

MINUTES OF THE WHITSETT PLANNING BOARD
October 1, 2008
Whitsett Town Hall

The monthly meeting of the Whitsett Planning Board was held at 7:00 p.m., Wednesday, October 1, 2008 at the Whitsett Town Hall. In attendance: Board Chairman Bob Maccia, Board Vice Chairman Joe Wheeler, Board member Ella Efird and Councilmember Jerry Rice. Absent: Board members Evelyn Rutkoski and Patrick Hickey, Jr., and alternates Homer Moser and Paul Lewis. Also present were Town Administrator/Enforcement Officer Gary Deal and property owner Matthew Clapp and parishioners.

Planning Board Chairman Bob Maccia called the meeting to order; and for the record, named those in attendance.

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 May 7, 2008. Motion made by Board member Ella Efird to adopt the minutes from the May 7 meeting as presented; seconded by Board Vice Chairman Joe Wheeler. Adoption of the minutes carried by unanimous quorum vote.

2. Any Other Old Business

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

NEW BUSINESS

1. Request to Rezone from RS-40 to P&I at 580 NC Hwy 100

Chairman Maccia welcomed property owner Matthew Clapp, and company, to the Board meeting to discuss the above rezoning request. First, Chairman Maccia shared some photos with the Board and those present that he had taken of the property and its structures, which illustrated that the area had already been cleaned up and improved upon from its former condition.

Maccia briefly stated that the front part of the house was planned to be used as classrooms; and that the back building was intended to be renovated and expanded for a Sunday service sanctuary. Maccia's main concern, however, was that of parking and its impact on the neighbors and those traveling Hwy 100.

With that, Chairman Maccia invited Matthew Clapp to the table to present his request and proposed plans for the property. Clapp, in response to an inquiry by Board member Ella Efird, explained that his non-denominational church goes by the name of “The Way” and currently conducts services in a store front facility in Elon, whose 3-year lease runs out in December. Clapp added that he and his members were looking for a “family” type atmosphere to call “home.” His search for just such a place started with the ministry looking for a home for a church-member family to rent.

Once they saw the properties of 580 and 586 NC Highway 100, their minds expanded to a church and parsonage type linked parcels. Eventhough, the church-member family now rents the 586 residence, the long term may be to make it a church parsonage. Nonetheless, the only parcel being requested for rezoning, at this time, is the lot of 580 NC Hwy 100.

Town Administrator Gary Deal offered background that, in comparison, Guilford County allows churches to set up in “residential” zoned areas; but, Whitsett requires churches to be zoned Public & Institution as a public-serving institution--just like the Whitsett Fire Company, the Post Office, the Town Hall, etc.

Matthew Clapp presented an overhead view map to better explain his hopes for the property. During his delivery, various Board concerns were addressed—primarily those of off-street parking, types of renovations, number of church members, number of days a week activities would convene, septic capacity, and a recommendation by the Board and the Town Administrator for Clapp to have the well water tested since the vicinity of the Hwy 100/Hwy70 intersection had been identified as a potential problem area for contamination

Mr. Clapp explained that a parking area for the less than 40-member parish had begun being cleared in a sparsely wooded area, the renovations in the residence had mostly been facelifts; and the as-is condition inside was very suitable for classrooms. Sunday worship service and Wednesday night Bible study were the only regular activities; but there may be a special event here and there. The septic system, which is adequate for the three-bedroom residence on the lot, would accommodate, he was told by the County, a congregation up to 100 members. And, as for water testing, Clapp would look into having this done; but thought the previous property owner had handled this.

When asked by the Board about neighbor feedback, Clapp said that so far he had only received positive reaction. Town Administrator Gary Deal stated the importance of neighborhood reaction when the matter goes to public hearing because public input weighs heavily on the Town Council members for their vote on the matter.

In closing, Town Administrator Deal reviewed with Matthew Clapp the process that will follow tonight’s Board meeting; that is--introduction of the rezoning request to the Town Council on October 14, agreement by Council members to

send the matter to public hearing, setting the hearing date (the earliest of which would be November 11), hearing public comment, and the final Council vote on the matter during a regular Town Council meeting. Deal encouraged Matthew Clapp to attend all these steps, to his benefit--or at least be represented.

