

**TOWN OF BLACK MOUNTAIN
PLANNING BOARD**

The Black Mountain Planning Board held its regular meeting on Monday, January 25, 2021, at 6:00 p.m. electronically via Zoom.

I. CALL TO ORDER

The meeting was called to order with the following members present:

Chris Collins, Chair
Pam Norton, Vice Chair
Lauronda Teeple
Chas Fitzgerald
Kathy Phillips
Rick Earley
Jesse Gardner

Staff:

Jennifer Tipton, Senior Admin
Jessica Trotman, Planning Director
Jake Hair, Planner
Ron Sneed, Town Attorney
Jamey Matthews, Public Works Director

The meeting was called to order at 6:00 p.m. and duly constituted and opened for business with a quorum of seven (7) members.

II. ADOPTION OF AGENDA

Chas Fitzgerald made a motion to adopt the agenda as presented. The motion was seconded by Rick Earley and approved by a vote of 7-0.

III. ADOPTION OF MINUTES

There were three amendments to the November 23, 2020 minutes to include correcting a typo, rewording a statement from Ron Sneed, and

There was one amendment to the December 15, 2020 minutes to add Brooks Cove Road in brackets next to the address.

Chris Collins made a motion to adopt the November 23, 2020 and December 15, 2020 minutes as amended. The motion was seconded by Chas Fitzgerald and approved by a vote of 7-0.

IV. OLD BUSINESS

1. Right-of-Way Discussion with Jamey Matthews – Goldmont Street and W. College Street

Jennifer Tipton gave a brief synopsis of the right-of-way closure request that the board heard in October of 2020 and explained that the Board of Aldermen had also denied the closure. Ms. Tipton reminded the board that they had wanted to speak with Jamey Matthews, Public Works Director, about water lines and the right-of-way before considering closing a larger portion of the right-of-way.

Jamey Matthews explained that there is currently a two-inch water line on Goldmont, a six-inch water line on Cragmont and water lines on W. College Street. Mr. Matthews said that if there were going to be major development in the area of Goldmont and W. College, they would look at upgrading the water line on Goldmont Street. Mr. Matthews explained that there can be twenty

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houses on a dead-end two-inch line and forty houses on a circulating two-inch line. Mr. Matthews said that he has always understood these rights-of-way to be used for access and not utilities. Mr. Matthews said that there would be nothing wrong with upgrading the existing lines and that this is the first time he has been approached with this question. The board thanked Mr. Matthews for his time.

Ms. Tipton explained to the board that if they choose to close a larger portion of the right-of-way, they would vote to start the process, property owners would be notified, and then at the next meeting would be the vote to recommend or not to the Board of Aldermen.

Chris Collins made a motion to start the process to close that portion of right-of-way running from Goldmont Street to the Central/Ash Street intersection. The motion was seconded by Chas Fitzgerald and approved by a vote of 6-1 with Jesse Gardner voting against the motion.

V. NEW BUSINESS

1. Right-of-Way Closure Request – Fairway Drive and Tomahawk Avenue

Jake Hair went through his staff report and explained that the right-of-way is only eight feet wide and does not have any utilities or stormwater control measures. The right-of-way is not identified on any of the town plans for the purpose of a future greenway or street. All property owners were notified and there were no objections made to staff. Jesse Gardner made a motion to recommend the right-of-way closure request to the Board of Aldermen. The motion was seconded by Chas Fitzgerald and approved by a vote of 7-0.

2. Right-of-Way Closure Request – Hiawassee Avenue and S. Oconeechee Avenue

Jake Hair went through his staff report and explained that the right-of-way is approximately seven hundred and ninety-five feet in length and ranges from eight to ten feet in width. The right-of-way does contain some accessory structures, fences, and trees but does not contain any utilities or stormwater control measures. The right-of-way is not identified on any town plans for the purpose of a future greenway or street. All property owners were notified and there were no objections made to staff. Chas Fitzgerald asked that the board be more mindful of rights-of-way between Oconeechee Avenue and Tomahawk Avenue that could potentially provide access from properties to the lake, particularly with the development that has been going on in this area. Mr. Fitzgerald asked if an inventory could be made of rights-of-way that are twenty or thirty wide that could accommodate a street.

Chris Collins made a motion to open public comment. The motion was seconded by Jesse Gardner and approved by a vote of 7-0.

Bennett Steinberg, 207 S. Oconeechee Avenue, said that when he purchased his house in 2017 there was paperwork to show that the right-of-way running between Hiawassee and Poplar Street had been closed and he had been deeded half of that property. Mr. Steinberg also mentioned that there is an easement in the northwest corner of his lot that is either for water or sewer but he is not sure. Mr. Steinberg said he is in favor of closing the right-of-way.

Jesse Gardner made a motion to close public comment. The motion was seconded by Pam Norton and approved by a vote of 7-0.

Jesse Gardner made a motion to recommend the right-of-way closure to the Board of Aldermen. The motion was seconded by Chas Fitzgerald and approved by a vote of 7-0.

3. Proposed Text Amendments – Definitions

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The proposed definitions are for residential, residence, short-term rental, and transient. Jake Hair explained that the reason for the proposed definitions is to help staff and applicants differentiate between residential and non-residential uses. The definitions will not change the use table and this is just the first step to potential regulations for short-term rentals. The definitions will apply to principal use only so it will not affect someone wanting to rent out a room in their house. The definition of residence only deals with use of the property and not where someone lives. Kathy Phillips made a motion to recommend the text amendments as presented. The motion was seconded by Pam Norton and approved by a vote of 7-0.

4. Resolution of Appreciation – Scott Reed

Chris Collins read the resolution of appreciation for Scott Reed thanking him for his time and service to the Planning Board. Jesse Gardner made a motion to accept the resolution of appreciation. The motion was seconded by Lauronda Teeple and approved by a vote of 7-0.

VI. COMMUNICATION FROM PLANNING BOARD

None.

VII. COMMUNICATION FROM STAFF

None.

VIII. ADJOURNMENT

Jesse Gardner made a motion to adjourn the meeting at 7:18 p.m. The motion was seconded by Rick Earley and approved by consensus.

Prepared by:

Chris Collins
Chris Collins, Chair

Jennifer Tipton
Jennifer Tipton, Senior Admin