

**VILLAGE OF WESLEY CHAPEL
PLANNING BOARD MEETING MINUTES
March 28, 2011, 7:00 PM**

The Planning Board of the Village of Wesley Chapel, North Carolina, met in the Fellowship Hall of the Wesley Chapel United Methodist Church at 120 Potter Road South, Wesley Chapel, North Carolina, with Vice Chairman Sandi Bush presiding.

Present: Vice Chairman Sandi Bush, Members Ray Davis, John Grexa, Stephen Keeney; Alternates Shirley Wilson and Bill Fairman

Absent: Chairman Chuck Adams, Alternate Jeff Davis

Others Present: Cheryl Bennett, Clerk; Joshua Langen, Planning/Zoning Administrator

Citizens: Carol Mullis

The meeting was called to order at 7:00 pm; a quorum was present.

1. Pledge and Invocation

Vice Chairman Bush led the pledge; Keeney gave the invocation.

2. Public Comments – none

3. Additions, Deletions and Approval of Agenda

Bill Fairman made a motion to approve the agenda; Ray Davis seconded the motion
The motion passed unanimously.

4. Approval of Minutes

Bill Fairman made a motion to approve the minutes from February 28, 2011; John Grexa seconded the motion.

The motion passed unanimously.

5. Mayors Comments

The Mayor was not present but Sandi Bush relayed his comments. There is agreement on more research on various ordinance text amendments and Joshua Langen will document his work. The Board will validate if any additional definitions are needed. Joshua Langen is providing folders with more research information but board members should still do independent research. Language should be such that the common person can understand what we are requiring; and “coulds” will be taken out to make the language more definite. Joshua Langen met with the Mayor and he will do a cover sheet for ordinance amendments with the history and purpose. The board should review whether terms need to be added to the definition section or when deleting text whether a definition needs to be removed; also we must look to consistency between ordinance sections.

6. Foreclosure Home Registration

Bill Fairman researched what other cities around the country have done in this area, and found judges have made it the responsibility of the lenders to maintain the properties. He provided some information from the City of Milwaukee's ordinance that requires maintenance of abandoned residential properties pending foreclosure; it includes inspections, registration and penalties. Areas of discussion included whether we can find out if payments are current on a property, whether we can address only bank owned properties, and how to get a list of foreclosed properties. Bush polled Planning Board members on this area. Stephen Keeney said it would be logical if the property is abandoned and unsightly and poses other crime risks; he was not sure you can craft an ordinance that won't reveal property owners who live elsewhere and continue to pay the property bills. Ray Davis said if the property is in foreclosure, they need to take care of the property. Bush asked if it should apply to non-residential properties, Davis said yes. Fairman said we need to exempt farm property. Keeney suggested a sighting requirement that the structure be visible from the road. Sandi Bush noted some property may be taken care of today but may not be in forty years citing examples on Highway 74. Joshua Langen expressed concern that there was a double standard, one for bank owned and one for those who live on the property. Keeney noted there is a big distinction between homeowners and property where the owner does not live there; he mentioned the Homestead Act and federal tax statutes, and that second homes are not given the same status. Property that was a primary residence and is now vacant is now a liability to the town and we need to maintain it. Langen asked Keeney to send him guidelines. Keeney noted in foreclosure you have a number of opportunities to object, with a secondary residence there are next to no options. If a landlord has occupants that stop paying rent, it is very difficult to get them to evict. Joshua Langen will get the information together and send it to the attorney for his opinion. John Grexa suggested before moving ahead we get the attorney's opinion. Sandi Bush asked if we want a registration process and fee. If anyone has any other information on this, please send it to Joshua; and this will be re-visited next month. Cheryl Bennett suggested Joshua first spend a few minutes with the attorney for direction, before spending a lot of time on this.

7. Traffic Management

Joshua Langen reported on Section 5.7 Cul-de-sacs that the fire department had said they need a sixty foot radius, but data from the fire truck manufacturer said a forty foot radius is needed; if you add ten feet for cars to park, he came up with a fifty foot radius. John Grexa said at the last meeting the board wanted to leave it at sixty feet; Langen agreed to leave it at sixty feet. Carol Mullis noted there was an incident in Waxhaw where cars were parked on both sides of the road and the fire truck couldn't get through. Langen provided a table from Adams County Development Standards and Regulations to show where the deceleration length of 180 feet came from for our proposed text at 405.8(a) (9). He noted one trip per hour equates to one house; we need to differentiate peak hour trips, he put twenty five homes triggers a deceleration lane. Page 8-18 from Adams County Development Standards and Regulations shows lane lengths from 180 to 600 feet, for 45 mph it shows 435 feet, which he felt was too long. Page 9-1 from the Roadway Design Manual has a formula of width of lateral shift times design speed

squared divided by 60, and the taper is a maximum of a half lane. If a car is twenty feet long, and half is tapered, only four cars can stack. Langen noted if there is a bigger subdivision it will trigger a transportation impact study. This will help keep smaller subdivisions from clogging the streets. John Grexa asked about a left turn lane, this is on DOT right of way and may have to infringe on neighbors. Langen said he didn't see acceleration lanes as necessary. Grexa asked if it is a problem that this applies to some major subdivisions; Langen replied he wouldn't make it for a smaller threshold; the smallest he has seen is twenty five homes. When pouring roads, generally you need a minimum of 25 lots to make it worthwhile. Langen made a change to the proposed text on page 4-7 so that building will not be done on right of way.

Langen noted on page 2 of 9 from the LARTP Appendix C that one hundred trips equates to one hundred homes. Langen will check to make sure all necessary definitions are included. Union County should have a Transportation Impact Analysis requirement; it is more effective if we could cooperate with the County to generate fees. You want to collect fees along the way and not require the last guy to do everything. To prevent legal challenges you need to hire someone to do it properly or through developer agreements. The other LARTP towns are not collecting fees at present. The chart from the Institute of Transportation Engineers showing trip generation rates for peak hours was reviewed. Discussion was held on the distinction between less traveled road and major thoroughfare; tighter restrictions are needed for more traveled roads. Bill Fairman suggested maybe twenty on Highway 84 and 25 on less traveled roads; John Grexa suggested keep minor and major collectors at 25 and 20 at major arterials. Langen will look for back-up on this.

8. Other Business - none

9. Topics to Discuss at Next Meeting

Topics include foreclosure home registration and traffic management. Sandi Bush will look at the foreclosure rules in North Carolina. Langen noted signs may come back, Council had some suggestions on it.

If members want to keep their agenda or something with notes from their folders, please do so, otherwise turn in the folders so Langen can replace the contents for the next month.

Carol Mullis said her notes from the March 14, 2011 Council meeting show they wanted parking to go back to Planning Board; also there was a discrepancy with the Table of Uses; and Council had questions on the banner signs at Chick-fil-A.

10. Adjournment

Bill Fairman made a motion to adjourn the meeting; Ray Davis seconded the motion.

The motion was approved unanimously.

The meeting adjourned.

Respectfully submitted

Cheryl Bennett, Village Clerk

Chairman Chuck Adams