

**DRAFT**  
**MINUTES**  
**Town of Blowing Rock**  
**Board of Commissioners**  
**Regular Meeting- March 11, 2014**

The Town of Blowing Rock Board of Commissioners met in regular session on Tuesday, March 11, 2014 at 5:00 p.m. The meeting took place at Town Hall located at 1036 Main Street, Blowing Rock. Present were Mayor J.B. Lawrence, Commissioners Albert Yount, Sue Sweeting, Doug Matheson and Ray Pickett. Commissioner Phillips was out of town and unable to attend. Others in attendance were Town Manager Scott Fogleman, Town Attorney Allen Moseley, Town Engineer Doug Chapman, Planning Director Kevin Rothrock, Building Inspector John Warren, Police Captain Aaron Miller, Finance Director Nicole Norman, Public Works Director Mike Wilcox, Parks & Recreation Director Jennifer Brown, Emergency Services Director Kent Graham and Town Clerk Sharon Greene.

**CALL TO ORDER**

Mayor Lawrence called the meeting to order at 5:00 p.m. and mentioned the Town was 125 years old today.

**APPROVAL OF MINUTES**

A motion was made by Commissioner Sweeting to approve the minutes for the February 11, 2014 meeting as written, seconded by Commissioner Pickett. Unanimously approved.

Mayor Lawrence inquired if Council had any objections to items on the Consent Agenda. Commissioner Sweeting stated that she would like to move Item #2, Oasis Shriners Blowing Rock Ceremonial Dates, to the discussion section of the agenda.

Town Manager Fogleman reviewed the following items on the Consent Agenda.

**CONSENT AGENDA**

**1. Blood, Sweat and Gears Bike Race Date of Saturday, June 28, 2014**

The Blood Sweat and Gears annual 100 mile charity bicycle race is planned for Saturday, June 28, 2014. The organization is requesting Council approval of this date for the event to travel through Blowing Rock. All riders are expected to have traveled through Blowing Rock by 8:30 a.m. The Blowing Rock Police Department prepared a traffic plan that will accommodate the group. No road or lane closures are anticipated.

**2. Oasis Shriners Blowing Rock Summer Ceremonial Dates May 30 through June 1, 2014 – Parade May 31, 2014**

Moved to discussion section of the agenda.

**3. Approving Laurin Carter to Fill Vacant Seat on the Board of Adjustment**

Tim Ford served as an alternate on the Board of Adjustment prior to his moving from Blowing Rock. Laurin Carter has agreed to fill Tim Ford's vacant seat for the unexpired term ending February, 2015. Staff recommends Council's approval of this appointment.

#### **4. Recognizing a \$400 Donation to Install Power and Light Illuminating the American Flag in Memorial Park**

Mrs. Annette Greene-Mayes has donated \$400 to the Town of Blowing Rock to improve the lighting of the American Flag in Memorial Park. Staff recommends Council recognize this revenue and appropriate it for expenditure in the Park Repair and Maintenance account of the Parks and Recreation Department.

A motion was made to approve all items on the Consent Agenda with the exception of Item #2, by Commissioner Matheson, seconded by Commissioner Sweeting. Unanimously approved.

#### **SPECIAL RECOGNITIONS AND REPORTS**

Mr. Kipp Turner of Maymead Construction Co. was present to update everyone on the US Hwy. 321 Widening Project. Since last month's update, blasting and drilling had resumed at the site below Cliff Dwellers Inn. Mr. Turner estimated the bulk of that work would be completed near the beginning of the following month.

Mr. Turner also advised that the subcontractors for the project had begun staining the retaining wall below Food Lion and work would commence on the wall located diagonally from the Green Park Inn in the near future.

Also, work on the underground utility and storm drainage continued and a traffic shift near the Blowing Rock Fire Department would become effective in the near future. Work would also take place regarding the re-alignment of the intersection of Hwy 321 Business.

Commissioner Yount inquired about the final treatment on the wall located on the Scotchman property at the corner of Hwy 321 and Sunset Drive. Mr. Turner indicated he would have to check the plans and let Council know.

Mayor Lawrence thanked Mr. Turner for his update on the Hwy 321 Widening Project and stated that he looked forward to seeing him during the April council meeting.

Mayor Lawrence asked those who wished to speak during the following public hearings to be sworn by the clerk. Planning Director Kevin Rothrock, Raeford Russell, and Patrick Warren were duly sworn.

