

MINUTES
TOWN OF PITTSBORO
BOARD OF COMMISSIONERS
FEBRUARY 25, 2002
7:00 P.M.

Mayor Nancy R. May called the meeting to order and gave invocation.

ATTENDANCE

Members present: Mayor Nancy R. May, Commissioner Burnice Griffin, Jr., Max G. Cotten, Chris Walker and Clinton E. Bryan, Jr. Commissioner Gene T. Brooks was absent.

Others present: Manager Hugh Montgomery, Clerk Alice F. Lloyd and Attorney Paul S. Messick, Jr.

DISPOSITION OF MINUTES

Motion made by Commissioner Bryan seconded by Commissioner Cotten to approve the minutes of the February 11, 2002 regular meeting and the January 28, 2002 closed session.

Vote Aye-4 Nay-0

PUBLIC HEARING

Motion made by Commissioner Cotten seconded by Commissioner Bryan to go into a public hearing. Vote Aye-4 Nay-0

REZONING REQUEST – H & H ENTERPRISES

Mayor May stated we have received a request to rezone approximately one-third acre presently zoned R-10 to O & I from John Huffsteller for H & H Enterprises.

PUBLIC COMMENTS:

NONE

REZONING REQUEST – ALLEN/HANCOCK (44 ACRES)

Mayor May stated we have received a petition for a rezoning from Doris H. Allen, Robert G. Hancock and Jack R. Hancock for approximately 44 acres of property presently zoned RA-2 to C-2.

PUBLIC COMMENTS:

The following citizens spoke in opposition of the rezoning and their written/read comments are attached:

Barbara Lorie , Ric Hase, Ducka Kelly, Gary Simpson, Mary Simpson, Roy Fesel and Bill Routt – comments attached (Tish Routt).

Elaine Chiosso/Haw River Assembly spoke about the impact such a change would have on the headwater streams. (written comments attached)

Charles R. Devinney, 443 Oakwood Drive, stated Pittsboro has a Land Use Plan, although it is a guide, he hopes the Town will use it to its fullest. Know that Pittsboro has to do something it can't stay still. If zoned to C-2 you allow everything that is allowed within that zone – he feels that is dangerous. Many years ago the Board established the current zoning in this area so that it would have control over the area. It could grow and be an enhancement to the Town.

C-2 Zoning is usually accompanied by an annexation request, which he has not heard mentioned. If so how much water and sewer will be committed to this project and for how long?

He would like for the Board to look at some type conditional use.

What will this do the restaurants that are currently downtown.

We need other businesses and we have to have a place for it, so he hopes the Board will reconsider how we do it, especially to have C-2 zone where the Town would have no control of the area.

Joe Faulkner – one of the reasons this property was chosen was because it has two major thoroughfares going thru it.

As far as the encouraged uses are general commercial, restaurants, building supply, light manufacturing, distribution, copy centers and beauty shops.

The Site Plan shows a number of restaurants but the amount will vary.

The taxable value for the property on the North side, if built out as shown will be \$12 million, which would be a sufficient amount of money.

The Town could also capture the retail tax dollars that are going to other place.

All Town Ordinances will have to be meet.

REQUEST BY DORIS ALLEN, ROBERT AND JACK HANCOCK
TO REZONE APPROXIMATELY 33 ACRES FROM
RA-2 TO C-2

Charles R. Devinney stated that the same remarks be used for this public hearing.

Linda Jacobs – stated as a realtor she have worked with MTC before and have seen people she represent lose a great deal of money when their residential properties are located on a major thoroughfare and decibal levels of noise is so high – brick walls on thoroughfares make very good noise barriers.

C-2 not only on the two corners but on all four corners and with the buildings that will be built it will certainly be a much better should barrier than what you see out there today.

Revenue – it is a shame this Town is losing revenue to surrounding communities. Takes away from the Town's ability to build recreation areas and facilities.

A C-2 or even a conditional use within a C-2 would give the Town a good tax base and is a good way to resolve the recreation situation. Will keep property owners from bearing the cost of everything that needs to be done.

Site Plan – whether it is this site or any site in a MTC like this one there needs to be a good tight site plan which will involve over time as developers works with the Town, Town Planning Board, adjoining neighbors, even a task force can be put together so that everyone can work together to come out with a good tight site plan – that allows for down lighting, trees and green spaces.

There is nothing for kids to do. We need some place for them to go. Downtown stores and restaurants will not suffer because their reputation will make sure that they will only be enhanced by the additional business that is brought to them.

MTC DISTRICT

Mayor May stated we have received a request from the Zoning Administrator to amend the Official Zoning Map of the Town of Pittsboro to reflect extension of the Major Transportation Corridor District to be consistent with the approved Future Land Use Map.

PUBLIC COMMENTS:

NONE

Motion made by Commissioner Walker seconded by Commissioner Cotten to go out of public hearing. Vote Aye-4 Nay-0

CITIZENS MATTERS

NONE

REZONING REQUESTS

Motion made by Commissioner Bryan seconded by Commissioner Griffin to refer the rezoning requests from John Huffsteller for H & H Enterprises and Doris H. Allen, Robert G. Hancock and Jack R. Hancock to the Planning Board for recommendation along with the public comments from the public hearing.

