

**PLANNING AND  
COMMUNITY DEVELOPMENT**

Joy Fields, Planner  
Beth Webb, Program Assistant



106 East Morgan Street, Suite 207  
Brevard, NC 28712  
828.884.3205  
planning.transylvaniacounty.org

**TRANSYLVANIA COUNTY PLANNING BOARD MINUTES  
Regular Meeting, June 20, 2019**

**Call to Order, Sandy Watson**

The Transylvania County Planning Board met in regular session on Thursday, June 20, 2019, at 7:00 pm in the Community Services Building Conference Room. Members present were Chair, Sandy Watson, Kimsey Jackson, Bob Twomey, Lauren Wise, Rick Lasater and John Wayne Hardison. Steve Woodsmall was absent (excused). Staff members present were Transylvania County Planning and Community Development's Planner, Joy Fields, County Manager, Jaime Laughter, Budget Management Analyst, Allen McNeill, Clerk to the Board, Trisha Hogan and Interim Program Assistant, Beth Webb. Also present was one member of the public. No media were present.

- I. **Welcome:** Sandy Watson welcomed everyone and especially new members John Wayne Hardison and Rick Lasater.
- II. **Public Comment:** No comments.
- III. **Approval of Agenda:** Kimsey Jackson made the motion to approve the agenda. The motion was seconded by Bob Twomey and carried unanimously.

Jaime Laughter, County Manager, shared with the Planning Board that Jason Stewart from Fluvanna County, VA, has been hired as the Planning Director. Jason has diverse experience in all areas of planning and we are looking forward to having him on our County team. They will be hiring for the position that was previously held by Kalen, the Program Support Assistant, and will hopefully hire that position before Jason starts in July. Jason is in the process of selling his house and moving, but he will be coming to help conduct interviews and help with the selection. Also, Joy has decided that she is going to take another opportunity and will be leaving us in two weeks. Allen McNeill, Budget Management Analyst, and a former planner with Henderson County, will help bridge the office during the next few weeks until Jason moves down and gets to know our community. The first thing Jason will be working on is the merger of the Planning and Community Development department with the Transportation department, which is a common model. We have a whole slate of projects he will be working on, including the Small Area Planning Project for Cedar Mountain and the Workforce Housing Project. Both of these are new projects for Transylvania County and his experience will help us there. Another piece that the Commissioners are talking about now that will impact the planning board is infrastructure development and water needs outside of municipal areas of the county. We had a study from 2014 that had to do with water needs. Hopefully we will be completely up and running in the department within the next couple of months. Also wanted to make sure that everyone had the opportunity to share with Joy how much they appreciated her work in the County. Planning Board members stated that they are disappointed to see Joy leave the County.

**IV. Approval of Minutes:** A planning board member shared that there are corrections that need to be made to the minutes. Changes will be made and we will bring them back to you at the next meeting for approval.

**V. Subdivision Approvals and Updates:** Joy Fields notified the Planning Board that since May 14, 2019, there have been four family subdivisions that have taken place in Transylvania County; five changing of boundary lines between adjoining property owners, three subdivisions where the parent parcel and the newly created parcel were both greater than 10 acres, one recombination of previously approved lots and one subdivision for a cemetery. That is not common and is not something that we see very often, but it is one of the exceptions. The surveyor combined the cemetery subdivision with newly created lots, it was a two lot subdivision. The developer of Whisper Hills has not been in the office recently, still waiting to get a preliminary plat from the developer on what his final design will be on his development. The Preserve at Rock Creek - the planning board approved a master plan for that subdivision and they improved the road for phase I of their approved master plan, which has been approved. Six lots are anticipated in phase I, but remember that if it is any less than six lots they can still move forward, but it can't be any greater than six lots. There was one two-lot subdivision that requested a road inspection, but the road does not meet the road design criteria. One of the options they have is to request a variance, but looking at the topography it does not appear to be an environmental hardship, but more of an economic hardship. Not sure if they will be requesting a variance.

**VI. Old Business:**

**A. Noise Ordinance:**

Planning Board Discussion on Transylvania County Noise Control Regulations:

- Sandy Watson questioned if Section 2: Noise Regulations – should read? 'It shall be unlawful for any person or persons to make, permit, continue, or cause to be made or to create any unreasonably loud, or disturbing and unnecessary noise in the County.' Sandy reminded everyone that when the attorney was present, she had suggestions – one was the language being unnecessary and too loud. The County Attorney felt that the verbiage needed to be included. Jaime Laughter advised that it would go to the attorney for those type of comments. We need to specifically ask the County Attorney if we need to include *“unnecessary”*.
- Section 2.1 – Sandy Watson also questioned if *“weather”* needs to be a consideration. Joy Fields advised that weather has not been mentioned in any of the ordinances that have been reviewed and that Misty (County Attorney) talked about weather with topography. The planning board chose to add temperament to it.
- Section 3.3.7 should read, *“Noise from lawnmowers, weed trimmers, edging machines, or other similar small-engine yard maintenance equipment, properly equipped according to manufacturer’s specifications.”* Deleting *“and used for a period not to exceed two hours between 6:00 a.m. to 9:00 p.m. on the weekend”*.
- Section 3.10 (added) should read, *“Noises from use of firearms for lawful recreational purposes and noise associated with taking any wildlife resources.”* Have Misty Bass clarify the wording.

