

**CHATHAM COUNTY PLANNING BOARD  
MINUTES  
December 6, 2005**

The Chatham County Planning Board met in regular session on the above date in the auditorium of the Cooperative Extension Building in Pittsboro, North Carolina. A quorum was present to begin the meeting. The members present were as follows:

Present:

Charles Eliason, Chair  
Jennifer Andrews  
Clyde Harris  
Martin Mason  
Mark McBee  
Winifred Smith  
Chris Walker  
Cecil Wilson

Absent:

Jeff Austin, Vice-Chair  
Angela Brown

Planning Department:

Keith Megginson, Planning Director  
Jason Sullivan, Planner  
Lynn Richardson, Land Use Administrator II  
Kay Everage, Secretary to the Board

- I. CALL TO ORDER – Chair: Chairman Eliason called the meeting to order at 7:10 p.m.
  
- II. APPROVAL OF AGENDA: Ms. Smith made a motion; seconded by Mr. Mason to approve tonight's agenda as submitted. The motion passed unanimously. (7 Board members)

Mark McBee arrived at this time.

- III. CONSENT AGENDA: Ms. Andrews recused herself from the consent agenda. Mr. Walker asked that Governors Village, Phase 5 (Item III C.) request be pulled from the consent agenda for discussion. It was the consensus of the Board to discuss the Governors Village request at this time.

***Discussion – Governors Village, Phase 5:***

Mr. Walker stated that he remembered some concerns regarding runoff that adjacent landowners (across the street from this latest Governors Village Commercial subdivision) had. Mr. Walker asked if this issue had been addressed.

Mark Ashness, Civil Engineer, C.E. Group, Inc., was present representing the applicant. Mr. Ashness stated that there were several things stipulated (after the Board of Commissioner's meeting) that the developer would do; that one significant task would be to lift the area around the utility shed and replace the shed back in that location after the area had been brought up and the areas stabilized; that the developer reshaped the existing swell on the McCrimmon's property and added a light berm to assist with any runoff during heavy rain events; and that the developer plans to install a privacy fence along the back of the McCrimmon's property.

Linda and Lewis McCrimmon were present. Mr. McCrimmon stated that he is satisfied with the work that the developer has done and that he is now waiting on the privacy fence and grass.

Mr. Wilson asked if any future problems were anticipated relative to the McCrimmon property since their house is in a low area. Mr. Wilson was also concerned that several trees have recently fallen on the adjoining Corps of Engineers property. Mr. Ashness stated that he does not anticipate any future problems with the McCrimmon property; that there is an existing channel on the McCrimmon property (that is approximately 8 feet lower than the McCrimmon's house) that allows runoff to flow to the existing Farrington Road; and that there seems to be a common problem on the Corp property with the trees.

It was the consensus of the Board to leave the Governors Village, Phase 5 request on the consent agenda. Mr. Wilson made a motion, seconded by Ms. Smith to approve the consent agenda as submitted. There was no discussion on the motion and the motion passed 7-0-1 with Wilson, Smith, Eliason, Harris, Mason, McBee and Walker voting in favor of the motion; and Ms. Andrews abstaining.

- A. Minutes:  
Consideration of approval of minutes for November 1, 2005 Planning Board meeting.
  
- B. Preliminary Approval:  
Request by Fred T. Smith for subdivision preliminary design approval of "Mayfield", consisting of 11 subdivision lots on approximately 65 acres, located off SR-2182, Lonnie Fields Road, Gulf Township.
  
- C. Preliminary and Final Approval:  
Request by Governors Village Commercial, LLC for subdivision preliminary and final approval of "Governors Village, Phase 5", consisting of 49 lots on approximately 31 acres, located off S. R. 1726, Old Farrington Road, Williams Township. – **See discussion above.**

End Consent Agenda

IV. PUBLIC INPUT SESSION: Fifteen-minute time of public input for issues not on agenda. Speakers limited to three minutes each.

