

## Planning and Zoning Board

### Minutes

Thursday, August 19, 2021

5:30 p.m.

The Blowing Rock Planning and Zoning Board met on Thursday, August 19, 2021, for their regularly scheduled meeting. Members present were Joe Papa, Harrison Herbst, Bill McCarter and Sam Hess. Chairman Gherini called the meeting to order at 5:35 p.m. Members Sam Glover, Mike Page and Pete Page were absent. Staff members present were Town Manager Shane Fox, Planning Director Kevin Rothrock, Planning and Zoning Support Specialist Tammy Bentley and Town Engineer Doug Chapman.

Chairman Gherini asked if there were any changes to the agenda. *Mr. Herbst made a motion to approve the agenda, seconded by Mr. Hess. All members were in favor of the motion.*

Chairman Gherini asked if there were any changes to the July 22, 2021, minutes. *Mr. Hess made a motion to approve the minutes, seconded by Mr. McCarter. All members were in favor of the motion.*

#### 1. SUP 2021-04 Green Hill Estates Subdivision

Mr. Rothrock gave the staff report and Powerpoint presentation. Herbert Townsend is requesting a Special Use Permit for a 10-lot single-family subdivision off Green Hill Rd in the ETJ. The 6.54-acre subject property is zoned R-A, residential-agricultural and is located in the WS-IV water supply watershed. A new private road off Green Hill Road with cul-de-sac will provide access to the lots. The property is outside of Town limits and will utilize wells and septic systems for the homes sites. The property is further identified by Watauga County PINs 2817-68-9612-000, and 2817-68-9789-000.

The subject property is a 6.54-acre tract off Green Hill Road that is part meadow and part woods. With the property located in the water supply watershed the minimum lot size is ½ acre. Each proposed lot meets the minimum size requirement and minimum lot width of 100 feet.

Street trees will be planted or retained every 30 feet on center along the road within the right-of-way.

Each lot will front on the proposed private road. Maintenance of the road will be the responsibility of the homeowner's association.

The Land Use Code has a limit on cul-de-sac roads of 550 feet in length unless no other practical alternative exists. The proposed road is 653 feet in length to the center of the cul-de-sac. Given the steep topography at the end of the proposed road and the property owner not having access beyond the subject property to connect to other public or private roads, there doesn't appear to be any other practicable alternative but to provide a cul-de-sac street at the proposed length of 653 feet to serve all lots.

Storm water detention is proposed for the increased run off from the proposed road. Details are not finalized on the design of the detention but most likely will be above ground basins along the edge of the road.

With this property being in the ETJ, no water and sewer utilities are available so private wells and septic systems will be approved by the Watauga County Health Department. Ten (10) lots are proposed on the preliminary plat, but after septic permits are finalized the number of buildable lots may be reduced on the final plat.

Chairman Gherini asked the Board if they had any questions. Mr. Papa asked if the water will be a community source. Mr. Rothrock said shared/private wells. Chairman Gherini asked about design continuity of the homes. Mr. Rothrock explained that we can't control that. Chairman Gherini asked if the road met Fire Department requirements and if there will be a hydrant. Mr. Warren said the road meets the Land Use Code. Mr. Rothrock said there will be no hydrant as town water is not available. Mr. Hess confirmed the setbacks with Mr. Rothrock. Mr. McCarter noted that the well location on lot 8 could be affected by the existing well on the adjacent property. Mr. Warren confirmed. Chairman Gherini asked when the health department will approve the septic systems. Mr. Warren said if a soil scientist is used, that the health department would not be involved with the septic systems, but still be involved with the placement of the wells. Mr. Hess asked, due to the topography of lots 8 and 9, if the drainage onto the adjacent property has been addressed. Mr. Warren said there is a small ditch to Green Hill Road and more analysis is needed to see if that ditch needs to be improved. Mr. Papa asked who made the decision on adequate drainage. Mr. Warren said it will be based on his calculations and McGill's acceptance of those calculations.

Chairman Gherini read a letter from Ms. Ruth Winslow and asked that it be made part of the record.

Mr. Tim Gupton, representing the Blowing Rock Civic Association, said their concerns are ensuring the lots are no smaller than ½ acre. Mr. Gupton added that increased traffic and stormwater management need to be considered.

Ms. Lynn Rutter, 1925 Green Hill Road, said she is concerned with her well being affected and increased runoff onto her property. Ms. Rutter said this will destroy a beautiful property which is very close to the Blue Ridge Parkway.

Mr. Robert Lee Warren said he is leasing a home from Ms. Cora Holder Keen with the possibility of purchasing a home and property from her. Mr. Warren said that he hopes Mr. Townsend's houses are comparable to those existing.

Ms. Cora Holder Keen, 1978 Green Hill Road, said she is concerned that the construction noise will last for years, that the new houses will block views, and that the view will be into other homes. Ms. Keen asked that the number of houses to be built be greatly reduced.

Mr. Mark Nunes, 1807 Green Hill Road, said he has a deep sense of place for this part of Blowing Rock and noted three concerns. Mr. Nunes said the runoff from Green Hill Road to Wonderland will increase, that the length of the road is 20% greater than allowed by code, and that this large development will have no fire hydrant access.

Mr. Allen Yates, Mr. Townsend's real estate agent, said that he has helped him in the design and construction of his homes. Mr. Yates said he is a top-shelf builder, his homes sell well and that his last home was 3,400 square feet and sold for more than \$800,000. Mr. Yates said the placement of the wells and septic systems will determine the number of lots.

