

September 1, 2009

The Union County Planning Board met in regular session on Tuesday, September 1, 2009, at 7:00 p.m. in the Union County Board of Commissioner's Board Room, located on the First Floor of the Union County Government Center, 500 North Main Street, Monroe, NC, 28112.

PRESENT: Kathy Broom, John Darsey, Mark DiBiasio, Patricia Freeman, Jeff Gerber, Scott Heslink, Jim King, Thomas Steffen

ABSENT: Jerry Nolan

ALSO PRESENT: Richard Black, Roger Horton, and Lee Jenson

ITEM NUMBER ONE

Call to Order

Chairman King called the meeting to order at 7:00 p.m.
Alternate Thomas Steffen was made a voting member.

ITEM NUMBER TWO

Additions and/or Deletions to the Agenda

There were no Additions or Deletions to the Agenda.

ITEM NUMBER THREE

Approval of the Agenda

Motion was made by John Darsey and seconded by Scott Heslink to approve the agenda.
The vote was 7 to 0.

ITEM NUMBER FOUR

Approval of the August 4, 2009 minutes

Chairman King stated there were a couple of typos in the minutes that needed to be corrected.
Motion was made by John Darsey and seconded by Scott Heslink to approve the August 4, 2009 minutes with corrections. The vote was 7 to 0.

ITEM NUMBER FIVE

Discussion of Planning Board Operational Guidelines

Kathy Broom stated that on June 2nd, 2009 the Chairman read out to the Board the Operational Guidelines. Kathy Broom stated she had requested a copy of the guidelines and was told that she could get them off of the DVD and that there was not an original copy of the guidelines.

Kathy Broom also stated that she does not understand why she cannot get a copy of the guidelines and why do they have to be so secretive.

John Darsey stated that these are just guidelines for the Board to follow and that any board member can get a copy of the DVD.

Chairman King stated that he has had several discussions about these guidelines and that they are just operational guidelines for the chairman's use and he did not have a clean copy to give out. Chairman King also stated that he did not have the time to go thru all of the guidelines to be able to make a copy of them and staff would not have the time to do the guidelines.

Kathy Broom stated that since she could not get a copy of the guidelines then they should be put in the minutes or put the 4 items listed in the guidelines that were in the letter dated 7-7-09 into the rules of procedure for the Planning Board.

Motion was made by Kathy Broom and seconded by Mark DiBiasio to have the 4 items listed in the guidelines that were in the letter dated 7-7-09 into the rules of procedure, (1) The Chairman approves the agenda before packet is mailed to the Planning Board. (7) All minute corrections must be called into the Planning Director and checked against the recording of the meeting. (10) Alternates can discuss text amendments initiated by the County, but not preliminary plats, text amendments, or rezoning requests initiated by the public. (28) A resignation of a board member has to be reported to the board and recorded. A vote must be taken by the Board acknowledging receipt of the resignation. Staff will notify the Board of County Commissioners that the resignation has been received. The vote was 4 to 3.

Motion was made by Jim King and seconded by Jeff Gerber to prevent any more discussion on this item again for six months which is Motion #14 of the Rules of Procedure for the Planning Board. The vote was 7 to 0.

ITEM NUMBER SIX

Discussion of Planning Board Officers

Chairman King stated that he wanted to make sure with the Board that they were ok with what direction the Board was going in and how the Board felt about the Chairman and Vice Chairman if they were doing a good job. Jeff Gerber and John Darsey stated they were very pleased with the leadership of the Chairman and the Vice Chairman.

ITEM NUMBER SEVEN

Review and Discuss of the Table of Uses, Appendix I pages I-1 thru I-17

The Board began their review of the Table of Uses. The Board completed discussion of uses - ABC Store through Agricultural Uses (Ten acres or more). The review of the Table of Uses will continue at the next regular meeting of the Planning Board.