#### **PUBLIC HEARINGS**

##### **1. Martin House Addition and Modification**

Planning Director Kevin Rothrock stated that Blowing Rock Ventures, LLC was requesting a conditional use permit to construct a small addition and make exterior modifications to the cottage units at Martin House Properties.

Planning Director Rothrock stated that current and past use of the building had been mainly retail and office. The proposed use was for office space.

Mr. Rothrock then reviewed the site plan for the project. He advised that staff proposed the current overhead utilities serving the building be placed underground. Also, the current dumpster needed to be upgraded to meet the Land Use Code requirements.



The proposed plans indicate improvements to the dumpster screening including landscaping around the perimeter. Mr. Rothrock also explained a modification to the ADA space in the rear parking lot that would provide better access.

During the February 20<sup>th</sup> Planning Board meeting, it was recommended the conditional use permit be approved with the following condition:

- Add 3 to 5 additional rhododendron along the rear of the building adjacent to Laurel Lane.

No public comment was made during the public hearing.

After a brief discussion, Commissioner Sweeting made a motion to close the public hearing, seconded by Commissioner Pickett. Unanimously approved.

Commissioner Sweeting then made a motion to approve CUP #2014-01 with the recommended changes from the Planning Board as well as staff which would affect Item # 6 of the Conditional Use Permit. The motion received a second from Commissioner Matheson. Unanimously approved. **Martin House Cottage Renovations – CUP #2014-01 – Exhibit A**

## **2. Modifications to the Former Goodwin Weavers Building**

Planning Director Rothrock presented a request from Tussell Land Company for a conditional use permit to make substantial exterior modifications to the former Goodwin Weavers Building. Planning Director Rothrock advised the building had previously been used as a storage and office building. The proposed use would be for construction offices and rentable storage.

Planning Director Rothrock then reviewed the site plan, stating that the majority of changes would be general clean up with additional landscaping along the front of the building.

Mr. Rothrock reviewed additional requirements such as current overhead utilities serving the building being placed underground, and the site and building modifications needing to be consistent with floodplain requirements in the Land Use Ordinance.

During their February meeting, the Planning Board recommended approval of the conditional use permit with staff recommendations as well as the following additional condition:

- The color of the building would be compatible with the approved color selections of the Land Use Ordinance.

Planning Director Rothrock commented the proposed changes would be a great enhancement to the property.

No public comment was made during the public hearing.

With no further discussion, Commissioner Pickett made a motion to close the public hearing, seconded by Commissioner Yount. Unanimously approved.

Commissioner Pickett then made a motion to approve CUP #2014-02 as presented, seconded by Commissioner Matheson. Unanimously approved. **Tussell Land Company Exterior Building Renovations – CUP #2014-02 - Exhibit B**

### **DISCUSSION AGENDA**

#### **1. Oasis Shriners Blowing Rock Summer Ceremonial Dates May 30 through June 1, 2014 – Parade May 31<sup>st</sup> at 2:00 p.m. (Moved from the Consent portion of the Agenda)**

Town Manager Fogleman stated the Town had received a request from the Oasis Shriners to hold their annual parade on Saturday, May 31, 2014 at 2:00 p.m.

Ms. Annie Whatley, owner of the Village Café, requested the parade time be changed from 2:00 p.m. to later in the afternoon, due to the effect the parade would have on her restaurant business.

Commissioner Sweeting asked if there was a specific reason the parade was held at 2:00 p.m. Police Captain Miller responded that was the time requested by the Shriners for their current parade, as had been the case in previous years. Commissioner Sweeting asked how long the parade usually lasted. Captain Miller stated the parade lasted less than one (1) hour. Commissioner Sweeting also asked if Main Street would be cleared for the parade. Captain Miller stated that normally 2-3 parking spaces were reserved for the parade so the Shriners could complete their miniature car stunts safely near the Sunset Drive intersection.

Commissioner Sweeting then asked Marsha Greene from Chetola to come forward to speak regarding the request. Ms. Greene stated that normally the weekend being requested by the Shriners is not a busy weekend in Town and the event brings many people to the area to shop, frequent restaurants and utilize motels/hotels. She also advised there would be a band in Memorial Park that would keep people in Town longer. Ms. Greene stated that George Wilcox was also present to speak regarding this item.