There were four (4) citizens who spoke as follows:

Rita Spina, 12 Matchwood, Pittsboro, NC, stated that during the recent public hearing regarding conditional zoning and the 10/70 rule the Commissioners indicated an interest in citizen involvement for both proposals; that while there were numerous speakers at the public hearing, there were some Planning Board members who were unable to attend; and that by the time the 10/70 rule came up for discussion there were very few Planning Board members in attendance. Ms. Spina asked if it would be possible for open citizen participation during the Planning Board meeting since both items are issues that do not deal with any development currently on the table.

Loyse Hurley, 16 Matchwood, Pittsboro, NC, stated that Allison Weakley was unable to attend tonight's meeting and asked her to address the Board regarding sedimentation and erosion control issues. Ms. Hurley reviewed comments and concerns submitted by Ms. Weakley. (A copy of Ms. Weakley's written comments dated December 5, 2005 is attached.) Ms. Hurley asked when official construction begins on a project. She emphasized that soil erosion and sedimentation is a serious concern with all developments.

Lewis McCrimmon, 311 Old Farrington Road, Chapel Hill, NC, stated concern regarding traffic along Old Farrington Road with the additional development in the area. Mr. McCrimmon asked if turning lanes are planned and if there are plans to lower the speed limit.

Bill Tessein, 758 The Preserve Trail, Chapel Hill, NC, noted that the Chatham County Planning Board "Rules of Procedures: state as follows:

*Section V. Meetings*

*I. "All meetings of the Planning Board are open to the public subject to the North Carolina Open Meetings Law. The public is encouraged to attend and participate in meetings of the Planning Board".*

Mr. Tessein voiced concern regarding the need for citizen input relative to any zoning, rezoning or ordinance amendments. He stated that these actions affect numerous people and that a citizen does not have to necessarily live next to a proposal to be affected.

At this time, Chairman Eliason closed the public input session. He thanked the above speakers for their comments and encouraged others to present their concerns during this time allotment.

V. SKETCH DESIGN APPROVAL:

- A. Request by Glenn M. Phillips, P. E., Ballentine Associates, P. A. on behalf of James E. Dixon for subdivision sketch design approval of "Dixon Property", consisting of 28 lots on approximately 83 acres, located off S. R. 1532, Mann's Chapel Road, Baldwin Township.

Ms. Richardson stated that the applicant has requested that this issue be postponed until next month's Planning Board meeting [January 3, 2006] to allow them additional time to address entranceway concerns.

- B. Request by Virginia M. Grantham for subdivision sketch design approval of "Grantham Subdivision", consisting of 74 lots on approximately 96 acres, located off S. R. 1520, Old Graham Road, Hadley Township.

Chairman Eliason recused himself from this issue and asked Ms. Andrews to take the Chair.

Ms. Richardson reviewed the agenda notes for this request.

Mark Ashness, Civil Engineer, C.E. Group, Inc., was present representing the applicant. Mr. Ashness stated that when the Paige and Womble properties were approved there were some stubs required to this Grantham parcel; that a new access going to Old Graham Road is not proposed; that the existing loop road that goes through the Grantham tract ties into all three subdivisions; and that the two entrances originally approved would be used.

Board discussion followed. Mr. Walker asked about the proposed design in relationship to the adjacent Paige and Womble tracts. Mr. Ashness used the various subdivision maps to explain the layout of these three developments and their proposed connections. It was noted that plans are to bring the three subdivisions back to the Planning Board for preliminary review at the same time.

No adjacent landowners spoke.

Mr. Wilson made a motion, seconded by Mr. McBee to grant approval of the request as submitted and as recommended by staff with the following condition.

- The preliminary plat is revised so that all lots have a minimum of 40,000 square feet of area outside floodable areas.

Discussion on the motion followed. Mr. Walker voiced concern regarding density. He noted that his vote would be consistent with his other votes on the lots in this area, i.e. too much in this location. The motion passed 6-1-1 with Wilson, McBee, Andrews, Harris, Mason, and Smith voting in favor of the motion; and Walker voting against; and Eliason abstaining.

At this time, Chairman Eliason returned to the Board.

