot to build a house on near the highway so they would have to pave a few hundred feet of road frontage to conform to the ordinance. Everyone in the family was given an 8-acre tract. Because they were related, they were allowed to delay the paving of the road. After 20 years, the elderly lady was getting older, and they ran into an issue of the paving needing to be done. When dealing with a family situation, everyone has good intentions. One of those children lost their house in a foreclosure. Another moved overseas and sold their home. The two new people who bought the properties were raising the concern about the paved road never happening. The problems arise once the property leaves the hands of the family. He advised the Board that they can write all kinds of family exemptions, but his advice is that no good deed goes unpunished. He told the

Board that he was not a big fan of family subdivisions as they tend to be traps that snag the Town later on. Mr. Flowe then asked the Board if there was the potential for a big need to exempt people who are blood related that would need some exemption from the statutes. His suggestion is to give them the acre that will perc. He stated that he would not recommend to exempt the subdivision on the grounds of familial bond, but he will write it if it is wanted by the Town. Chairman Medlin stated that it is fairly common in the area to have family give property to heirs. Land Use Administrator Sonya Gaddy stated that she had another submission to approve a subdivision on Ridge Road. She asked Mr. Flowe what she should do at this point. Mr. Flowe stated that an applicant has an ability to choose if the Town has a policy that is making a change. If the change occurs after the submission for subdivision, they have the legal right to select to be grandfathered on the old policy, as it is only fair. It is never a problem until later down the road in the cases of foreclosures and sales without easements. Even while it is on the plats, they are not looking at the plats, they are looking at their new home. There is a landowner who owns the lots, paid taxes on the lots; he votes one time. The people who are going to buy those three new homes, they will also vote. The job at Planning Board level is to be the visionary for the Town. He stated that he heard that sentiment reflected in the prayer. The Planning Board owes its due diligence to the future. Council listens to those who are owning it today. A lot of towns do not have Planning Boards. The Planning Board is here to look at the big picture. Planning Boards need to be the visionary. He asked if there were any other questions or requested edits before it goes to Council. He then advised the Board that Council would set a public hearing for the next step.

Jeff Broadaway asked Mr. Flowe about the wording of the amendment with the concern about “controlled by”. Mr. Flowe stated that he did not change that statement or put a definition of ‘controlled by’ because the statute says exactly what he said it meant. Land Use Administrator Gaddy stated that the statement pretty much covers that it has to all be on one parcel. Mr. Flowe stated that there was not much wiggle room in this text amendment. Upon a motion duly made by Jeff Broadaway, seconded by Andy Fowler, the motion to approve the text amendment and send it forth to Council as it was presented passed unanimously.

In other business, Jeff Broadaway told the Board that there will be a referendum to ask about a 4-H Ag Pavilion included on the November ballot. He asked the Board to please let him know if there are questions and encouraged the Board to vote in favor of the Pavilion that is planned to be located behind the Ag Center. Due to some political issues, it has gone from an approved budget item to being pushed out for a vote. This will be a huge project that will have future impacts.

There being no other business, and upon motion duly made by Craig Rushing, seconded by Ken Trull, the Board unanimously adjourned the meeting at 7:53 p.m.

Respectfully submitted,

Melody Braswell
Deputy Clerk