Mr. George Wilcox, a member of the Board of Directors for the Oasis Shriners stated there are approximately 6,000 members in the Oasis Shriners who are very generous towards this charitable activity. Mr. Wilcox stated that Blowing Rock is a great place for this event and the Shriners are great for Blowing Rock because the event would bring hundreds of people to the area. He also stated the Shriners have a precise schedule they needed to adhere to regarding the time of the parade.

Commissioner Pickett inquired as to what events would be held in Memorial Park. Mr. Wilcox stated the miniature cars would be available for the children to sit in and enjoy and there would be music and other activities enjoyable to all ages.

Commissioner Sweeting stated it looked as if the benefits from the parade and other activities far outweighed any negatives from the event and is a “win/win” situation for



everyone; therefore she moved the parade time of 2:00 p.m. on Saturday, May 31<sup>st</sup> be approved, seconded by Commissioner Matheson. Unanimously approved.

## **2. Wonderland Trail Roadway Repair Bid Award**

Town Engineer Doug Chapman stated that Wonderland Trail suffered damage as a result of heavy rains in July 2013. The event has since been declared a natural disaster which made qualifying repairs eligible for FEMA funding.

Mr. Chapman gave a brief history of events that had transpired regarding this item. On February 4, 2014 the original project bid opening was held, and no bids were received. The bid was then re-advertised to allow the Town to receive and open bids with less than three. He stated that on February 25, 2014, one (1) bid was received and opened for the project. Uretek IRC, Mid-Atlantic, (Uretek) provided the only bid with a total base bid amount of \$329,972.99. Mr. Chapman stated the bid was in line with the specialty work needed to repair this project. He also mentioned that one other bidder had arrived late and had indicated that his bid was significantly higher than the bid from Uretek.

Mr. Chapman stated that FEMA's original estimate to repair the slide area had been approximately \$359,000 and McGill's original estimate had been \$270,000 and FEMA was supportive of the increased amount needed.

Commissioner Yount asked if Council approved this item and FEMA decided to go "mute" what would happen. Town Manager Fogleman stated that FEMA had indicated this amount was within the realm of possibilities for the project and all qualifying expenditures met the FEMA guidelines.

Mr. Matheson asked what the timeframe was for repair. Mr. Chapman responded that work was planned to begin in April and there was a five (5) month time limit on the project, therefore it should be completed by mid-summer.

Commissioner Yount then made a motion for the low bid of \$329,972.99 to be accepted from Uretek and the additional funding of \$104,972.99 of FEMA and NC Department of Public Safety funding be appropriated for the project, seconded by Commissioner Pickett. Unanimously approved.

## **3. Capital Planning Initiatives**

Town Manager Fogleman stated that in order to itemize and quantify capital project and related funding needs in the fiscal year 2015 capital budget and ten year capital improvement plan cycle, staff recommended working with McGill Associates to help determine project scopes and estimated costs in the following capital project categories: water distribution lines, sewer collection system lines, water and sewer plants, ditch lines along Town streets, integrating utility and ditch work with the paving plan, streetscape along Main and Sunset, parks and recreation, and sidewalks and pedestrian connectivity. Mr. Fogleman stated that McGill Associates is familiar with the Town's infrastructure and was prepared to perform this work. The estimated cost to provide these services would be \$19,600 and would take approximately one month to complete. Mr. Fogleman stated that staff recommended recognizing and appropriating \$19,600 of previously unrecognized sales tax revenues for fiscal year 2014 for this purpose.

Commissioner Matheson asked Mr. Fogleman if he felt this was needed. Mr. Fogleman responded that it is. Commissioner Sweeting made a motion to approve the request as presented by Town Manager Fogleman, seconded by Commissioner Pickett. Unanimously approved.

**4. Tree Removal to Help Provide Safer Environment on Town Properties**

Parks and Recreation Director Jennifer Brown advised that over the past several years, a number of trees in the area of Town Hall, Broyhill Park, and Davant Field were in need of removal due to them being in poor condition and unsafe. She advised that Certified Arborist, Tom Bolick had worked with several vendors to identify the specific trees that needed to be removed as well as getting a price quote. According to Ms. Brown, staff recommended recognizing and appropriating \$23,000 of previously unrecognized sales tax revenue for fiscal year 2014 to move forward with the low bidder to accomplish this safety initiative.