Vote Aye-4 Nay-0

MTC DISTRICT

Attorney Messick stated he felt we needed an Ordinance to allow where it starts and where it ends.

Motion made by Commissioner Cotten seconded by Commissioner Walker to approve the Resolution to amend the Official Zoning Map of the Town of Pittsboro and to direct the preparation of an Ordinance to say where it starts and where it ends for the next meeting. Vote Aye-4 Nay-0

A RESOLUTION IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE

COMMUNITY BUILDING

Manager Montgomery stated we have received a request from Eddie Mishoe for permission to rent the Community Building every Sunday for an extended period of time for the purpose of establishing a Church in Pittsboro.

Manager Montgomery stated that there are no tables or chairs at the facilities and they would be responsible for that and that any improvements would have to come back to the Board for approval.

Motion made by Commissioner Walker seconded by Commissioner Griffin to approve the request from Eddie Mishoe for a period of six months with the option to get the contract renewed.
Vote Aye-4 Nay-0

PRESENTATION FROM DAVE LENTZER

Dave Lentzer was present to do a presentation regarding a proposed amendment to the Watershed Ordinances of the Town of Pittsboro to accommodate the 10/70 development options, 10/70 Rule fee schedule and Questions regarding O & I Zoning district policies on lots of less than one acre.

A COPY OF THE 10/70 PRESENTATION IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES

Motion made by Commissioner Cotten seconded by Commissioner Bryan to refer this to the Planning Board for a recommendation.
Vote Aye-4 Nay-0

CLOSING EASTWOOD STREET AND OLD LOCKVILLE ROAD

Motion made by Commissioner Cotten seconded by Commissioner Griffin to approve the Resolution of Intent to Permanently close the Portion of Eastwood Street and Old Lockville Road that are not a part of the Town of Pittsboro Street Maintenance Program as provided in the North Carolina General Statutes 160A-299.
Vote Aye-4 Nay-0

A RESOLUTION TO PERMANENTLY CLOSE THE PORTION OF EASTWOOD STREET AND OLD LOCKVILLE ROAD THAT ARE NOT A PART OF THE TOWN OF PITTSBORO STREET MAINTENANCE PROGRAM AS PROVIDED IN THE NORTH CAROLINA GENERAL STATUTES 160A-299 IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE

CABLE TV

Manager Montgomery reported that Mr. Bob Sepe was present to discuss his report to the board regarding the review of FCC 1240 Annual Rate Adjustment Request, FCC 1235 Abbreviated Cost of Service Rate Request and FCC 1205 Equipment and Installation Rate Request file by Time Warner Cable.

Mr. Sepe stated that tonight all he was requesting was that the Board approve his report. He stated that the rate increase Time Warner is requesting is unreasonable.

Motion made by Commissioner Cotten seconded by Commissioner Walker to accept the report from Bob Sepe.

Vote Aye-4 Nay-0

Motion made by Commissioner Walker seconded by Commissioner Griffin to table approval of the Resolution for 60 days.

Vote Aye-4 Nay-0

PLANNING BOARD VACANCY

Motion made by Commissioner Cotten seconded by Commissioner Walker to approve the Resolution declaring a vacancy on the Planning Board.

Vote Aye-4 Nay-0

A RESOLUTION DECLARING A VACANCY ON THE PLANNING BOARD IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGE

PARKS AND RECREATION OVERVIEW

Manager Montgomery stated Environmental Impact (RC & D), Inc. prepared an overview of parks and recreation for the Town of Pittsboro in conjunction with the Land Use Update and he would request that it be sent to the Planning Board for consideration.

Commissioner Walker stated there are a lot of good points in the report but he feels we should have a Park and Recreation Board in place.

Motion made by Commissioner Walker seconded by Commissioner Cotten to refer the report to the Planning Board for consideration.

Vote Aye-4 Nay-0

A COPY OF THE PARKS AND RECREATION OVERVIEW IS RECORDED IN THE BOOK OF RESOLUTIONS NUMBER ONE, PAGES

TAX REFUNDS

Motion made by Commissioner Bryan seconded by Commissioner Griffin to approve the tax refunds.

Vote Aye-4 Nay-0

A COPY OF TAX REFUNDS IS RECORDED IN THE BOOK OF RESOLUTIONS
NUMBER ONE, PAGE

JOINT MEETING WITH COUNTY COMMISSIONERS

Motion made by Commissioner Cotten seconded by Commissioner Griffin to establish April 8, 2002 as the date for a Special Meeting with Chatham County Commissioners beginning at 5:30 p.m. at the Pittsboro Governmental Complex and that the County provide information on any specific proposals before the meeting.

Vote Aye-4 Nay-0

Motion made by Commissioner Cotten seconded by Commissioner Bryan to adjourn at 9:10 p.m.

Vote Aye-4 Nay-0

Mayor

ATTEST:

Clerk