



TRANSYLVANIA COUNTY PLANNING BOARD MINUTES

Planning Board Meeting, January 17, 2019

Call to Order, Daryle Hogsed

The Transylvania County Planning Board met on Thursday, January 17, 2019, at 7:00pm in the Community Services Building Conference Room. Members present were Chair Daryle Hogsed, Vice-Chair Mack McNeely, Bob Twomey, Sandy Watson, Lauren Wise and Kimsey Jackson. Steve Woodsmall was absent (excused). Staff members present were Transylvania County Planning and Community Development's County Planner, Joy Fields, and Program Assistant, Karen Henderson. Also present was one member of the public. No media were present.

I. Welcome

II. Public Comment

None.

III. Approval of Agenda

Daryle Hogsed asked to modify the agenda, to move the Mountain Ridge Protection Permit to Old Business item, A. Lauren Wise moved to approve the January 17, 2019 agenda as modified. The motion was seconded by Sandy Watson and carried unanimously.

IV. Approval of Minutes

Sandy Watson moved to approve the minutes of the December 13, 2018 special meeting. The motion was seconded by Bob Twomey and carried unanimously.

V. Subdivision Approvals and Updates

Joy Fields notified the Planning Board that there were 15 plats reviewed including: four (4) recombination's, seven (7) changing of boundary lines, one (1) inherited, two (2) family and one (1) existing lot reviewed for review offer, between December 13, 2018 – January 11, 2019.

VI. Old Business:

A. Mountain Ridge Protection Permit

- Transylvania Planning received a permit, documentation, and a protected mountain ridge permit application from McGuire Corporation for a cell tower. McGuire Corp is still waiting on the NEPA document, which is delayed because of the government shutdown.
- The Mountain Ridge Protection Ordinance (MRPO) was updated in 2018, but did not exempt cell towers from the ordinance. The MRPO insures that there is adequate water supply, sewage and safety for all. The permit that is requested for the telecommunication tower, does not require water or sewer.

- An email went out today with the citizen concern on the definition of a tall structure. Definitions are not regulations but it does show a need to make an ordinance alignment between the Telecommunication Tower Ordinance and the Mountain Ridge Protection Ordinance.
- The Transylvania County Board of Commissioners granted the SeeShore tower a variance to the Telecommunication Tower Ordinance in 2018.
- Kimsey Jackson made the motion to approve the permit/application for McGuire Corporation SeeShore Tower and Bob Twomey 2nd. It was unanimously approved.

B. Watershed Ordinance Map

- The Planning Board received a copy of the definitions section of the Transylvania County Watershed Protection Ordinance (TCWPO). At the last planning board meeting, staff was requested to review the survey of parcels that border the Mills River Watershed and could have a small portion within the watershed. Based on the topography and survey of the adjoining property, the mountain ridge is boundary line and thus the Mills River Watershed would be completely contained in the national forest. Because the Transylvania County portion of the Mills River Watershed is in the Pisgah National Forest, it is outside of our jurisdiction and will not be included in any of our ordinances.
- In reference to the TCWPO, definitions, discussion included proposed changes to the definitions of Cluster Development, the Built-upon Area and Stormwater. Daryle Hogsed made the motion to update the ordinance as discussed, Bob Twomey 2nd. Motion carried. Lauren Wise made the motion to update the revisions and send it to the Transylvania County Board of Commissioners for consideration. Kimsey Jackson 2nd. Motion approved unanimously.

C. Transylvania County Bicycle Plan

- Joy Fields presented (presentation attached) draft bicycle plan. There were public comment meetings held during the month of January at four (4) different locations in Transylvania County. Kimsey Jackson expressed his concern regarding bicycles and safety and laws. Joy shared that the intent of the bicycle plan is to allow bicycle infrastructure to be included in future NCDOT road improvement projects.
- Joy Fields explained that shared use paths is a generic term for bike and walking path, greenway or multi-use path. In June, the public input wanted more shared use paths.
- Planning board members discussed the bike plan presentation and how it will affect us and other members of Transylvania County. After the presentation, discussion was focused on safety issues, and enforcements questions.
- Mack McNeely has a hard time engaging in bicycle plan and county spending all this money for bicycle plan. During the development of the 2025 Comprehensive Plan, the planning board heard that the county received the least funding from NC DOT for roads. Mack McNeely stated it was hard to look at bicycle infrastructure when roads are so underfunded.
- Kimsey Jackson expressed his concern on spending money on bikes when we need road improvements. Most cyclist come in and will ride their bikes and load them

back on their vehicles and drive away. They do not bring their families and do not stay here in Transylvania, most stay in Henderson and Buncombe County because we lack sufficient numbers of accommodations. Kimsey Jackson also expressed his concern on economic benefits and funding, he agreed that we need to spend money to improve roads before spending money on bike paths. Kimsey stated that the economy focus is a killer. He understands we are going to have to have bicycle infrastructure but improvements are needed on roads, before improvements are needed for bikes. He also stated that we have 1500 cyclists here with no accommodation facilities so where is the economic benefit of those events?