Planning Board members were okay with the changes from the May 16, 2019 planning board meeting to Section 4: Noises Prohibited:

- Section 4.4 Dogs or any other constrained animals that, by frequent, recurrent or constant howling, yelping, barking, braying or otherwise cause unreasonably loud or disturbing noises, provided the animals are not associated with farming operations as defined by NC G.S. 106-581.1.
- Section 4.4 Should be deleted from Ordinance, *“Operating or permitting the operation of any automobile, motorcycle, dirt bike, go car, recreational vehicle, remote control vehicle, or other vehicle that engages in jackrabbit starts, spinning tires, racing engines, or other operations including without limitation operating an overloaded or out of repair vehicle which creates unreasonably loud or disturbing noise so as to disturb the comfort and repose of any person of normal sensibilities in the vicinity.”*
- Section 4.5 should read, *“Knowingly permitting the occurrence or emanation of any of the foregoing specifically enumerated violations of this Ordinance on property owned, possessed, or used in whole or in part by any person or entity shall be a violation of this Ordinance, unless a permit is applied for and granted by the Enforcement Officer prior to the occurrence.”*
- Article VIII Permit Procedure – Section 5: Permits – should read, *“Special events that anticipate producing loud noise that could be considered disturbing, may obtain a permit (adding) **“at the discretion of the Enforcement officer.”** Noise permits shall be issued by the Enforcement Officer upon proper application and approval. No permit shall be issued that would violate the intent and the provisions of this Ordinance.”*
- Section 6: Permit Application – All planning board members are okay with the current wording. All applications for permits shall be submitted to the Enforcement Officer. Applications shall be considered complete when it contains the following information:
  - 6.1 Property description including address, property identification number, and owner’s name;
  - 6.2 Event description including, purpose, duration, time frame and anticipated noise; and
  - 6.3 All permit applications shall be accompanied by the following documentation, as appropriate:
    - 6.3.1 Mass Gathering Permit;
    - 6.3.2 Documentation of approval from the Fire Marshall; and
    - 6.3.3 Documentation of notice sent to neighboring property owners.
- Section 8: Enforcement Officer Application Review – should read, *“The Enforcement Officer shall review the application for compliance with the provisions of this Ordinance. Any permit application not containing all information and not meeting specifications set forth in this Ordinance shall be rejected and returned to the applicant together with the reasons for rejection. The Enforcement Officer may allow the applicant thirty (30) calendar days or a reasonable time period agreed upon by both parties in writing, to resolve any deficiencies in the application, which if resolved, would make the application complete. After the Enforcement Officer has*

determined the application meets the intent of this Ordinance and contains all information required, they (changing shall) **may** issue a permit.

- o Article IX Violations, Penalties, & Enforcement - Planning Board members agreed that they were okay with this section of the Noise Ordinance. Sandy Watson asked if the Sheriff's Department should review this section and Joy Fields advised that she had asked them to review the Noise Ordinance in March, but they have not seen the most recent version.

Joy recommended that we advertise and invite the public for their input next month, before we send the Noise Ordinance to the Board of Commissioners. Planning board members recommended that we advertise as widely as possible. Joy Fields asked if they want to advertise both electronically and in the newspaper, and their response was yes. Joy will also notify the Ag Advisory Board.

- B. Annual Report - the annual report was sent to the Board of Commissioners, the Board of Commissioners received the report and we are waiting to see if they would like a presentation from the Chair or staff.

**VII. New Business**

- Planning and Community Development Update: Jaime Laughter provided an update prior to the meeting that Jason Stewart has been chosen as the Planning and Community Development Director. Joy Fields has given her two week notice and Allen McNeill will be the bridge between the two staffs.
- Bike Plan and Cedar Mountain Small Area Planning - There is no update on these two items because of the budget and agenda items on the Board of Commissioners. The department will be assisting Transylvania Economic Alliance with the administration of a grant with the Appalachian Regional Commission (ARC) to extend sewer from Rosman to Gaia Herbs. Jaime mentioned some of the other upcoming items being - Infrastructure, Cedar Mountain Small Area Planning and the merging of the Transportation Department with the Planning Department.
- There will be discussions between the new Planning Director and the Chair on the next ordinances to be considered for review.

**VIII. Public and Board Member Comments**

Planning Board members expressed their disappointment and sadness that Joy Fields was not chosen as the Director of the Planning Department. Members added that they would have liked to have been included in the hiring decision. Members complimented Joy on her credentials, professionalism and her ability to lead meetings without expressing her opinion. All members wished her well and said that she will be missed.

**IX. Adjourn**

The next meeting is scheduled for July 18, 2019 at 7:00 pm and there being no further discussion, Lauren Wise moved to adjourn. The motion was seconded by Rick Lasater and carried unanimously.

**MINUTES APPROVED**

  
Beth Webb, Recording Secretary

  
Sandy Watson, Chair