

PLANNING BOARD
Minutes
January 12, 2015

Present: Darrell Jones, Gene Blount, Wallace Jenkins, Kenny Waldroup, Mark Hetrick-Planning, Matt Watterson-Planning, Toby Hampson-Attorney, Lisa Markland-Clerk
Absent: Larry Ray, Avon Privette

The meeting was called to order by Darrell Jones at 7:31pm.

SWEARING IN

Lisa Markland swore in Sam Hayes as the newest Planning Board member.

Gene Blount made a motion, second by Kenny Waldroup to approve the agenda. There was no discussion and the motion passed unanimously.

MINUTES

Wallace Jenkins made a motion, second by Kenny Waldroup to adopt the minutes of September 8, 2014. There was no discussion and the motion passed unanimously.

NEW BUSINESS

ZA 2015-01—Sign Ordinance Text Amendment for Temporary Off Premise New Development Signs 152.255, 152.257, 152.263

Wallace Jenkins stated that he thought the change of increasing the percentage from 75 to something higher suggested by the Mayor should be considered and incorporated. Gene Blount agreed with that change and thought it should be at 100%. Kenny Waldroup said that 90% would leave 60 lots in a 600 lot subdivision.

Darrell Jones asked if they knew what the cost of the initial permit would be. Mark Hetrick said it would probably be around \$25 but he did not have that information in front of him. Mark continued by saying that there probably would not be a renewal fee unless they were moving the sign or making a change to the sign.

Darrell Jones said that if the percentage was being increased it could be a 12 month permit instead of six months. Wallace Jenkins asked if the six months was to keep track of what was going on with the development. Mark Hetrick said that he had no problem with the 12 month permit renewal time frame.

Kenny Waldroup asked if any of the Board members had an objection to 100%. Darrell Jones asked if they wanted to relocate the sign would they have to pay the fee and have it permitted again. Mark said that was correct. Sam Hayes asked if they would have to remove the sign once the subdivision was completely built out. Mark Hetrick said that was correct but he hated to see

a subdivision that was 99% built out and the sign stayed until the very last lot was sold which could take years. Sam Hayes said he was ok with 95%.

Wallace Jenkins asked if the subdivision was sold to a new owner would they have to reapply for a permit. Mark said they would not unless something substantially changed on the special use permit or they changed the sign. Kenny Waldroup wanted to confirm that the signs in question were to the development not to a home builder. Mark said that was correct. It was tied to all the vacant lots in the development not the builder.

Sam Hayes said that he was ok with 95% which would be 30 lots in a 600 lot subdivision.

Sam Hayes made a motion, second by Gene Blount to approve ZA 2015-01 with the amendment that the percentage of lots built out be increased to 95% and the permit time frame be increased to 12 months. There was no discussion and the motion passed unanimously.

ZA 2015-02—Amendment to 152.1465 Telecommunication Towers

Kenny Waldroup asked Toby Hampson about the Mayor's suggestion that language be crafted that would require an easement be established on multiple properties that they could not sell the easement. Kenny said that he thought that would be a problem and it might be easier to have a perpetual easement that went with the property if sold. Toby Hampson said that an easement normally went with the land and the special use permit did as well. Kenny Waldroup asked if that could be captured with the special use permit. Toby said yes that it would be a condition that the easement for the fall zone be protected. Toby Hampson said that they had to be careful about putting restrictions on the conveyance of land.

Toby Hampson said that the problem was the single ownership of land and should be better treated within the special use context. The desire was to protect the fall zone area and easement. Addressing the single parcel was important. Wallace Jenkins said that an easement was a recorded document and anyone that purchased the property would have knowledge of the easement prior to purchase. It was stated in the language presented that it would be a requirement of the special use permit that it be preserved.

There was considerable discussion about the easement and the wording and what they wanted in the ordinance. What the language would be for a fall zone and the fall zone easement were also extensively discussed.

The final language for the amendment was as follows:

...

(D) *Fall zone required.* The single parcel, or assemblage of parcels under common ownership, of land proposed as a potential tower site shall be of sufficient size to accommodate a fall zone easement of not less than a circle centered upon the proposed tower with a radius equal to the setback distances described below (the "Fall Zone Easement"). Preserving such an easement shall be a required condition of any special use permit issued in accordance with site

approval. No other structures shall be within the Fall Zone Easement. Excluded from this requirement are the necessary equipment shelters, cabinets, or other on-the-ground ancillary equipment that shall meet the setback requirements of the zone in which it is located.

(1) In IH and IL zoning districts, the radius of the circle containing the fall zone easement must be 100% of the tower height measured from ground level to the highest point on the tower structure or appurtenance.

(2) In R-20, R-40W and R-80W zoning districts, the radius of the circle containing the fall zone easement must be 125% of the tower height measured from ground level to the highest point on the tower structure or appurtenance.

Kenny Waldroup made a motion, second by Gene Blount to approve ZA 2015-02 with the above amendment language to the telecommunication ordinance. There was no further discussion and the motion passed unanimously.

STAFF REPORT

Mark stated that the greenway master plan open house was scheduled and that Shepard's Park subdivision was working to remove sediment from the lines so that they could move forward with their project.

Gene Blount made a motion, second by Wallace Jenkins to adjourn the meeting. There was no discussion and the motion passed unanimously.

Meeting adjourned at 8:12pm.

Date

Darrell Jones—Chairman

SEAL

Lisa M. Markland, CMC—Town Clerk