

**MINUTES
PLANNING BOARD
SEPTEMBER 2, 2015
REGULAR MEETING**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

MEMBERS PRESENT: Peter Hallenbeck (Chair), Cheeks Township Representative; Tony Blake, Bingham Township Representative; Buddy Hartley, Little River Township Representative; Laura Nicholson, Eno Township Representative; Lisa Stuckey, Chapel Hill Township Representative; Herman Staats, At-Large, Cedar Grove Township; James Lea, Cedar Grove Township Representative; Andrea Rohrbacher, At-Large Chapel Hill Township; Paul Guthrie, At-Large Chapel Hill Township;

MEMBERS ABSENT: Lydia Wegman-At-Large Chapel Hill Township (Vice Chair); Maxecine Mitchell, At-Large Bingham Township; Paul Guthrie, At-Large Chapel Hill Township;

STAFF PRESENT: Michael Harvey, Current Planning Supervisor; Ashley Moncado, Special Projects Planner;

OTHERS PRESENT: Katherine Ansardi

AGENDA ITEM 1: CALL TO ORDER

AGENDA ITEM 2: INFORMATIONAL ITEMS

- a) Planning Calendar for September and October
 - September 8 – Quarterly Public Hearing

AGENDA ITEM 3: APPROVAL OF MINUTES

- a) August 5, 2015 ORC Notes
- b) August 5, 2015 Regular Meeting

MOTION by Laura Nicholson to approve the notes and minutes. Seconded by Buddy Hartley.

VOTE: UNANIMOUS

AGENDA ITEM 4: CONSIDERATION OF ADDITIONS TO AGENDA

No changes to the agenda.

AGENDA ITEM 5: PUBLIC CHARGE

Introduction to the Public Charge

The Board of County Commissioners, under the authority of North Carolina General Statute, appoints the Orange County Planning Board (OCPB) to uphold the written land development laws of the County. The general purpose of OCPB is to guide and accomplish coordinated and harmonious development. OCPB shall do so in a manner which considers the present and future needs of its residents and business through efficient and responsive process that contributes to and promotes the health, safety, and welfare of the overall County. The OCPB will make every effort to uphold a vision of responsive governance and quality public services during our deliberations, decision, and recommendations.

Public Charge

The Planning Board pledges to the residents of Orange County its respect. The Board asks its residents to conduct themselves in a respectful, courteous manner, both with the Board and with fellow residents. At any time, should any member of the Board or any

53 resident fail to observe this public charge, the Chair will ask the offending member to
54 leave the meeting until that individual regains personal control. Should decorum fail to be
55 restored, the Chair will recess the meeting until such time that a genuine commitment to
56 this public charge is observed.

57
58 **AGENDA ITEM 6: CHAIR COMMENTS**

59
60 None

61
62 **AGENDA ITEM 7: ZONING ATLAS AMENDMENT (CONDITIONAL ZONING DISTRICT) –** To make a
63 recommendation on a request to rezone 112 acres of property from Rural Residential (R-
64 1), Upper Eno Protected Watershed Protection Overlay District to Master Planned
65 Development Conditional Zoning (MPD-CZ), Upper Eno Protected Watershed Protection
66 Overlay District in order to allow for the development of Hart's Mill Village within the
67 Cheeks Township. This item was heard at the May 26, 2015 quarterly public hearing and
68 was reviewed at the July 1, 2015 Planning Board meeting.

69
70 **Presenter:** Michael Harvey, Current Planning Supervisor

71
72 Michael Harvey: Reviewed abstract.

73
74 Michael Harvey: On page 59 there is a condition stating the community house will be limited to 3,000 square feet.
75 The applicant is asking for that to be doubled to a maximum of 6,000 square feet so they are not limited in the future.
76 Staff has no concerns with doubling the square footage. If there is a motion tonight to recommend approval it will
77 need to be done as amended addressing this request.

78
79 Tony Blake: The six inch water line is adequate for service and firefighting?

80
81 Michael Harvey: The project engineer is saying the six inch line should suffice in providing water for firefighting and
82 service. There is a pond on site for auxiliary firefighting capabilities. Jason [Fire Marshal] agreed that ultimately the
83 size of the line will be determined at the construction drawing phase and concerns will be addressed at that time with
84 the existing line.

85
86 Lisa Stuckey: If there are more developments along Fazier Road would that trigger a need for a larger line?

87
88 Pete Hallenbeck: It could, if someone came in and wanted to do a large development.

89
90 Lisa Stuckey: Every owner will own 1/50th share. So people will not own the unit at all?

91
92 Katherine Ansardi: We would like to do a housing cooperative and we are speaking with attorneys to understand the
93 law in North Carolina and implications of that model. At the end of the day we might end up with a condo legal
94 structure that is organized to operate as close to housing cooperative as possible. The land itself will not be
95 individually owned and if we go with the condo model people will own the interior of the units. However, with the
96 cooperative model every member is an equal shareholder that owns all the land and buildings which provides the
97 option for a long term lease of their unit.

98
99 Lisa Stuckey: So everyone has to be an equal owner?

100
101 Katherine Ansardi: They have to have an equal voting share.

102
103 James Lea: Can you sublease the unit?

104
105 Katherine Ansardi: We are discussing that and trying to determine that.

106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141

James Lea: What happens when someone dies?

Katherine Ansardi: You are getting into details that I don't have all the answers to. My understanding is that when someone buys into the coop they have an economic interest in the community that may be passed onto kin after they pass which they can sell. Their heir would not be automatically a member of their coop, but they would have the right to their share to be sold. The cooperative may buy that unit back.

Lisa Stuckey: Our approval doesn't relate to how they set up their ownership?

Pete Hallenbeck: Our next step is the statement of consistency which does not directly relate to ownership.

Michael Harvey: The ownership model was a concern at the public hearing because Board members wanted information of how this would be set up and the applicant is still figuring that out. They have provided additional information on page 17 and 18.

Michael Harvey reviewed the recommendation.

MOTION made by Lisa Stuckey to recommend approval of the statement of consistency. Buddy Hartley seconded.

VOTE: Unanimous

MOTION made by Lisa Stuckey to approve the ordinance of approval as amended. Laura Nicholson seconded.

VOTE: Unanimous

AGENDA ITEM 8: COMMITTEE/ADVISORY BOARD REPORTS

A. Board of Adjustment

Michael Harvey: Board of Adjustment has a public hearing on October 12 to review a Class B Special Use Permit for a retreat center. We are not sure we will have a full board anymore or if the applicant may withdraw the application.

B. Orange County Transportation

None

AGENDA ITEM 9: ADJOURNMENT

Motion to adjourn made by James Lea. Seconded by Tony Blake.

Pete Hallenbeck, Chair