

MINUTES
Town of Blowing Rock
Town Council Meeting
February 9, 2021

The Town of Blowing Rock Town Council met for their regular monthly meeting on Tuesday, February 9, 2021 at 6:00 p.m. The meeting took place at Town Hall located at 1036 Main Street Blowing Rock, NC. Present were Mayor Charlie Sellers, Mayor Pro-Tem Sue Sweeting and Council Members Albert Yount, David Harwood, Doug Matheson, Virginia Powell, Town Manager Shane Fox, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Public Works and Utilities Director Matt Blackburn, Planning and Inspections Director Kevin Rothrock, Police Chief Aaron Miller, Parks and Recreation Director Jennifer Brown and Town Clerk Hilari Hubner who recorded the minutes. Others in attendance via Zoom virtual/phone session were Fire Chief Kent Graham, and Finance Officer Nicole Norman.

CALL TO ORDER

Mayor Sellers called the meeting to order at 6:00 p.m. and welcomed everyone. Mayor verified attendance via roll call.

THE PLEDGE OF ALLEGIANCE

MINUTE APPROVAL

Mayor Pro-Tem Sweeting made a motion to approve the regular session minutes from the January 12, 2021, seconded by Council Member Matheson. Unanimously approved.

Council Member Harwood made a motion to approve the minutes from the January 25-27, 2021 Winter Retreat meeting, seconded by Council Mayor Sweeting. Unanimously approved.

REGULAR AGENDA ADOPTION

Council Member Powell advised she would like to add under Consent Agenda Council's direction to have Manager Fox to move forward with the Green Hill traffic study that was last discussed in August of 2020, Mayor Pro-Tem Sweeting seconded the motion. After brief discussion the motion was approved. For the motion: Council Member's Powell, Matheson, Harwood and Mayor Pro-Tem Sweeting. Against the motion: Council Member Yount. Motion passed.

CONSENT AGENDA

1. Budget Amendment - #2021-02

To account for various items. **Budget Amendment #2021-02**

2. Green Hill Road Traffic Study

Approval for Manager Fox to proceed with Rainy Kemp for a traffic study to be done on Green Hill Road. Manager Fox will get an engagement letter to bring back for Council

review along with a budget amendment for \$8,000 to allocate the cost at the March Council meeting.

Council Member Powell made a motion to approve as presented, seconded by Mayor Pro-Tem Sweeting. For the motion: Council Member's Powell, Matheson and Harwood and Mayor Pro-Tem Sweeting. Against the motion: Council Member Yount. Motion approved.

SPEAKERS FROM THE FLOOR

Mayor Sellers Read a letter from Bridget and David Walls regarding speeding on Hwy 221.

Ms. Mary "Dinny" Harper Addison, 186 Gideon Ridge Road, spoke regarding the overall CUP process. Ms. Addison explained she felt the current CUP process was unfair to the residents and didn't give them enough time to know what is going on before it was about to happen. Ms. Addison stated she would like Council to consider revision of the CUP process.

PUBLIC HEARING

1. CUP 2010-03

Planning Director Kevin Rothrock advised Mr. John Winkler is requesting a conditional use permit for an 8-lot single family subdivision and a new public street. The 4.715-acre subject property fronts Green Hill Rd and Hwy 321 and was formerly part of the old No. 6 hole at the Blowing Rock Golf Course. The property is zoned R-15, Single-family. The subject property is not in a water supply watershed.

The subject property is mainly a field and was the old No. 6 hole at Blowing Rock Country Club. The larger extent of the subject property is 6 lots that is still owned by Blowing Rock Country Club. The applicant plans to recombine the current 6 lots into 5 lots with the largest lot of 4.7 acres being the proposed subdivision and proposed street. The remaining 4 lots will front Green Hill Road with three (3) of those lots relatively unchanged from their current configuration. Each lot meets the minimum size requirement is 15,000 sq feet and minimum lot width of 100 feet.

Lot No. 8 fronts on Hwy 321, however, access will be through a driveway to the new street.