ITEM NUMBER EIGHT

Discussion of Major Development Permit Requirements

Mr. Black went over with the Board the requirements for a Major Development Permit. Major Development Permits are required for Major Subdivisions and PUD Permits. Major Development Permits are issued by the Planning Board authorizing the applicant to make use of property in accordance with the requirements of the Land Use Ordinance.

ITEM NUMBER NINE

Discussion of Special Use Permit Requirements

Lee Jenson went over with the Board the Special Use Permit Requirements. Mr. Jenson stated that Special Use Permits have to go thru the Board of Adjustment. The Board of Adjustment has quasi judicial hearings for Special Use Permits. The Board of Adjustment may still deny the permit if it concludes that:

- 1) Will materially endanger the public health or safety; or
- 2) Will substantially injure the value of adjoining or abutting property; or
- 3) Will not be in harmony with the area in which it is to be located; or
- 4) Will not be in general conformity with the land use plan, thoroughfare plan, or other plan.

ITEM NUMBER TEN

Discussion of Signature for Planning Board Letters

Chairman King stated that there has been discussion about whose signature should be on letters sent out from the Planning Board. Staff would still draft the letter but have the Chairman and or Vice Chairman sign the letters.

Motion was made by Jim King and seconded by Mark DiBiasio to have official letters requested by the Planning Board signed by the Chairman and/or Vice Chairman. The vote was 7 to 0.

ITEM NUMBER ELEVEN

Discussion on Storm Water Management Approval for Marvin Ridge School

Mark DiBiasio went over with the Board the letters and emails from the schools about the MOU. Mark DiBiasio stated that the Board will be having a meeting with the schools about the MOU on September 8, 2009 at 6:00 p.m. at the Professional Development Center and any Planning Board member could attend. This will be an open meeting and the schools staff will be there to answer any questions the Board might have and there will be a primary speaker for the schools that would outline the goals and go thru a process of communication and discussion of the issues to try to negotiate with one another.

Chairman King stated that there will be no vote taken at this meeting but will bring back to the Board for discussion and action at the next scheduled special session and take a vote then.

Motion was made by Mark DiBiasio and seconded by Jim King to post a notice that a quorum may exist at the meeting with the schools at the Professional Development Center at 6:00 p.m. to discuss Marvin Ridge stormwater issue and no action will be taken. The vote was 7 to 0.

Motion was made by Mark Dibiasio and seconded by Jim King for a special meeting to be held on 9-28-09 to discuss the Marvin Ridge School stormwater issue. The vote was 7 to 0.

ITEM NUMBER TWELVE

Review of Draft Union County Comprehensive Plan

Motion was made by Jim King and seconded by Mark DiBiasio to have this tabled until the next scheduled meeting. The vote was 7 to 0.

ITEM NUMBER THIRTEEN

Planning Staff Report (Work in Progress)

Mr. Black stated that Lee had received information back from the State about the Floodplain Text Amendment and would present it at the October meeting. Given that Lee had received comments from the State, staff suggested that we tackle the floodplain amendment prior to the conditional zoning amendment.

A memo from the Legal department described the extensive modification to the Land Use Ordinance required by the conditional zoning amendment. This amendment will require a significant degree of legal analysis and a good bit of time.

Amy Helms may be at the October or November meeting to start review and discussion of the stormwater requirements with the Board.

ITEM NUMBER FOURTEEN

Brief Comments

Thomas Steffen	No Comment
Patricia Freeman	No comment
Scott Heslink	I want to thank Lee for being here and staff.
John Darsey	I learned a lot tonight good meeting.
Mark DiBiasio	I am looking forward to the meeting with the schools and working out an agreement to deal with the issues and thank you to staff for all of your preparation on the Table of Uses.
Jeff Gerber	No Comment
Kathy Broom	No Comment
Jim King	No Comment.

ITEM NUMBER FIFTEEN

Adjournment

The meeting adjourned at 10:00 p.m.