- C. Request by Wrenn Brothers, Inc. for subdivision sketch design approval of “Knoll Ridge Estates, Phase 2”, consisting of 15 lots on approximately 76 acres, located off S. R. 1130, Oakley Church Road, Matthews Township. 5

Ms. Richardson reviewed the agenda notes for this subdivision request.

Ed Pryor, realtor, was present representing the applicant. Mr. Pryor stated that this is a simple subdivision of large lots (10, 5 and 3 acre lots); that soils are very good; and that there are no problems with any erosion control or watershed areas.

Board discussion followed. Chairman Eliason noted that 50-foot buffers are proposed along all creeks.

No adjacent property owners spoke.

Mr. McBee made a motion, seconded by Mr. Mason to grant subdivision sketch design approval of the plat as submitted and as recommended by staff with the following condition:

- The preliminary and final plat show previously recorded lot #21, 6.8 acres, as shown on Plat Slide 2001, Page 24, as a surveyed lot with a notation of change of status to a non-building lot.

There was no discussion on the motion and the motion passed unanimously. (8 Board members)

## VI. PRELIMINARY and FINAL APPROVAL:

- A. Request by The Legacy at Jordan Lake, LLC for subdivision preliminary and final approval of “The Legacy at Jordan Lake, Phase One”, consisting of 105 lots on approximately 238 acres, located off S. R. 1716, Big Woods Road, Williams and New Hope Townships.

Chairman Eliason recused himself from this issue and asked Ms. Andrews to take the Chair.

Ms. Richardson reviewed the agenda notes for this subdivision request. She stated that staff has requested that lot #21 be shown on the final plat [i.e. plat slide #2001-24] and that said lot be labeled as a nonbuilding lot. Ms. Richardson referenced the ten conditions of the March 15, 2004 zoning approval. She stated that the utility easement recommended in condition #4 of the zoning approval has been provided between lots 87 and 88; that the developer would like to address condition #6 of the zoning request (i.e. improvements to Big Woods Road be completed prior to final plat submittal), relative to covering the cost of the improvements in the financial guarantee; that information in tonight’s agenda notes explains how condition #8 of the zoning approval (regarding storm water management) is going to be completed; and that storm water management is also covered under the financial guarantee.

Mr. and Mrs. Holland Gaines, applicants, were present.

Mark Ashness, Civil Engineer, C.E. Group, Inc., was present representing the applicants. Mr. Ashness stated that staff's condition #4 regarding a commercial driveway permit from the Department of Transportation [NCDOT] has been met (See copy of letter attached dated December 1, 2005 distributed by Mr. Ashness during tonight's meeting); that all other approvals have been received since last appearance before the Board; that a large amount of the area has been stabilized, i.e. meadows clearing, seeding, erosion control devices; that utility work would commence over the Winter months; that trenching work and actual grading would probably begin next April or May once the soils have dried; that roads within the project are private; that no wetlands are impacted in Phase One; that there are two crossings of wetlands, i.e. bridge crossings; that the bridge crossing plans have been completed; and that there are no life safety issues regarding proposed turning lanes on Big Woods Road, i.e. condition #6 of the zoning approval.

Discussion followed. For clarification, Ms. Andrews asked if staff's condition #2 should read, "prior to issuance of the first certificate of **occupancy for any lot for** Phase One" instead of "prior to issuance of the first certificate of approval for Phase One". Mr. Walker asked if a 404 permit had been received. Mr. Ashness stated that language in condition #2 should read as noted above (in bold and underlined); that a 404 permit is not required since there is no wetland impact; and that the applicant's environmental impact assessment includes the 50 acres that were added to the parcel back in the Fall. Mr. Megginson stated that the developer does not want to do a State maintained road; that there is too much environmental impact involved; that there is more cut and field to get the slopes that D.O.T. requires; and that this is an example where a private road is easier to bridge these wetlands and not impact them and therefore not have to get the required permits. It was noted that hard copies of the environmental impact assessment were included in the applicant's initial application packet and that the electronic version of the document was submitted to staff only a few days ago.

No adjoining property owners spoke.