The proposed road access will connect to Green Hill Road just north of the intersection of Tarry Acres Circle. The road connection is situated at the apex of a curve that provides the most sight distance for both directions on Green Hill Road.

The new road as shown has a total length just over 400 feet to the center of the cul-de-sac. The road will be built to Town standards with a maximum grade of 15%, 18 feet of pavement, and 24-inch curb and gutter. The total width of the street from face to curb to

face to curb is 21 feet. The applicant intends to offer the road for public dedication upon completion and the Town will be responsible for street maintenance and snow removal.

Storm water detention is required due to the increased impervious areas being generated by the proposed road. The storm water drainage system will be designed to accept runoff from the proposed roadway and convey it through a detention system before releasing to the NCDOT drainage easement and the creek below the property. As shown on the preliminary plan, it appears that the storm water design will meet the Land Use Code standards.

The proposed subdivision requires street trees be planted or retained an average of every 30 feet on each side of the street.

A 6-inch water line with two (2) hydrants along the new street is proposed. An additional hydrant is to be located at the south corner of Green Hill Road. Staff and the Town Engineer will approve water and sewer systems to meet the Town Code.

Staff recommends a 20-foot rear/side setback and undisturbed buffer along the perimeter of lots 5, 6 and 8 where the subdivision backs up to existing homes. The current setback is 12 feet. Additionally, a 20-foot undisturbed buffer should be added along the west side lot boundary of lot #9. Lot #9 is not technically part of the proposed entrance off Green Hill Road.

At the January 21, 2021 meeting, the Planning Board made a recommendation to approve the proposed subdivision with the following conditions:

1. That the side/rear boundary of lots 5, 6, 8 and 9 have a 20-foot undisturbed buffer instead of the standard 12-foot setback.
2. No access be allowed to Hwy 321.
3. Screening and landscaping be required along the slope on lots 4 and 7.

Council briefly discussed further with Mr. Rothrock the buffer requirements, water/sewer system and road.

Council Member Matheson made a motion to open the Public Hearing, seconded by Mayor Pro-Tem Sweeting. Unanimously approved.

The applicant Mr. Winkler advised he was excited about the project and wanted to follow all the rules and regulations of the Town for this project and he would be glad to answer any questions Council had.

Council Member Powell asked in referring to the R-15 density requirements why Mr. Winkler didn't add a few more lots to his proposal. Mr. Winkler advised he felt it would be

too much to add any more and what he was proposing met all the requirements for R-15 standards which is what he was shooting for.

Council Member Matheson asked Mr. Winkler if he planned on personally developing the homes. Mr. Winkler advised he wasn't for sure yet, but his plan was to build a couple of million-dollar spec homes. He advised there would be strict building standards, and everything would have to comply with Blowing Rock's building standards and regulations. He further explained his vision was a beautiful development that would fit in Blowing Rock.

Council Member Matheson asked Mr. Jason Gaston with Valor Engineering in Boone to explain the retention.

Council Member Powell asked Town Engineer Doug Chapman if the extra storm water management that was discussed at Retreat was being met by this project. Mr. Chapman advised the storm water plan they have provided meets the current Town code. He further explained the code doesn't require they provide a storm water plan for the houses themselves, only the road.

Mayor Pro-Tem Sweeting asked Mr. Gaston of Valor if Blue Ridge Electric would be willing to move the service line. He advised they had not asked so he wasn't sure.

Council Member Harwood asked Mr. Winkler if he would agree to have lot #9's road be in the subdivision. Mr. Winkler advised he would, he felt that would be the smart thing to do.

Council Member Yount asked regarding the extra barrier requested by the Planning Board if Mr. Winkler would be willing to plant something other than a hemlock there. Mr. Winkler advised he would and had in mind of a good tree that would provide a good hedge and screen.

Ms. Betty Howe, 239 Gideon Ridge Road spoke against the project. Ms. Howe advised she didn't feel the project would enhance the life of Blowing Rock. She explained it would be more traffic, less green space and cause more environmental issues.

Ms. Caroline Howe, 239 Gideon Ridge Road spoke against the project. Ms. Howe urged Council to consider eliminating the CUP process as it is an unfair process to the citizens. She explained her concerns with the process and the project were lack of transparency, traffic, safety, and environmental concerns.