Council inquired as to how many trees were deemed unsafe. Ms. Brown responded that 46 trees including several hemlocks were unsafe. Commissioner Matheson made a motion to approve the request as presented, seconded by Commissioner Sweeting. Unanimously approved.

**SPEAKERS FROM THE FLOOR**

None

**ADJOURN**

There being no further business to conduct, the meeting was adjourned at 5:45 p.m.

**MAYOR** \_\_\_\_\_ **ATTEST** \_\_\_\_\_  
**J.B. Lawrence** **Sharon Greene, Town Clerk**

**ATTACHMENTS** (03-11-2014)

Martin House Cottage Renovations – CUP #2014-01 – Exhibit A

Tussell Land Company – CUP #2014-02 Exterior Building Renovations – Exhibit B



NORTH CAROLINA

WATAUGA COUNTY

**TOWN OF BLOWING ROCK CONDITIONAL USE PERMIT**  
**Martin House Cottage Renovations**  
**CUP No. 2014-01**

On the date listed below the Board of Commissioners of the Town of Blowing Rock met and held a public hearing to consider the following application:

Applicant: Blowing Rock Resort Ventures, LLC

Project Name: CUP 2014-01 Martin House Cottage Renovations

Property Location: 1098 Main Street.

Tax Parcel No.: 2807-87-9754-000

Property Owners of Record: Martin House Properties, LLC

Proposed Use of Property: Office

Current Zoning Classification of Property: TC, Town Center

Meeting Date: March 11, 2014

Having heard all of the evidence and arguments presented at the above-referenced meeting, the Board finds that the application complies with all applicable requirements of the Code of Ordinances of the Town of Blowing Rock, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable conditions of the Land Use Code and the following additional conditions:

1. The Applicant shall complete the development of the subject property in accordance with the site and architectural plans submitted and approved by the Board, dated February 10, 2014, except as amended by the following conditions. Where said plans are in conflict with the provisions of the Land Use Code, the provisions of the Land Use Code shall prevail, except as specifically provided herein. Copies of said plans are made a part hereof as if fully rewritten herein, and shall be maintained in the Conditional Use Permit file in the Town Clerk's office. Any deviations from or changes in the plans must be pointed out to the Administrator in writing and specific written approval must be obtained as provided in the Blowing Rock Land Use Code.

2. Consistent with Section 16-4.10.3 of the Land Use Ordinance, the Board of Commissioners finds:

- a. The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.
  - b. The use or development complies with all required regulations and standards of the Land Use Ordinance or with variances thereto, if any, and with all other applicable regulations.
  - c. The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.
  - d. The use or development will not substantially injure the value of adjoining or abutting property.
  - e. The use or development conforms with the general plans for the physical development of the Town as embodied in this Ordinance, the Town of Blowing Rock Comprehensive Plan, and any other duly adopted plans of the Town.
3. The proposed metal roofing shall be copper. All building materials and colors not specifically approved by Town Council shall be approved by the Administrator and shall meet Land Use Ordinance commercial design standards.
  4. Any rooftop mechanical and electrical equipment shall be screened from the view of streets and adjacent property. Any other ground-mounted HVAC must be reasonably shielded from adjacent properties by landscaping. Any propane tanks greater than 120 gallons shall be buried.
  5. All utilities serving the cottage building shall be underground, including the electrical service lines.
  6. The applicant must modify an existing parking space to conform to the ADA van-accessible standards, with a paved or concrete surface. The space must have direct access to the sidewalk that connects to the courtyard.
  7. The Applicant shall plant between 3 and 5 additional rhododendron along the rear of the cottage building. The Applicant shall be responsible for the perpetual maintenance of all trees, plants and landscaping required herein. Any dead, unhealthy, or missing vegetation, or any vegetation disfigured by severe pruning, shall be replaced with new vegetation.
  8. A dumpster enclosure shall be constructed to meet Land Use Code standards and shall be screened with Arborvitae or other acceptable trees/shrubbery. The Applicant is required to comply with the Town Code recycling ordinance and to properly dispose of recyclables. All glass recycling activities shall take place after 9:00 AM and not later than 7:00 PM.
  9. Failure to comply with any provision herein shall subject the Applicant to forfeiture of the Permit and a stop work order on any further construction.



10. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this Permit shall be void and of no effect.

IN WITNESS WHEREOF, the Town of Blowing Rock has caused this Permit to be issued in its name and the undersigned being property owner(s) and/or agent(s) of the property owner(s) does hereby accept this Conditional Use Permit, together with all of its conditions as binding upon them and their successors in interest.