Bill Tessein, 758 The Preserve Trail, Chapel Hill, NC, voiced concern regarding the need for a tree ordinance in Chatham County. He stated that the proposed development is a good example of the need for a tree ordinance; that the ice storm experienced in Chatham County in 2002 resulted in the loss of many pine trees; that the pine tree is a State tree; that thinning the trees causes other trees to come down thus causing runoff; and that Mr. Megginson might want to pursue the possibility of developing a tree ordinance for Chatham County. Ms. Andrews stated that citizens are welcome to draft text amendments. She encouraged Mr. Tessein to further pursue this issue.

Discussion among the Board followed. Mr. Walker asked if Ms. Hurley had any more detail (than she mentioned earlier in her comments) regarding the State agency investigations. Ms. Hurley stated that inspections are planned at the site in January 2006; that there was significant runoff from yesterday's rain; that

Allison Weakley asked her to inquire if the miniature golf course (mentioned in the environment impact statement) was taken into consideration on the environmental impact assessment; and that with the brief time of notice of said assessment, it was difficult for Ms. Weakley to thoroughly review the material before tonight's meeting.

Mr. Ashness distributed photos taken at the site on December 3, 2005 after the rain occurrence last week. He noted the stability of the water depicted in the photos. (Note: Copies of these photos are in the applicant's file in the Planning Department.)

Mr. McBee made a motion to approve the development. Discussion followed regarding the requirement that the road be built before any dwelling in the development could be occupied, i.e. staff's condition #3. It was noted that, since staff's condition #4 has been met, that this condition could be removed from staff's recommendation. Mr. McBee amended his motion to include that staff's condition #4 (regarding a commercial driveway permit) be removed from the recommendations as stated in tonight's agenda notes. The motion was seconded by Mr. Mason and discussion on the motion followed.

Mr. Walker stated that it would be unwise to give final approval on a project that the State apparently still has some questions about; that the environmental impact assessment was only recently made available; that the assessment seems to be much like the Buck Mountain assessment that basically says that there would be no impact at all; and that he is concerned with the pending investigation.

Mr. Megginson stated that until the County takes over erosion control it is under the authority of the State; that the County has hired an erosion control officer who will operate out of the Environmental Health Section of the Health Department and under the Board of Health (that is separate from the Commissioners); that a tentative date for taking over the program is January 1, 2006; but that until which time the County takes over the program, erosion control is still under the State's authority.

Discussion followed. Ms. Andrews stated that the Board does have some control over the review of the project; that photos were taken at the site on December 3, 2005; that Mr. Ashness clearly indicated (and Mr. Megginson has verified) that Joel Idol from the Division of Land Quality Regional Office was at the site and called the Planning Office to verify that everything was in order; and that the E-mail from Ms. Weakley alleges that an investigation is going on. Ms. Andrews cited that she has a problem with delaying the project while State questions are pending; that the Board should give the request a fair review; and that it doesn't appear that there is an investigation pending given the verifications said tonight by staff.

There was no further discussion and a vote was taken on Mr. McBee's motion stated above and seconded by Mr. Mason as follows:

➤ Approval of the road names Legacy Way, Legacy Falls Drive North, Legacy Falls Drive South, Rolling Meadows Lane, Covered Bridge Trail, Stoney Creek Way, and Bridgewater Court and preliminary and final plat approval of "The Legacy at Jordan Lake, Phase One", with the following three [3] conditions:

1. The plat shall not be recorded until the county attorney has given final approval to the financial guarantee.
2. The improvements to Big Woods Road as required in condition # 6 of the zoning approval shall be completed prior to issuance of the first certificate of occupancy for Phase One.
3. Storm water retention ponds as required in condition # 8 of the zoning approval shall be completed prior to issuance of the first certificate of occupancy for Phase One.

The motion passed 5-1-1-1 with McBee, Mason, Andrews, Harris and Wilson voting in favor of the motion; and Walker voting against; and Smith abstaining; and Eliason being recused and abstaining.

Chairman Eliason returned to the Board.

