

## **MINUTES OF THE WHITSETT PLANNING BOARD**

**February 4, 2009**

**Whitsett Town Hall**

The monthly meeting of the Whitsett Planning Board was held at 7:00 p.m., Wednesday, February 4, 2009 at the Whitsett Town Hall. In attendance: Board Chairman Bob Maccia, Board Vice Chairman Joe Wheeler, Board member Ella Efird, Board alternates Homer Moser and Paul Lewis, and Council member liaison Jerry Rice. Absent: Board member Patrick Hickey, Jr. Also present were Town Administrator/Enforcement Officer Gary Deal and Planning Board applicant Lee Greeson.

Planning Board Chairman Bob Maccia called the meeting to order, noting that a quorum was present; and then seated Board alternate Homer Moser to vote.

### **OLD BUSINESS**

#### **1. Adoption of Minutes**

Planning Board Chairman Bob Maccia asked for any changes to the minutes from the last-held Planning Board meeting on December 3, 2008. Motion made by seated Board alternate Homer Moser to adopt the minutes of the December 3 meeting as presented; motion seconded by Board member Ella Efird. Adoption of the minutes carried by unanimous vote.

#### **2. Any Other Old Business**

Board Chairman Maccia asked for any other old business; and there was none.

### **NEW BUSINESS**

#### **1. Elect 2009 Board Chairman and Vice Chairman**

With the cancellation of the January Board meeting, the first order of new business was to elect Planning Board officers for the calendar year 2009. Chairman Maccia canvassed members present for interest in serving as Board Chairman for the upcoming year, and all declined. With that, Chairman Maccia stated that he would be willing to serve as Chairman for another year.

Motion readily made by Board member Ella Efird to nominate Bob Maccia as the Planning Board's Chairman for 2009; motion seconded by Board Vice Chairman Joe Wheeler. The motion to retain Bob Maccia at the Board's Chairman passed unanimously.

Chairman Maccia moved on to next accept nominations for the position of Board Vice Chairman; and in like manner to that of Maccia, current Board Vice Chairman Joe Wheeler stated that he would be willing to continue serving in that capacity.

Motion made by seated Board alternate Homer Moser to nominate Joe Wheeler for the office of Planning Board Vice Chairman. Motion seconded by Board member Ella Efird; and the motion carried by unanimous vote.

**2. Review Application for Board Membership – Lee Greeson**

Planning Board Chairman Maccia stated that the next order of business would be to consider the submitted application of Lee Greeson to serve as a member of the Whitsett Planning Board. The seat formerly occupied by then Board member Evelyn Rutkoski had a term expiration of 2008, which means that if approved, Lee Greeson would serve until December 2011.

With virtually no discussion and a general consensus of affirmation, the Board agreed to recommend to the Town Council at its next Tuesday night meeting that Lee Greeson be appointed to a three-year term as a Planning Board member.

**3. Discuss Future Projects: (1) “Conditional Use” vs. “Special-Use Permit”  
(2) Future Land-Use Plan**

Chairman Bob Maccia explained that Gary Deal and he had been working with Ginger Booker of the Piedmont Triad Council of Governments (PTCOG) on differentiating conditional-use (CU) permitting and conditional-use zoning and their applications. At this point, Chairman Maccia asked Deal to speak on this.

Town Administrator/Enforcement Officer Deal explained that often the terms on CU are mistakenly used interchangeably and are referenced confusingly in various spots of the town’s ordinance book in Articles 3 and 4. Thus, well over three months ago, he had solicited the assistance of Ginger Booker (who had helped the town launch its original development ordinances back in 1991 when the town became incorporated) with straightening out these definitions and had been in continual contact seeking resolve.

PTCOG had finally provided 20 some pages, but relative to CU zoning only; and CU permitting clarification is still expected. Deal further stated that Bob Maccia and he would be looking over the material in hand for presentation to the Planning and ultimately to the Town Council. In addition, Maccia and he would be doing preliminary work on the permitting part in anticipation of PTCOG taking extended time to produce information on CU permitting. It is hoped that both of the Articles 3 and 4 in the development ordinance book, could be finalized, set for public hearing in June (along with the town’s new budget), and subsequently adopted by the Town Council.