Ms. Pat Coley, 237 Green Hill Road spoke against the project. She explained it concerned her that the "lovely appearance" would be changed forever and the cul-de-sac would be a damaging impact to the Yadkin springs beside of Green Park Inn and will be a long-term effect to the Yadkin River. Ms. Coley further explained she was very concerned with adding more traffic to an already busy road.

Mr. Roger McGuire, 142 Green Hill Road advised his concern is his property line is very close to Lot 8 and could be very close to a large home that would be build. Mr. McGuire advised he understood the process and wasn't against that but felt "we needed to be very careful how we go forward".

Mr. Oval Jaynes, 140 Green Hill Road advised his concern was crowding the area as his home had been in his family for over 50 years. Mr. Jaynes explained he understood progress, but the biggest thing he hated about the project is what may happen to the deer he feeds every morning as he was sure putting in a development would send them on to a different location.

Ms. Mary McLeod, 108 George Blagg Lane advised she has had a family home in Blowing Rock for a long time and lived and worked in Blowing Rock years ago. She explained the way Blowing Rock was and what she is concerned about with the project. She advised her top concerns were traffic on Green Hill Road, light pollution and the environmental damage to the headwaters of the Yadkin River and wanted to make sure that is preserved.

Sandy Burkes-Campbell, 257 Gideon Ridge spoke against the project. She advised the character of the town will be changed forever, property values will go down and already high traffic issues will increase. She urged Council to protect the last green space as you come into Town and protect the headwaters of Yadkin River.

Susan Little, 214 Green Hill Road advised she was strongly opposed to the development as the proposed development will have houses almost right on top of her property on all sides. She explained she was very concerned with the proposed roadway as the traffic is already awful on Green Hill Road. Was concerned with the loss of the meadow green space. Asked if the decision could possibility be tabled until a later date.

Annie Burkes-Campbell, 257 Gideon Ridge advised she was strongly against the project and was very disappointed that the CUP process allowed the project to be this far along before the neighbors were aware of the project. She felt an environmental study should be done before the project is allowed as it could have a dangerous impact on the headwaters. She advised she was concerned with the heavy and dangerous traffic on Green Hill Road and a traffic study should be completed prior to the project approval. She further advised she had a concern with the value of her family's property being affected.

Mr. Edgar Miller and Brian Fannon with the Yadkin Riverkeepers explained how the Yadkin River factored into this project and the concern with any development being done near the headwaters. Although they don't see any major concerns with this project, they explained there are options that can be done to make sure the water quality is preserved.

Council Member Powell asked where the Yadkin spring is. Mr. Jaynes advised it's located near where the old road was near Green Park Inn and it was paved over.

Council took a 15-minute recess.

Council Member Harwood asked Mr. Rothrock if there were anything about this project that did not meet code. Mr. Rothrock advised there wasn't.

Mayor Pro-Tem Sweeting asked Mr. Winkler if he had thought about where the construction traffic would come from. Mr. Winkler advised he has and anything large would have to come from Green Hill and anything smaller will come from Hwy 321.

Council Member Powell asked Mr. Winkler if he ever thought about doing only 5 lots instead. Mr. Winkler advised he couldn't do that few because he had to make a profit from the project and there is no way he could with construction costs.

Mr. Winkler advised he was approached by the County Club in November as to if he were interested in purchasing the property. He stated he had never thought about it before then, and they negotiated a price and that is how all this got started.

Council Member Harwood asked if there was a representative from the County Club on the call. Mayor Sellers advised there was not.

Council Member Yount advised he wanted to speak to the residents that complained about the noise. He advised he is a certified appraiser and he didn't hear anyone speak to the fact they had an appraisal done so there was no proof their property values will drop. Council Member Yount further stated he lives on Tarry Acres Circle approximately a city block from this property. The noise that he hears come from Hwy 321 is loud, but in the last two weeks he had received 2 certified offers to buy his house for double what he paid for it five years ago.

Council Member Matheson asked if something like the buildings at the Green Park Inn could be built at this property. Mr. Rothrock advised it couldn't with the current zoning.