Mr. Ron Swift, husband of the youngest Holder daughter, expressed concerns with drainage, lack of curb and gutter on the road, and approval of the septic systems.

Mr. David Trahan, 594 Green Hill Woods, said he is concerned with the size and quality of the homes, asking if there will be restrictive covenants in place.

*Mr. Herbst made a motion to close the public comment, seconded by Mr. Hess. **All members were in favor of the motion.***

Mr. Hess asked Mr. Warren about the number of lots. Mr. Warren said the number of lots will be determined by the soil scientists. He added that this will also indicate the size of each house. Mr. Warren said they must do a study on the Green Hill Road ditch per McGill which will include the houses. Mr. Warren added that there may be less than 10 lots, but no more than 10.

Mr. Rothrock explained that developers seek approval for projects before going to the expense of getting septic and well approval. Mr. Rothrock said that once the request is approved by the Town Council the applicant can really go to work and that no lots can be sold until the final plat is approved and recorded.

Mr. Hess asked if the Board is unable to approve 10 lots. Mr. Rothrock said no; that the request is for 10 lots, but there could be fewer lots based on the soil tests.

Mr. Rothrock suggested reopening the public comment period.

*Mr. Herbst made a motion to reopen the public comment period, seconded by Mr. Hess. **All members were in favor of the motion.***

Chairman Gherini asked Mr. Chapman how the applicant can control some runoff. Mr. Chapman explained that part of his job is to make sure the proposal can be reasonably built and that his 15 years experience shows him where to look for stormwater issues. Mr. Chapman said there is some runoff across the field that may increase with home construction. Mr. Chapman said he was asked to evaluate stormwater down Green Hill Road. He said the Land Use Code does not require stormwater management for this project and property owners must accept water from upstream. Mr. Chapman said there is never a perfect stormwater solution in Blowing Rock, but the impact can be lessened. Chairman Gherini asked about curb and gutter along the subdivision road. Mr. Chapman said curb and gutter doesn't decrease flow, that it generally increases as more runoff is created. Mr. McCarter asked if the road would direct some water to Green Hill Road. Mr. Chapman said that some would be directed to Green Hill Road. Mr. Rothrock asked if it is reasonable to say that lots 8 and 9 will direct to Green Hill Road. Mr. Chapman yes, reasonable. Mr. Hess asked who neighbors would contact about drainage on Green Hill Road. Mr. Chapman said it is a

DOT road, but in Blowing Rock people call the Town and not DOT. Mr. Chapman said when the properties are developed the gutters can be spread out to mitigate drainage issues.

*Mr. Hess made a motion to close the public comment, seconded by Mr. Herbst. **All members were in favor of the motion.***

Mr. Papa said 10 homes is too many that the Board needs to limit the number of homes and not wait for the septic permits. Mr. Hess asked how the Board would arrive at a number. Mr. Papa said to cut the number in half. Mr. Hess asked Mr. Rothrock if 5 one acre lots are approved can those be subdivided in the future. Mr. Rothrock said that the number of lots approved is the number. Mr. Rothrock said it meets the Land Use Code. Mr. Papa said not with the road length extension. Mr. Rothrock asked Mr. Warren if they could access 10 lots with a 500-foot road. Mr. Patrick confirmed. Mr. Rothrock advised the Board not to get outside the ordinance. Chairman Gherini said to Mr. McCarter that the Board must have a basis for putting restrictions in place. Mr. Herbst said that acre lots seems to be overreach. Chairman Gherini said he understands and agrees with the comments, but the Board must be careful of getting outside the Land Use Code. Mr. Rothrock said recommendations must be specific and tie to the Land Use Code or Comprehensive Plan. Mr. Rothrock said the Council can take advisement on conditions, ignore conditions or strike conditions.

*Mr. McCarter made a motion to approve request with the following conditions for consideration by the Town Council, seconded by Mr. Herbst.*

Conditions:

*A berm or ditch must be installed along the rear of lots 8 and 9.*

*Road length is limited to 500 feet.*

*Acknowledge that the location and number of lots will be determined by the septic system evaluations.*

Chairman Gherini asked each member their vote. Mr. Papa was against. Mr. Hess, Mr. McCarter, Mr. Herbst and Chairman Gherini voted for.

**Mr. Hess, Mr. McCarter, Chairman Gherini and Mr. Herbst were in favor of the motion. Mr. Papa voted against the motion. Motion passed.**

### **Other Business**

Chairman asked if the Town needs to give constituents more lead time per David Roger's opinion piece in the Blowing Rocket. Mr. Papa said that he didn't care what Mr. Roger thinks. Mr. McCarter said Mr. Rothrock's hands are tied in that the statutory time frame is not less than, but not more than 25 days to send public notice to properties within 150 feet of the subject properties.

Mr. Rothrock said the subcommittee will meet again for the downtown density review. Mr. Rothrock said that there are plans for the previous Tanner building on Valley Boulevard. The plans are for the parking lot that serves the building.

Chairman Gherini asked for an update on Rainey Lodge. Mr. Rothrock said they are in the process of finalizing and moving ahead.

*Having no further business Mr. Hess made a motion to adjourn, seconded by Mr. Herbst. **All members were in favor of the motion.***

Chairman Gherini adjourned the meeting at 7:00 p.m.

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Chairman Gherini

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Tammy Bentley  
Planning & Zoning Support Specialist