

TOWN OF BLACK MOUNTAIN PLANNING BOARD

The Black Mountain Planning Board held its regular meeting on Monday, November 18, 2019 at 6:00 p.m. in Town Hall at 160 Midland Avenue, Black Mountain, North Carolina.

I. CALL TO ORDER

The meeting was called to order with the following members present:

Jesse Gardner, Chair
Pam Norton, Vice Chair
Jennifer Willet
Chris Collins
Mike Raines

Absent:

Lauronda Teeple
Scott Reed

Staff:

Jennifer Tipton, Zoning Administrator
Jessica Trotman, Planning Director

The meeting was called to order at 6:00 p.m. and duly constituted and opened for business with a quorum of.

II. ADOPTION OF AGENDA

There was one change to the agenda to table the rezoning request due to some in the study area not receiving the notice and being against the rezoning. Pam Norton made a motion to adopt the agenda as amended. The motion passed by a vote of 5-0.

III. ADOPTION OF MINUTES

Chris Collins made a motion to adopt the minutes of October 28, 2019 as written. The motion was seconded by Mike Raines and approved by a vote of 5-0.

IV. OLD BUSINESS

1. Proposed Text Amendment for Traffic Impact Analysis

Jennifer Tipton explained to the board that the amendment for tonight was to clarify that the Planning Director and his/her designee would review the reports and the Board of Aldermen would approve any improvements. The board approved 798 daily trips at the last meeting. It was noted that "total peak hours" needed to be removed from the daily trips section. Chris Collins made a motion to recommend the amendment as amended to the Board of Aldermen. The motion was seconded by Mike Raines and approved by a vote of 5-0. Chris Collins made a motion that the zoning amendment is approved and is consistent with the Town's comprehensive plan because it provides appropriate infrastructure for certain levels of development in the town and is reasonable and in the public interest because it promotes orderly growth and vehicle and pedestrian safety. The motion was approved by a vote of 5-0.

V. NEW BUSINESS

1. Ruby Avenue Right-of-Way Closure Request

Planning Board Regular Meeting
November 18, 2019

Jennifer Tipton presented to the board an application from Kenny Capps to close a portion of a right-of-way between Ruby Avenue and Old State Ten Road. Ms. Tipton explained that it is an actual platted right-of-way and not an old road. Ms. Tipton reported that the right-of-way section being requested to be closed is approximately 75' in length and 14' in width. The entire right-of-way currently has a driveway, trees and portions of a house. The entire right-of-way does not contain any water or sewer lines, nor is it identified on any Town plans. All utilities are located on Ruby Avenue, McCoy Cove Road, Old State Ten Road and Kerlee Heights Road. The right-of-way does not pose a hazard or any public health, safety or welfare. The right-of-way is not part of a stormwater drainage plan nor does it have any drainage areas. The right-of-way is not identified to be a road or greenway. All property owners abutting the portion that is requested to be closed have signed the petition. Ms. Tipton did state that the other end of the right-of-way on the Kerlee Heights side has already been closed. One gentleman came into the office to ask for clarification of the request and is fine with the request.

Kenny Capps, 402 Laurel Circle Drive, said that currently access to the lot is from the driveway off of McCoy Cove Road. Mr. Capps also said that there is a utility pole in the middle of the driveway that blocks any further access past his lot. Mr. Capps said that he would like the potential to subdivide the property but would need the additional property from the closure to make that happen.

Chester Quinn, 208 Ruby Avenue, said that he uses the other end for access for his camper and would not be interested in having his portion closed. Mr. Quinn said he is fine with the request that is being made.

Pam Norton made a motion to recommend the requested right-of-way closure to the Board of Aldermen. Jennifer Willet seconded the motion. The motion was approved by a vote of 5-0.

VI. COMMUNICATION FROM PLANNING BOARD

None.

VII. COMMUNICATION FROM STAFF

Jennifer Tipton explained that a new Boards and Commission handbook had been handed out and hopefully this one will be more user friendly and easier to read. Ms. Tipton just highlighted the attendance policy and the code of ethics. Board members were asked to sign that they had received a copy of the handbook.

Jessica Trotman said that she had a kickoff phone call with Clarion, the consultants for the Comprehensive Plan update, and that it was good but intense phone call and work will begin on that soon.

Ms. Trotman said that the comment period for the Blue Ridge Road Small Area Plan had ended and that the final draft would be coming to the board in either December or January.

VIII. ADJOURNMENT

Pam Norton made a motion to adjourn at 6:29 p.m. The motion was seconded by Mike Raines and approved by a vote of 5-0.

Planning Board Regular Meeting
November 18, 2019

Prepared by:

Jesse Gardner, Chair

Jennifer Tipton, Zoning Administrator