With no further questions or comments Council Harwood made a motion to close the public hearing, seconded by Council Member Yount. Unanimously approved.

Council Member Harwood advised he was speaking for himself and probably some of the other Council Members. He stated we all love Blowing Rock and we all love green space and we love our property rights as property owners. He further stated he felt there were a lot of comments that fall into the same category of that this green space that is being discussed is private property and as much as we would like to preserve it, that property owner has rights. Council Member Harwood advised as an elected official looking at a project that meets every qualification of the Town he needs to look out for that property owners' rights.

Council Member Harwood advised regarding CUP's and the timing of the project. He stated we are a twelve month a year town and we do not roll up the streets during the winter and go home. We process CUP applications as they come in and this one came in and was processed just like any other. He explained the process the Town has for

CUP's is one that we have had for a long time. Conditional Zoning was also introduced into the mix not long ago and that has a place too. Council Member Harwood stated he felt soon Council could examine the pros and cons to both and their place in the process, but this was not the place to do that.

Council Member Harwood made a motion to approve the project as presented with

1. the revision of lot 9 having their driveway onto the subdivision road, and
2. that the 20-foot in condition No. 25 buffer in be something other than Hemlocks or White Pines but would like to see those be Arborvitae.

The motion was seconded by Council Member Matheson. Council Member Matheson reiterated what Council Member Harwood stated with we are a year-round town and we take things as they come to us. He further advised when he purchased his property he had wooded lands in front of him and nobody told him they would build a huge building in front of his property, that is a property owners right to do what they wish with their property.

Further Discussion:

Mayor Pro-Tem Sweeting asked if lot 9 could be addressed since it wasn't part of the CUP. Mr. Rothrock advised he thought it was fine to include it. Council Member Harwood advised he included it because Mr. Winkler was agreeable to the request. Mayor Pro-Tem Sweeting stated she wasn't sure if it wasn't in the CUP that it could be part of the CUP conditions. Council Member Harwood advised Mr. Winkler wanted to challenge it after he was welcome to do so.

Mayor Pro-Tem Sweeting advised she had concerns about this development and the effects of property values especially Ms. Little who is facing it on all four sides. Ms. Sweeting further advised Ms. Little may not have gotten an appraisal, but she may not have known that she had to. She advised she was concerned with the effects this project would have on the headwaters of the Yadkin River and didn't feel it had been researched enough for the effects of a development of this size.

Mayor Pro-Tem Sweeting advised she was concerned about the safety issues at the entrance and felt DOT needed to look at the sight distance and if that is the best place for it.

With no further discussion Council Member Harwood repeated the motion.

Council Member Harwood made a motion to approve the project as presented with

3. the revision of lot 9 having their driveway onto the subdivision road, and
4. that the 20-foot in condition No. 25 buffer in be something other than Hemlocks or White Pines but would like to see those be Arborvitae.

The motion was seconded by Council Member Matheson. For the motion: Council Members Powell, Yount, Matheson and Harwood. Against the motion: Mayor Pro-Tem Sweeting. Motion passed.

BUSINESS MATTERS

1. BRAHM Special Event Application

Parks and Recreation Director Jennifer Brown advised the Blowing Rock Art and History Museum is requesting to hold their 10th anniversary celebrations on top of the parking deck adjacent to BRAHM July 29th and July 30th, 2021. This event would be held on Thursday and Friday evenings from 6:30 p.m. to 10:00 p.m. to help reduce the number of people in attendance due to COVID and maintaining proper social distancing.

They have requested parking at St. Mary's Episcopal Church and Rumble Memorial Church during their event each night. They will have the parking deck cleaned off and opened for public parking by noon on Saturday July 31st.

Mayor Pro-Tem Sweeting asked if the event had been cleared by App Healthcare. Ms. Lee Carol Giduz with BRAHM advised it was too early to determine that, it would depend on what the state mandates are at that time. She explained BRAHM is operating completely under the state mandates and would be restricted to whatever they are at that time for this event. Ms. Giduz advised she hadn't asked the App Health about this specific event, but every event she has inquired about she has been told it will depend on what the state mandate is at that time, but she is more than willing to work with them on this.