**VII. ZONING AND ORDINANCE AMENDMENTS: *Item from July 18, 2005 Public Hearing:***

- A. Request by Robert Blichington for a revision to the existing conditional use permit for Michael Cates / Ferrellgas, L.P. / propane gas business to a conditional use permit for a Contractor's Office and Shop, on one (1) acre, located off US Hwy. 15-501 N. in Baldwin Township.

Ms. Richardson stated that the applicant has asked that this request be postponed for another month (until the January 3, 2006 Planning Board meeting) and that the December meeting not count as one of the three required meetings. Ms. Richardson cited that the applicant is requesting this deferral to allow sufficient time for review and approval of the wastewater permit by North Carolina Division of Water Quality [NCDWQ]. It was the consensus of the Board that no action was required at this time.

***Item from September 19, 2005 Public Hearing:***

- B. Request by North Chatham Investments, Inc for a Conditional Use Permit for a Planned Unit Development and Daycare Facility within the existing RA-40 zoning district and a B-1 Conditional Use Business District with a Conditional Use Permit for various uses, on approximately 98.5 acres, located off U. S. 15-501 N and SR-1721, Lystra Road, Williams Township.

Ms. Richardson stated that staff requests that this issue be tabled until the January 3, 2006 Planning Board meeting; that the Planning Board reviewed this project during the November 1, 2005 Planning Board meeting; that one of the conditions at that time was that the applicant meet again with the Appearance Commission for a more thorough review of the proposed lighting, landscaping, signage and road placement; that the applicant has not yet met again with the



Appearance Commission; that the applicant is scheduled to meet next week with the Appearance Commission; that staff has received additional information regarding soils; and that staff has also requested that the developer provide comments from NCDOT specifically about the proposed design of entrances along US 15-501 and the suitability of a future arrangement for a traffic signal if Polks Landing Road is relocated to the north. Ms. Richardson noted that an additional traffic signal would make for better movement of traffic for the residents of Polks Landing.

Travis Blake, applicant, stated that the Polks Landing entrance, as it is now, is dangerous; that he has moved the proposed road in his development further north; that said road has been widened and would accommodate a stop light; that the wastewater treatment system has been moved and the Appearance Commission reviewed these plans last October; and that the Appearance Commission has requested to review proposed signs.

No adjoining property owners spoke.

Ms. Andrews made a motion, seconded by Ms. Smith to table this request, per staff's recommendation, until the January 3, 2006 Planning Board meeting. Discussion on the motion followed. Mr. Walker asked if all Board members had received the E-mail from Jeff Austin (dated November 30, 2005) and if Mr. Austin's comments satisfied members regarding the wastewater treatment system. Board members acknowledged that they had received Mr. Austin's memo. Chairman Eliason noted that Mr. Austin works with wastewater system design and has some technical experience with this particular membrane system. There was no further discussion on the motion and the vote on the motion to table the issue until next month's Planning Board meeting was unanimous. (8 Board members)

At the time, Chairman Eliason called for a ten-minute break.

***Items from November 21, 2005 Public Hearing:***

- C. Request by Greg Isenhour, IS Development Co., LLC, on behalf of North Chatham Park, Lot #5, for a revision to the existing conditional use permit, condition #1, requesting a time extension.

Ms. Richardson reviewed the agenda notes for this request.

Greg Isenhour, applicant, was not present.

No adjacent landowners spoke.

Mr. McBee made a motion, seconded by Ms. Andrews to grant approval of the request as recommended by staff for a one (1) year time extension to obtain a zoning determination and building permit to expire October 18, 2006 and an extension of time to complete all required improvements to October 18, 2007. There was no discussion on the motion and the motion passed unanimously. (8 Board members)

- D. Request to consider proposed text amendments to the Watershed Protection Ordinance to include the 10/70 provisions in the WS-IV Protected Area.

Mr. Megginson stated that a public hearing was held on this issue November 21, 2005; that written comments received at the public hearing are included in tonight's agenda packets; and that that tonight's agenda notes summarize some of those comments. Mr. Megginson distributed copies of a letter dated December 5, 2005 from The University of North Carolina at Chapel Hill (UNC) supporting staff's recommendation for a 5/70-text amendment. (See copy attached.); that UNC has installed approximately half of the parking spaces planned for the Park and Ride lot; that additional parking spaces could not be added with the current watershed regulations; that an e-mail was sent to Board members yesterday with various 5/70 calculations prepared by Jason Sullivan (that Chris Walker had brought up in earlier discussions); and that basically these calculations show an increase of 2 square miles of impervious surface by using the 5/70 calculation.