- Bob Twomey stated we have nothing to offer to bring industries to this county.
- Daryle Hogsed agreed but encouraged the planning board to not lose track that NCDOT will be repaving and widening roads and if we have a plan we can present this to NCDOT because widening and repaving is going to happen. Like it or not this is one of the reasons people come here.
- Joy Fields shared that it was her understanding that NCDOT gets federal money to spend on bicycle and pedestrian projects and if it is not here it will be spent somewhere else. This plan will be able to capitalize NCDOT investment.
- Sandy Watson stated that she has safety concerns and we need greater enforcement.
- Lauren agrees that this is a very large issue that needs to be addressed more. What can we do to help both sides – bikes and vehicles? Finding industries that make/work on bicycles would be a great asset to Transylvania County. He stated that he hears people complain about getting behind bikes but not willing to spend money to try to solve the issue. We need to know the economic realities for benefit of bikes. Let get medium size industries in here to make the bikes.
- The bike plan is not finalized and has not been updated to incorporate the comments from the public. Joy Fields suggested that the board waits to take action until the plan closer to being final. Parks and Rec will hear this presentation on 2/19, this will be for bike and walking path/greenways that are addressed the Parks & Rec Master Plan.

D. Noise Ordinance Review

- In November, the planning department sent out resources related to the discussion on the Noise Ordinance. Joy has spoken with Chief Harris of Brevard Police Department regarding the decibel level and even with decibel levels, there can be subjectivity in determining the ambient noise level.
- The planning board was asked to consider whether or not the ordinance needs to be updated. After reviewing other ordinances, input from the Sheriff's Department and Brevard City Police, does the board want to look at this or leave it alone?
- Daryle Hogsed said that there is a grey area during enforcement and this Noise Ordinance is designed for disturbing noise that is consistent and not a onetime event. Including decibel levels may give the sheriff's department some clarity. Do onetime events, special events, not something that happens every other weekend, fall into this category? Updating the ordinance to allow for a permit for these infrequent events would benefit the county.

- Bob Twomey asked Daryle Hogsed what he thought of the current status of the ordinance as it is written now. Daryle stated he thought it was too restrictive. It still serves the purpose but could be improved. Daryle would advocate the decibel level be considered because it will provide more voluntary compliance by showing the noise level too. Decibel readers have to be purchased and calibrated and deputies have to be trained on how to use them.
- From 1/18-11/18 there were 166 calls/complaints. Daryle Hogsed and Kimsey Jackson agreed that it was a great idea for staff to speak with either Chief Deputy or Sheriff Mahoney of Transylvania County and get their input from an enforcement perspective on how to make the noise ordinance better so it can be handled correctly.
- Mack McNeely stated that everyone has a different opinion on a noise ordinance so he has a hard time with this. This is a county ordinance not a subdivision ordinance.
- Daryle Hogsed suggested staff get recommendation from the sheriff's office on noise ordinance. Mack McNeely would like to know from sheriff's department if they are looking for something to make it easier for them to write citations or not write citations. Review of this ordinance will continue next month.

VII. New Business:

A. Planning Board Membership

- We have two members that are up for reappointment. Daryle Hogsed and Kimsey Jackson. Kimsey stated that he would like to stay on the Transylvania County Planning Board. Daryle stated that this will be his last year and he will not be looking for reappointment. Daryle stated that this is the best board he has served on and feels like it is the best time for him to leave. This is a great functioning board that is able to come together and make a recommendation and move forward. We do what is best for the county. We do not all think the same but we come together. Daryle appreciates everything that has been done, appreciates confidence in the board for appointing him chair, and wishes the best for the board. Daryle stated that he is always a phone call away and can call anytime. Other members thanked Daryle for everything that he has done and wished him the best. Kimsey Jackson stated he did not think there were a lot of applications for this board and if you know someone please let them know.

B. Planning and Community Development Update

- The request for proposals to hire a consultant to help the Joint Historic Preservation Commission with the survey for the African American Resources closed earlier this week. We had qualified consultants apply and look forward to the project.
- The Small Area Planning process and the Comprehensive Transportation Plan will be presented to the Transylvania Board of Commissioners on January 28, 2019. The Small Area Planning is not just for the Cedar Mountain plan, it is for all the communities. Once the process is approved, Cedar Mountain will follow the process as they move forward.

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- The job posting for Transylvania Planning and Community Development Director is posted, deadline is February 1, 2019. Joy expressed her interest in the job and told the board that she would be applying.
- Transylvania County Parks and Recreation Commission will be meeting on February 19, 2019.
- Karen Henderson is the interim Program Assistant and will be here until March 1, 2019

VIII. Public and Board Member Comments

- Bob Twomey told Daryle job well done, and he is proud to be a part of this board.
- Sandy Watson also stated that this has been enjoyable and thanked him.
- Kimsey Jackson also expressed gratitude and stated that this is the best board he has been on.
- Daryle Hogsed stated that the good thing about the board is we don't lose site on what the board is for. Daryle stated that the staff also helps make this a great board. Joy has done a great job even with Mark retiring, and it is a joy to work with Joy!
- Mack wants to thank everyone, especially Daryle and states that we all put the county first and work out what is best.

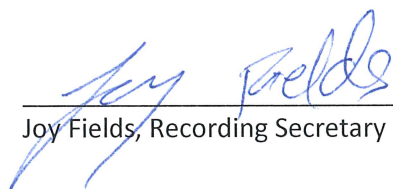
IX. Adjourn

The next meeting is scheduled for February 21, 2019 at 7:00pm and there being no further discussion, Mack McNeely moved to adjourn. The motion was seconded by Bob Twomey and carried unanimously.

MINUTES APPROVED



Mack McNeely, Chair



Joy Fields, Recording Secretary & Planner