Mayor Pro-Tem asked what time they were planning on putting the tent up on Wednesday as her concern was having parking eliminated for too long. Ms. Giduz advised they could have the tent put up later in the day to allow for parking most of the day.

Mayor Pro-Tem Sweeting asked if Rumble Church was willing to allow parking in their lot for Public parking during that time to offset the loss of the parking deck during this event. She further asked Ms. Giduz if she would reach out to the church and make sure they were ok with having their parking lot used for public parking during that time. Ms. Giduz advised she would be glad to.

Council Member Matheson advised the last time this event was held it went very well. He further stated the only reason he could see the church may not be able to offer that lot is if there were a wedding for funeral.

Council Member Powell asked if the only changes from the last time the event was to add another day. Ms. Giduz advised they were requesting both nights is because of the unknown as to what state mandates will be at the time and they want to be prepared to hold the event on two separate nights in case they have to have smaller crowds in attendance.

Council thanked Ms. Giduz.

Mayor Pro-Tem Sweeting made a motion to approve with Ms. Giduz understanding Council's concerns, seconded by Council Member Yount. Unanimously approved.

2. Town Winter Retreat Recap

Manager Fox gave an update from the Winter Retreat where sixteen topics were discussed and ranked in order from one to sixteen, with one being the top priority.

3. Special Meeting Date Discussion – Ambulance

Council briefly discussed and asked Manager Fox to reach out to Craig Sullivan with Watauga Medics to set up meeting on Monday February 22nd at 6:00 p.m.

4. Town Board Appointments

Council voted on each Board appointment by ballot. The following appointments were made:

- **Planning Board:** Pete Gherini, Joe Papa and Sam Hess
- **Board of Adjustment:** Stephen Schiller and Lee Rocamora (Full Time Members) and Brandon Walker and Catherine Perry (Alternate Members)
- **ABC Board:** Sylvia Tarlton
- **TDA Board:** Dean Bullis
- **BRAAC Board:** Curt Andrews, Chris Wetmore and Carol Knapp

Council Member Powell made a motion to approve the newly appointed board members, seconded by Council Member Matheson. Unanimously approved.

OTHER BUSINESS

- Mayor Sellers – thanked staff for their continued hard work, the Council and to the citizens their hard work. He stated he thought the Winter Retreat went very well and was very well organized and a lot was accomplished. The Village Pharmacy has moved back to Blowing Rock at Tanger Outlets. Caldwell County did a re-evaluation and it went up approximately 9% in value.
- Council Member Yount – He advised he contacted four Members of BRAAC and got approval for the sign to identify the New River. He stated he had met with a few to look at placement of the sign and it will go in the mid-ship of the railings and will be going up tomorrow.
- Council Member Harwood – thanked Public Works for all their hard work on the clearing of the roads and the work on water leaks as well.
- Mayor Pro-Tem Sweeting – thanked staff for all their hard work keeping the roads clear and making sure the Hwy 321 sidewalk was cleared.
- Council Member Matheson – Thanked Public Works for all the hours they have worked during the snow and ice this winter. He thanked staff for their hard work to make the Retreat successful. He expressed his condolences on behalf of the Council to Chairman Welch for the loss of his mother in law.

- Council Member Powell – thanked Public Works for their hard work on snow removal. They have done a great job this season.
- Manager Fox – thanked Public Works for pushing snow/salting roads 26 of the last 55 days. A water leak was fixed on Main Street today. ABC Storer continues to do well. Audit was approved with a clean audit with no problems. Budget process has begun.

EXECUTIVE SESSION

None

ADJOURNMENT

With no further business Mayor Pro-Tem Sweeting made a motion to adjourn at 9:40 p.m., seconded by Council Member Matheson. Unanimously approved.

MAYOR _____
Charlie Sellers

ATTEST _____
Hilari Hubner, Town Clerk

Attachments

Citizen Letters – Attachments A

Budget Amendment #2021-2 – Attachment B

Green Hill Subdivision CUP – Attachment C