Discussion among the Board followed. Mr. Walker asked if this could be a conditional use request, i.e. 5/70 option with a conditional use with the five required findings. Mr. Megginson noted that whether it is conditional use permit or conditional zoning it would go through this process. Mr. Walker questioned what governmental purposes covered, i.e. Federal, State, County. Mr. McBee stated that he was disappointed with the public hearing since there was very little factual information on the pros and cons of the 5/70, 10/70, and etc.

***Motion to table the issue:***

Mr. McBee made a motion, seconded by Ms. Andrews to table this issue until the January 3, 2006 Planning Board meeting to allow time for additional information. Discussion on the motion followed. Mr. Walker asked if it could legally be more specific than governmental, i.e. County Government, State Government. Ms. Andrews stated that she does not agree with restricting it to government uses; that this creates zero tax base; that if our point is to try and prevent sprawl and to push these things in a spot and/or corridor most suitable then why hamstring it completely and then not have any revenue from it. Chairman Eliason suggested that Board members consider putting together a sub committee during the January 3, 2006 Planning Board meeting. There was no further discussion on the above motion and the motion passed unanimously. (8 Board members)

Mr. Megginson stated that staff would probably not submit any additional notes for the January 3<sup>rd</sup> meeting; that the issue would be listed on the agenda; and that the Planning Board could decide at that point what to do with the proposal.

- E. Request to consider proposed text amendments to the Chatham County Zoning Ordinance to replace conditional use zoning with conditional zoning.

Mr. Megginson stated that this issue was also presented at the November 21, 2005 public hearing; that written comments received at the public hearing are

included in tonight's agenda notes (include with the 10/70 issue above); and that again he has tried to summarize the comments and has grouped them into two categories as follows:

- earlier public involvement in the community meeting, and
- changing from the quasi-judicial process.

Mr. Megginson cited that staff's recommendation is to have the process with the earlier notification and the community meeting; that if the Board's desire is to change the conditional use the Commissioners have commented that they want to keep the five required findings; that what tonight's agenda notes try to point out is that if we are going to continue to do the quasi-judicial process it is probably going to be more like the Briar Chapel process, i.e. rules that impact the public's ability to comment on an application; that Lee County has changed from conditional use permitting to conditional zoning; and that Lee County did not adopt an earlier notification and community meeting but think that they are getting better plans, proposals and agreements than they have with the conditional use permitting.

Discussion followed. For clarification, Mr. Walker asked if the conditional use process stayed the same as it is now (with the five findings) and the early informal meeting is held, is anything that goes before the actual public hearing acceptable. Mr. Megginson stated that he was not sure but that he would clarify this with the Institute of Government. He referenced information from the Institute of Government regarding conflict of interest. Ms. Smith noted that more information about a particular proposal is obtainable when the five findings of fact are utilized. Chairman Eliason referenced the nine (bulleted) issues listed in tonight's agenda notes that need to be evaluated and possibly addressed by Planning Board members. Mr. McBee stated that if the Board approves the proposed text amendments and find that in a year or so that things aren't working then changes could be made again at that time. Chairman Eliason noted that the Board could decide to stay with things as they are now or to go through the work of putting together better language and more refined language than what we now have. Mr. Mason suggested leaving the process as it is now and adding a public input session.