All this said, a motion was made by Board member Ella Efird to accept the rezoning request and recommend the like to Town Council members; motion seconded by Board Vice Chairman Joe Wheeler. Motion carried by unanimous vote of those present.

2. Discuss “Quickfix” Ordinance Amendments re Outdoor Storage

Planning Board Chairman Maccia stated that relative to this matter, Town Administrator Gary Deal and he had met with Guilford County, namely Les Eger, Deputy Director for Planning, who in reviewing site plans for the newly-rezoned Kevin Sasser property at Brightwood and Hwy 70, had raised some questions about the Town’s code allowing the planned outdoor storage operation.

Town Administrator Deal stated that, admittedly, there is confusion in Sections 3 and 4 on “special-use” permitting and “conditional-use” zoning; and that the Town would be seeking assistance from PTCOG to clarify and determine distinction between the two terms and their proper applicability to cases.

The meeting with the County was to iron out and quickly remedy syntax for now to allow Kevin Sasser to proceed with his development; but more than that, to reestablish a solid working relationship with the County in the areas of planning and development which has suffered since the loss of Greg Niles.

The proposed ordinance changes to incorporate a change to the “special-use” permit chart and the “conditional-use” verbiage are intended to be a “band-aid” move until Sections 3 and 4 can be more closely looked at for major reworking.

With no further discussion, Board Vice Chairman Joe Wheeler made a motion to accept the amendments and recommend the changes to the Town Council for approval. Motion seconded by Board member Ella Efird; and motion carried by unanimous quorum vote.

3. Proposed Ordinance on Roadway Public Safety – FYI

This agenda item comes before the Planning Board simply as “information only” since it is proposed as a General Ordinance and, therefore, requires no action to be taken by the Board.

Town Administrator Gary Deal explained that the proposed ordinance would grant authority to the Sheriff’s Office to remove abandoned vehicles within Whitsett boundaries that are parked in or alongside roadways obstructing traffic flow and/or creating public safety hazards. Deal added that the Town attorney

worked up the proposed ordinance, and had basically taken the General Statute (G.S. 20-161) that pertains to unincorporated areas within Guilford County and conformed it to apply to territories within the Town limits.

Furthermore, the proposed ordinance had been forwarded to the Sheriff's Office for review; and, in turn, was sent to their attorney for comment. One phrase relative to the Sheriff's Office seeking NCDOT concurrence before taking action on a vehicle in violation was in question as to relevance; and was conclusively deleted in accordance with both attorneys' recommendations.

The ordinance would be presented to the Town Council at its next meeting for review and subsequent public hearing for input and adoption.

4. Any Other New Business

Board Chairman Bob Maccia asked for any other new business to be discussed; and Town Administrator Gary Deal asked to briefly mention for the Board's information that he had received a phone call from Guilford County concerning an inquiry from the communications provider Embarq about County and/or Town requirements to establish utility cabinet sites in Whitsett for Embarq clients.

Board Vice Chairman Joe Wheeler mentioned that he had been approached by Embarq via a phone call and formal proposal from the company to purchase part of his property for this purpose. Wheeler explained some of the non-sensible offers within the contract; and stated his certain non-interest.

Town Administrator Deal stated that a property on Greeson Road had been identified to be a probable site; and that he had relayed to Guilford County that even though proposed structures are exempt from Town setback requirements, site plan approval is required by the Town; and they should be submitted to the Town Hall for review before any construction could take place.

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 Board Vice Chairman Joe Wheeler. By unanimous vote, the October 1 meeting was adjourned at 8:10 p.m.

The next meeting of the Whitsett Planning Board is scheduled for 7:00 p.m., Wednesday, November 5, 2008 at the Town Hall.

/s/

/s/

Jo Hesson, Town Clerk

Bob Maccia, Planning Board Chairman

APPROVED: December 3, 2008