Based on discussions with PTCOG and the information received, Deal would, for the purposes of this meeting, attempt to briefly lay out the differences.

With CU permitting, the type of use must first exist in the permitted-use schedule in the ordinance; and then if that use is designated with “D”—meaning additional development standards must be met—then this gives the town another layer of protection to dictate that other requirements be met. However, those requirements cannot be arbitrary for two different parties requesting the identical use type.

Conditional-use zoning requires submission of an application for zoning (or rezoning) of parcel(s) for a specific purpose. Such was the case of Dr. Spaeth who applied for a rezoning to highway business (HB) along Burlington Road to specifically conduct his Eye Center business. If, at some time, Dr. Spaeth would leave the premises, the only type of business that could operate on that lot would be for optometry.

Both of these methods require the Planning Board/Town Council/Public Hearing/Adoption process, giving the Council opportunity to set restrictions, but the latter presents the maximum control.

The Planning Board members during the next three monthly meetings will devote a good deal of time to deciphering the CU permitting vs. CU zoning issue in depth to prepare for passage in June.

Chairman Maccia then discussed the next project of resurrecting development of a Whitsett future land-use plan. This task first came to the Board last fall, and now needed to be revisited in order to follow suit of other municipalities.

Town Administrator Gary Deal displayed, as an example a completed, approved land-use plan for the town Oak Ridge, which consisted of mapping of land-use designations for particular areas and corridors within the town, as well as correlating narrative descriptions.

Chairman Maccia suggested that rather than have the entire Planning Board each month delve into formulating this plan, perhaps it would be beneficial to form a working committee of volunteers to hold interim meetings and provide periodic recommendations to the Board. With that said, Maccia asked for Board volunteers; and Joe Wheeler and Ella Efird offered along with Lee Greeson provided his work schedule did not interfere with scheduled meetings.

The Rock Creek Record would be contacted to run a notice to stir interest among the town citizens to serve on this committee.

#### **4. Discuss Summerfield’s Ordinance**

Chairman Maccia explained that Summerfield had passed along to other County municipalities a copy their adopted ordinance on prohibiting registered sex

offenders from entering local parks and recreational facilities. After initial review, Whitsett had forwarded a copy of Summerfield's ordinance to the town attorney Bill Trevorrow for opinion and conformity to Whitsett.

The Planning Board, Maccia stated, would be the first level of review once the final version had been received from the attorney and went to explain that if the general ordinance were to be approved by the Town Council following a public hearing, a sign would need to be posted on the town-owned ball field banning sex offenders from the premises.

The proposed ordinance for Whitsett should be available by the next Planning Board meeting in March.

**5. Master Set of Development Ordinances Now on Town Hall Computer**

Chairman Maccia simply made mention that the Piedmont Triad Council of Governments had located a text file of all the original ordinances for the Whitsett Town Code Book; converted it to newer software; and provided it to the Town on CD. The Town would now secure it on the computer hard drive, and proceed to compare the old with the current amendments and added ordinances to produce a clean, up to date Development Ordinance Book for printing and distribution to Planning Board members/alternates and to Town Council members.

**6. Any Other New Business**

Chairman Maccia asked for any other new business; and there was none.

**ADJOURNMENT**

With no further business before the Board, Planning Board Chairman Bob Maccia invited a motion to adjourn. Motion made by Board member Ella Efird to adjourn; motion seconded by seated Board alternate Homer Moser. By unanimous vote, the February 4 meeting was adjourned at 7:50 p.m.

The next meeting of the Whitsett Planning Board is scheduled for 7:00 p.m., Wednesday, March 4 at the Town Hall.

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Jo Hesson, Town Clerk

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Bob Maccia, Planning Board Chairman

**APPROVED:** March 4, 2009