***Motion to table the issue:***

Mr. Wilson made a motion, seconded by Mr. Harris to table the issue until next month's Planning Board meeting [January 3, 2006]. Discussion on the motion followed. Mr. Walker stated that his final decision is influenced on what is in bounds at what time. Mr. Megginson stated that he would pursue more clarification. Chairman Eliason stated that when this discussion is continued that he would like a complete understanding of what is and/or is not allowed (i.e. instructions for the Commissioners and Planning Board) even if the Board does not move forward with the change. Mr. Megginson noted that in some places Board members actually sign a statement saying that they have not had communication with the various parties. Ms. Andrews stated that there is some real valuable discussion to be had regarding the consideration of conditional zoning; that unfortunately she doesn't feel that there is citizen or Commissioner

support on this issue; that the Board has a lot of other work to consider; that she is still willing to consider this proposal but that she doesn't think the Commissioners are willing to abandon the five findings. Board members discussed keeping the current system with the some modifications.

There was no further discussion on the motion and the motion passed 7-1-0 with all Board members present voting in favor of the motion except Mr. McBee who voted against.

#### VIII. OLD BUSINESS:

There was no discussion under this topic.

#### IX. NEW BUSINESS:

A.

##### 1. Approval of 2006 Planning Department Calendar

Mr. Megginson stated that the draft calendar was included in tonight's agenda packets; that since the 4<sup>th</sup> of July falls on a regular Planning Board meeting date, staff changed this date to the following Tuesday (July 11<sup>th</sup>); that in November the Board typically meets on Election Day; and that normally the Board adopts the calendar before it is posted for public review.

Ms. Smith made a motion to adopt the 2006 Planning Department Calendar as submitted. Discussion on the motion followed regarding Election Day. Mr. Wilson stated that last year there were some public comments as to why the Planning Board met on Election Day. Mr. Wilson noted that this date is inconvenient for him since he does various election work. Mr. Harris stated that he also finds a conflict with meeting on Election Day. It was the consensus of the Board to change the November Planning Board meeting from Tuesday, November 7<sup>th</sup> to Monday, November 6<sup>th</sup>. Ms. Smith amended her motion to include the above change. Mr. McBee seconded the motion and the motion passed unanimously. \*See additional discussion regarding the 2006 calendar below. (Change Tuesday, May 2<sup>nd</sup> Planning Board meeting to Monday, May 1<sup>st</sup>, 2006 due to Primary Election.)

##### 2. Communication Tower Applications

Mr. Megginson stated that one other item related to the 2006 calendar is the scheduling of the annual communication tower meeting; that typically this meeting is in March; and that if the Planning Board is in agreement he would take this date to the Commissioners next week to schedule a public hearing in March, 2006. It was the consensus of the Board that Mr. Megginson forward the Planning Board's proposed date of March 20, 2006 for the annual public hearing for communication tower applications. Chairman Eliason suggested that Dave LeGrys be invited to these meetings.

\*At this time, there was additional discussion regarding the May 2006 Planning Board meeting. Mr. Walker noted that the draft calendar shows the May

Planning Board meeting scheduled for Tuesday, May 2, 2006, which is a Primary Election date. Following discussion, Ms. Smith amended her above motion to include that the May Planning Board meeting be changed from Tuesday, May 2, 2006 to Monday, May 1, 2006. Mr. McBee seconded the motion and the motion passed unanimously. It was noted that staff would provide the Board with updated calendars reflecting the above changes that are noted as follows:

- May 2<sup>nd</sup> changed to Monday, May 1
- July 4<sup>th</sup> changed to Tuesday, July 11<sup>th</sup>
- November 7<sup>th</sup> changed to Monday, November 6<sup>th</sup>

B. Election of Planning Board Officers

Chairman Eliason opened the nominations for the election of officers.

**Chair and Vice-Chair:**

Ms. Andrews made a motion, seconded by Mr. McBee to re-elect Charles Eliason as Chair and Jeff Austin as Vice-Chair. There were no additional nominations or discussion on the motion. The motion passed unanimously. (8 Board members)

**Parliamentarian:**

Chairman Eliason re-appointed Jennifer Andrews as Parliamentarian. Ms. Andrews accepted the appointment.

C. Planning Director's Report  
No reports were submitted.

D. Planning Board Member's Report  
No reports were submitted.

X. ADJOURNMENT: There being no further business, the meeting adjourned at 9:30 p.m.

\_\_\_\_\_  
Charles Eliason, Chair

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Kay Everage, Secretary to the Board

\_\_\_\_\_  
Date