

MINUTES
Town of Blowing Rock
Board of Commissioners
October 24, 2008-Work Session

The Town of Blowing Rock Board of Commissioners held a special work session on Friday, October 24, 2008 in the Council Chambers located at 1036 Main Street, Blowing Rock. Present were Mayor J.B. Lawrence, Commissioners Bobby Ball, Keith Tester, Phillip Pickett, Albert Yount and Tommy Klutz. Others in attendance were Town Manager Scott Hildebran, Planning Director Kevin Rothrock, and Town Clerk Sharon Greene.

CALL TO ORDER

Mayor Lawrence called the meeting to order at 9:00 a.m.

DISCUSSION ITEMS

1. Noise Ordinance

During the October 14, 2008 meeting, Council received proposed changes to the noise ordinance suggested by the Planning Board. After reviewing the changes, Council decided a special work session was needed to further discuss this issue.

According to Planning Director Rothrock, the following changes were suggested in *Section 5-1.5 Exceptions*:

(A) (2) “Construction operations and/or sanitation collection services from 7:00 a.m. to 9:00 p.m. Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturday. Construction activities are prohibited on Sunday and the following holidays: New Year’s Day, Good Friday, Thanksgiving Day, and Christmas Day. Construction operations include those activities for which building permits have been issued or construction operations not requiring permits due to ownership of the project by an agency of the government: provided all equipment is operated in accord with manufacturer’s mufflers and noise reducing equipment and is in proper operating condition.”

(8) “Lawn mowers, agricultural equipment, and landscape maintenance equipment used between the hours of 7:00 a.m. and 9:00 p.m. Monday through Saturday, and 1:00 p.m. to 6:00 p.m. on Sunday when operated with all the manufacturer’s standard mufflers and noise-relating equipment in use and proper operating condition.”

Mr. Rothrock advised proposed changes to Section 5-1.3 of the Town Code which would limit loading, unloading, or opening boxes etc. The draft ordinance would also clarify prohibited timeframes for noise from raucous parties.

Town Manager Hildebran advised the proposed changes were consistent with other resort areas.

Council members had several questions regarding the types of equipment such as nail guns, etc. that would be limited to the proposed hours and also what type of work homeowners would be allowed to do during these times.

Audience member Earl Horne had concerns in reference to working in his workshop at home and if it would be allowed during these times. Commissioner Ball responded if complaints were received from his neighbors he would have to adhere to the noise ordinance.

Mr. Wayne Greene also challenged that Sunday wasn't necessarily the Sabbath for everyone, and some people did not observe the same holidays. He suggested a decibel meter be used. Town Manager Hildebran advised a noise meter was difficult to use in a coastal or mountain community, due to sound travel, wind, etc.

Commissioner Ball stated there were large projects planned near residential neighborhoods and residents should have at least one day a week without interruption by construction noise.

Mr. Horne inquired why the noise ordinance could not be enforced through the CUP process by incorporating proper language into each CUP.

Mr. Rothrock advised if people did not adhere to the noise ordinance a warning ticket would be given the first time and if they continued in disregard to the noise ordinance a ticket would be given which would include a fee.

Commissioner Klutz disagreed with the proposed changes. He felt people should be allowed to work as long as possible especially on Saturdays if they chose to.

After further discussion, Council consensus was that the following language be incorporated into the noise ordinance and a public hearing be held at the next regularly scheduled Council meeting.

- Construction noise as listed under "*Noises Expressly Prohibited*" be further defined to include pneumatic nailing. Construction noise is not allowed if it occurs outside the timeframes provided in the "*Exceptions*" list.
- Construction noise to be no longer permitted on Sunday or the following holidays: New Years Day, Good Friday, Thanksgiving Day, and Christmas Day.
- Construction noise hours on Saturday to be shortened from 7:00 AM to 9:00 PM to 9:00 AM to 6:00 PM.

- The definition/exception for lawn equipment, etc. to be expanded to include leaf blowers, weed trimmers, chain saws, and chippers.
- The noise hours for the use of lawn equipment to be changed for Sundays, with the new hours for this type of noise be from 1:00 PM to 6:00 PM and Lawn equipment noise Monday through Saturday to remain from 7:00 AM to 9:00 PM.
- Noise from parties to be prohibited from 11:00 PM to 7:00 AM.
- Noise from disposing of garbage and recyclables to be prohibited between 11:00 PM and 7:00 AM.

With no further discussion, Council continued with their discussion items.

2. Other

While waiting for NCDOT representatives to arrive, Commissioner Pickett stated there were several businesses that were interested in having natural gas available to the area. Town Manager Hildebran stated if the Frontier Energy proposal went forward, it would need to be completed in the near future as the water interconnection was planned to be bid in February. A formal easement application by Frontier Energy would need to be submitted to the U.S. Park Service also.

Mrs. Ginny Stevens inquired if Edgewood Cottage could have signage similar to what the library has so that volunteers would have a place to park. Commissioner Tester asked what hours they were open. Mrs. Stevens stated regular hours had not been scheduled. Commissioner Tester felt a parking space should not be reserved each day when it would not be used regularly. It was Council consensus to review the matter once a parking plan for the entire Tiller-Lane site is presented.

3. NCDOT Update

Ms. Missy Dickins, Mr. Greg Brew and Mr. Trent Beaver representing NCDOT arrived to give an update on the 321 Widening Project. Mr. Brew stated NCDOT had previously updated the Town at their 25 percent stage and they were now approaching the 50 percent stage of the project. During this time they were in the process of acquiring the needed right-of-ways from property owners. He stated their window of time was approximately 2 years with the project let date being October of 2010.

Ms. Dickins advised they would also meet with the Town in approximately one year to discuss planned enhancements and further in the future, a landscape plan meeting would be held.

Mr. Brew gave a power point presentation and describing several aspects of the planned project. He also stated that traffic would be maintained during the widening project.

Ms. Dickins advised retaining walls outside the Green Park Historic District would be made from simulated masonry and would be very attractive. In the Historic District stone walls would be built. Council requested a mock-up of the walls be shown prior to construction in order for them to see how they were going to look.

Mr. Brew stated a 16 foot-wide raised median would be between the lanes on Valley Blvd between North Main and South Main intersections. Lighting and drainage along the area was also discussed.

A resident of New River Falls Town Homes inquired if NCDOT would replace the fencing between their development and the highway. Ms. Dickins stated the replacement cost would be included in their settlement cost.

Further discussion was held regarding a flashing light at the entrance to the Blowing Rock Emergency Services building. The entrance to the Hayes Center was also briefly discussed. The possibility of a traffic light at Food Lion was also mentioned.

ADJORN

Mayor Lawrence thanked NCDOT for their update and adjourned the meeting at 12:30 p.m.

MAYOR _____
J.B. Lawrence

ATTEST _____
Sharon Greene, Town Clerk