TOWN OF BLOWING ROCK

By: \_\_\_\_\_

J.B. Lawrence, Mayor

ATTEST: \_\_\_\_\_  
Sharon H. Greene, Town Clerk

(CORPORATE SEAL)

NORTH CAROLINA

WATAUGA COUNTY

**TOWN OF BLOWING ROCK CONDITIONAL USE PERMIT**  
Tussell Land Company – exterior building renovations  
**CUP 2014-02**

On the date listed below the Board of Commissioners of the Town of Blowing Rock met and held a public hearing to consider the following application:

Applicant: Tussell Land Company, Inc.

Project Name: CUP 2014-02 Former Goodwin Weavers Building Renovations

Property Location: 176 West Cornish Rd

Tax Parcel No.: 2817-08-9036-000

Property Owners of Record: Tussell Land Company, Inc.

Proposed Use of Property: Office/Storage

Current Zoning Classification of Property: GB, General Business

Meeting Date: March 11, 2014

Having heard all of the evidence and arguments presented at the above-referenced meeting, the Board finds that the application complies with all applicable requirements of the Code of Ordinances of the Town of Blowing Rock, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable conditions of the Land Use Code and the following additional conditions:

1. The Applicant shall complete the development of the subject property in accordance with the site and architectural plans submitted and approved by the Board, dated January 27, 2014, except as amended by the following conditions. Where said plans are in conflict with the provisions of the Land Use Code, the provisions of the Land Use Code shall prevail, except as specifically provided herein. Copies of said plans are made a part hereof as if fully rewritten herein, and shall be maintained in the Conditional Use Permit file in the Town Clerk's office. Any deviations from or changes in the plans must be pointed out to the Administrator in writing and specific written approval must be obtained as provided in the Blowing Rock Land Use Code.
2. Consistent with Section 16-4.10.3 of the Land Use Ordinance, the Board of Commissioners finds:



- a. The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.
  - b. The use or development complies with all required regulations and standards of the Land Use Ordinance or with variances thereto, if any, and with all other applicable regulations.
  - c. The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.
  - d. The use or development will not substantially injure the value of adjoining or abutting property.
  - e. The use or development conforms with the general plans for the physical development of the Town as embodied in this Ordinance, the Town of Blowing Rock Comprehensive Plan, and any other duly adopted plans of the Town.
3. All building materials and colors not specifically approved by Town Council shall be approved by the Administrator and shall meet Land Use Ordinance commercial design standards.
4. Any rooftop mechanical and electrical equipment shall be screened from the view of streets and adjacent property. Any other ground-mounted HVAC must be reasonably shielded from adjacent properties by landscaping. Any propane tanks greater than 120 gallons shall be buried. Multiple upright propane tanks shall be placed along the east side of the building and located outside of the floodway.
5. All utilities serving the building shall be underground, including the electrical service lines.
6. The applicant must modify an existing parking space to conform to the ADA van-accessible standards, with a paved or concrete surface.
7. The Applicant shall provide a landscape plan to indicate proposed landscaping along the building perimeter. The Applicant shall be responsible for the perpetual maintenance of all trees, plants and landscaping required herein. Any dead, unhealthy, or missing vegetation, or any vegetation disfigured by severe pruning, shall be replaced with new vegetation.
8. If a dumpster is needed, an enclosure shall be constructed to meet Land Use Code standards and shall be located outside of the regulated floodway. The Applicant is required to comply with the Town Code recycling ordinance and to properly dispose of recyclables. All glass recycling activities shall take place after 9:00 AM and not later than 7:00 PM.
9. All debris and trash must be removed from the site and from the stream along the rear of the property.

10. Failure to comply with any provision herein shall subject the Applicant to forfeiture of the Permit and a stop work order on any further construction.

11. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this Permit shall be void and of no effect.

IN WITNESS WHEREOF, the Town of Blowing Rock has caused this Permit to be issued in its name and the undersigned being property owner(s) and/or agent(s) of the property owner(s) does hereby accept this Conditional Use Permit, together with all of its conditions as binding upon them and their successors in interest.

TOWN OF BLOWING ROCK

By: \_\_\_\_\_  
J.B. Lawrence, Mayor

ATTEST: \_\_\_\_\_  
Sharon H. Greene, Town Clerk

(CORPORATE SEAL)