

**Town of Pittsboro
Planning Board
Regular Meeting Minutes
November 1, 2010
7:00PM**

Members Present-Ken Hoyle, John Clifford, Freda Alston, Karl Shaffer Absent-Harold Howard

Call to Order-Chairman Hoyle called the meeting to order at 7:00p.m.

Approval of Minutes-October 4th meeting minutes-Alston made motion with changes duly noted, Clifford seconded; approved unanimously.

Old Business

1. Bellemont Point Subdivision/Bellemont Point Station South-Ricky Spoon

Hoyle began by asking Mr. Bass to begin. Bass stated that he did not have anything to add and explained the changes being requested by the applicant.

- Proposed change to approved Master Plan
- Reduction of single family residences by 16
- Reduction of townhomes by 17
- Reduction of 26 multi-family units
- Reduction of 7.19 acres of commercial/office space

Hoyle pointed out to members different sections of the MUPD procedures which apply to this project. Shaffer pointed out that he had worked as a contractor in the past for Mr. Spoon and still wanted to be included in the discussion. Hoyle stated that he could not only be included in the discussion but also vote on the matter. Clifford stated that 5.6.11 of the MUPD procedures- minor deviation- technical/engineering-is what he is concerned with. Clifford stated that the loss/gain in real estate to dwellings is not just technical/engineering and are actual changes to the project. Hoyle stated that there also was an extensive study done that presents costs to Town by eliminating businesses and adding apartments. Clifford mentioned 5.6.7 dwelling capacity and the impact on the economic assessment and has concerns about it. Shaffer stated he was hard pressed to find this as a technical/engineering consideration for change. Shaffer stated that we do not have definitions of technical/engineering changes so he is just taking it at

face value right now. Shaffer then went on to question how many times amendments can take place and also stated that the way he reads the rules is that there is no deviations allowed. Shaffer then went on to question specific points within the plan

- Lack of recreation space
- Connectivity approved through Chatham Forest
- Gentle slope
- Biking racks should be considered
- Community pool/center not on plan
- Homeowners association
- Street width
- Sewer demand
- Stormwater control

Spoon interjected that he thinks that the Board is being unfair by mentioning items that should not be considered at this time. Hoyle stated there are major, major issues concerning erosion control on the site. Hoyle mentioned citizens that have complained who live near the site. Shaffer continued

- Creek that separates property has been filled for crossing without permits-Spoon disputed this claim emphatically
- Land clearing permits were not filed
- Chronic non compliance with Division of land quality
- DWQ violations
- Attorney Generals office working on injunction on property

Hoyle stated that the powers and duties statement for the Board gives them the authority to look out for the safety and welfare of the public. Spoon stated that he would like to withdraw the project. Spoon asked if the Board would be open to hearing the project again when all of the issues stated were addressed. Hoyle asked Bass to get a definition from the Town attorney regarding technical or engineering. Hoyle stated the Board will review after all of the issues presented are taken care of. Shaffer stated that there are also no mature trees in the park area. Spoon disagreed. Hoyle asked about the stumps on the property, Spoon stated that they were going to be mulched. Shaffer stated that this was likely another violation from the Division of Waste Management.

Hoyle asked Bass for direction for how to proceed. Bass stated that it can be withdrawn so no new fee will have to be paid. Bass stated that he did not feel this is a static document and it could be amended and he would talk with the attorney to discuss. Spoon stated that he is taking this personally; Hoyle did not want Spoon to feel this way because there are issues on the site. Spoon once again clarified that he needs to get things in compliance before he returns. Spoon thanked the Board.

Alston moved to table to next meeting, Shaffer seconded; passed unanimously. Spoon asked for a copy of the points that Shaffer had mentioned, Shaffer agreed.

***Hoyle welcomed Mr. Bland, the newest Planning Board member pending approval from the County.**

Other Business

1. Zoning Text Amendment-Planning Commission Term Limits

Hoyle discussed the terms of office for Planning Board members. Hoyle stated that 13.7a addresses electing Chair/Co chair person for one year. Hoyle did not feel that this was necessary because the Planning Board members can remove Chairperson at any time. Clifford stated then striking the second sentence from 13.7a. Hoyle reiterated the changes to terms.

- No Planning Board member shall serve more than 3 consecutive year terms be stricken from 13.5
- Second sentence from 13.7a be stricken

All members approved the changes.

Board Member Concerns

Clifford stated that obviously there has been a lack of oversight on the project due to the complaints raised by the citizens living near the Bellemont Point site. Hoyle stated that he personally has visited the sites and that he is very concerned and this is exactly why the Town needs an enforcement officer in place. Hoyle mention Heartwood Pines that has been out of compliance for 10 years and nothing has been done.

Shaffer questioned the Planning staffing arrangements that Mr. Brooks had mentioned. Hoyle stated that it is left to the Town Manager to do some research of job descriptions.

Commissioner Harrington asked if Hoyle would like to come and address the BOC regarding code enforcement, Hoyle stated he would discuss it with him.

Hoyle stated that Philip Culpepper would like to give an update on the Land Use Plan. Culpepper stated that he had submitted the completed Land Use Plan to the Town BOC and that hopefully they will send it back to the Planning Board.

Hoyle stated that he would like to thank all the members of the Board for their thorough handling of items. Alston agreed that the Board is digging deeper and it has to be done.

Alston made motion to adjourn, Shaffer seconded. Meeting adjourned at 8:30 p.m.