

MINUTES  
TOWN OF PITTSBORO  
BOARD OF COMMISSIONERS  
OCTOBER 27, 2003  
7:00 P.M.

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

ATTENDANCE

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

Other staff present: Manager David B. Hughes, Clerk Alice F. Lloyd, Attorney Paul S. Messick, Jr. and Planner David Monroe.

DISPOSITION OF MINUTES

Motion made by Commissioner Walker seconded by Commissioner Griffin to approve the minutes of the October 13, 2003 meeting.

Vote Aye-5 Nay-0

CITIZENS MATTERS

NONE

PUBLIC HEARING

Motion made by Commissioner Brooks seconded by Commissioner Bryan to go into a public hearing concerning possible revision to the Major Transportation Corridor Ordinance.

Vote Aye-5 Nay-0

Mayor May asked that Planner David Monroe give a summary of what the public hearing was about.

Planner Monroe stated the Major Transportation Corridor is an "overlay" zoning district. It does not change the uses allowed in the underlying districts, nor does it affect residential area or setback requirements. It does impose additional standards on non-residential uses. Those standards extend 1250 feet from the right of way of each side of the highways designated MTC.

It requires:

No development, rezoning or site improvement activity shall occur prior to the approval of a site plan or Mixed Use Planned Development.

Non-residential lots shall be a minimum of two acres and have a minimum of 300 feet of road frontage.

A buffer may be required and, if so, shall not be less than five feet nor more than 100 feet.

Existing vegetation in a buffer must remain in an undisturbed state unless alterations are shown on a site plan and approved by the Planning Board and the Board of Commissioners.

The minimum front setback is 50 feet, side yards are 25 feet and rear yards, 30 feet. The maximum height is 50 feet.

Signs are to be limited to Identification and Incidental types and must be shown on a site plan.

Any development generating 500 or more vehicle trips per day must construct turn lanes.

The standards are intended to enhance the economic and aesthetic appeal and facilitate the orderly development of lands adjacent to major transportation corridors. It is intended to manage the free flow of traffic along these corridors and thereby extend their useful life.

There was a question and answer period from the citizens present with Planner Monroe and Manager Hughes.

There was much concern expressed about it affecting citizens' homes. They were told the MTC would cover only non-commercial buildings.

#### PUBLIC COMMENTS:

Pam Woods – concerns about area controlled by MTC – she would like for the Board to look at the current zoning ordinance in its entirety for changes that need to be made. And that a motion be made to look at changing the 10 feet setback between commercial and residential property to 25 feet setback.

Shirley Dean – they own a service station within this area. If it were to reopen, would it be grandfathered?

Planner Monroe asked how long the station had been closed and was told since 1974. Planner Monroe asked Ms. Dean that if the station were to reopen it would have to go through the process.

SET A PUBLIC HEARING  
REZONING REQUEST FROM RICKY SPOON

Motion made by Commissioner Walker seconded by Commissioner Bryan to schedule a public hearing for November 24, 2003 at 7:00 p.m. on the rezoning request by Ricky Spoon for 165.35 acres of property located generally south of Pittsboro Station South, north of Firetower Road and east of US 15-501 from RA, Residential Agricultural to R-10, High Density Residential.

Commissioner Brooks stated he hoped Mr. Spoon understands we have no sewer available.

Mr. Spoon stated he was aware of this and he would like to be first in line when it is available.

Vote    Aye-5    Nay-0

3M REUSE AGREEMENT

Mayor May stated the Board is requested to consider the reuse water service agreement contract between the 3-M Corporation and the Town of Pittsboro.

Commissioner Cotten stated he was concerned about the timing, locked into a rate that could need to change within six month. No construction has begun.

Manager Hughes stated the contract allows for a yearly rate review.

Motion made by Commissioner Cotten seconded by Commissioner Brooks to table until further review.

Commissioner Brooks asked why Exhibit B was outside the contract, and that it seems that the Attorney representing the County is with the same firm as the Towns Attorney.

Attorney Messick stated Mr. Holmes was representing 3M in this matter.

Manager Hughes stated he did not see any negatives in the contract.

Commissioner Bryan stated he would like to see the rate structure included in the contract.

Vote    Aye-4    Bryan/Brooks/Griffin/Cotten  
          Nay-1    Walker

COMMISSIONERS CONCERNS

NONE

CLOSED SESSION

Motion made by Commissioner Brooks seconded by Commissioner Walker to go into closed session pursuant to NCGS 143-318.11(a)3 to consult with attorney regarding litigation.

Vote Aye-5 Nay-0

Motion made by Commissioner Brooks seconded by Commissioner Walker to go out of closed session.

Vote Aye-5 Nay-0

REGULAR MEETING

Motion made by Commissioner Walker seconded by Commissioner Brooks to refer the MTC proposal to the Planning Board.

Vote Aye-5 Nay-0

Motion made by Commissioner Brooks seconded by Commissioner Walker to adjourn.

Vote Aye-5 Nay-0

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Mayor

ATTEST:

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Clerk