

BANNER ELK PLANNING BOARD MEETING  
MONDAY, 05 AUGUST 2019  
MINUTES

Members Present: Aaron Barlow, Allen Bolick, Jacki Lecka, Meredith Olan, Joel Owen, Penny VonCanon

Staff Present: Zoning Administrator Cheryl Buchanan, Town Manager Rick Owen

Chairman Joel Owen called the meeting to order at 6:00 pm. Mr. Owen opened with the pledge of allegiance to the flag.

**Consideration of the July 2019 Minutes**

Meredith Olan expressed concern for lack of detail in the minutes for the landscaping plan for the Banner Elk Mini Storage. Zoning Administrator Buchanan said that a landscaping plan was provided and the board approved that plan as part of the conditional use permit. Joel Owen said it was prepared by a competent landscaper and he was amenable with what was presented. Penny VonCanon motioned to approve the minutes for the July 2019 meeting as submitted. Allen Bolick seconded the motion. The vote was unanimous and the motion carried.

**Old Business**

**RV Parks – Ordinance Amendment**

Ms. Buchanan told the Board that the Town Council had requested that the Planning Board look at this ordinance again and perhaps make it more stringent. In a memo, Town Council directed the Zoning Administrator to list the pros and cons of RV Parks. Ms. Buchanan said she really couldn't find articles to that effect, so instead she prepared a spreadsheet of several different ordinances and what they addressed for comparison. Ms. Buchanan said it helped her realize there were some areas they needed to address. Also in the packets were some aerial views of RV Parks in North Carolina so that the Board could see how they were set up. There is also a revised ordinance, with the red lettering being the new additions to the previous version of the ordinance.

Meredith Olan asked why drones were not allowed. Ms. Buchanan said they create a lot of noise and she felt that this could be a problem for neighboring properties. Town Manager Rick Owen said he had this conversation with the Town's Attorney and was told that the Town could not disallow them legally. Allen Bolick had the following items that he would like to see added to this revised edition of the ordinance:

(B) add a time schedule for development, add a requirement for a turning radius of 45 feet, add electrical hook-up plan, utilities plan, fire protection plan, under solid waste, provide a copy of the contract they have with the service provider, the pick-up times and where the dumpster(s) will be located, proposed lighting and where it will be located and require streetlights throughout the park, all utilities are to be underground, establish an overflow parking lot and will the lots have enough parking, (C) lot size is a 10'40' with 20' of street frontage, (D) wants a manager present 24/7 when the park is open, € wants to remove gravel from road surface options and have only pavement or concrete, wants the streets to be 32' wide, road grades not to exceed 6%, wants the roads coming to the facility to be able to accommodate a Class A Motorhome, require insurance on the park, (K) add a sanitary requirement for showers, laundry facilities, and consider a dump station for sewer

tanks, (M) wanted to know why generator were not allowed, some may need them, specify if the electrical is 110 or 110/220, (P) wants the park to be 50' off of a state road, (Q) no renting of parked RV's by the owners, questioned the 5 month restriction and how someone would keep up with it, (S) feels 10' from a combustible fuel storage container is not enough, requested it be 25', (X) add Banner Elk Fire Department to the fire protection plan approval along with the Avery County Fire Marshall, add fire hydrants, and address Class A,B,C motorhomes and if the park can accommodate them. Mr. Bolick also asked that we consider if we want to add tent camping. It was also requested that under (K), be more specific about the amenities being provided.

Penny VonCanon said she would like to see the dumpster be wildlife proof and require the occupants to clean their grills after use to prevent attracting wildlife. Also list the pick-up of solid waste schedule and how frequent they are to be picked up.

Meredith Olan said she would like to see a requirement for security to patrol the park as well as measures to protect local water sources from pollution. Mrs. Olan also questioned how the manager would know if a vehicle was able to leave the park at a moment's notice in case of an emergency.

Additional discussion on lot sizes had the Town Manager commenting on perhaps preparing a plan to illustrate how a park could be designed on the property in questioned that is zoned R/C. Ms. Buchanan said she would make the changes and bring them back to the Planning Board.

### **New Business**

#### **M/U and Height of Building Requirements**

Zoning Administrator Cheryl Buchanan began by asking Town Manager Rick Owen to speak to this request. Manager Owen said that this relates to the old hospital property and the fact that the current structure has been unoccupied and not maintained for a long time and is in disrepair. Adding to a crumbling building just to be able to maintain the current height may not be a wise idea. Town Attorney Eggers has prepared some language to amend the ordinance to allow for height exceeding 35 feet in the Mixed Use district only.

Several board members said they were not in favor of naming a specific height, but would rather see the wording reflect the new construction built to the original height of a demolished building, whatever that might be. These thoughts will be shared with the Town's Attorney and Town Council.

#### **Tree Board – Request from Apple Orchard POA**

Zoning Administrator Cheryl Buchanan told the Board that she met with Mr. Charles Williams, President of the POA and resident Ted Brooks as well as Joel Owen, who is under contract to do the maintenance and mowing of landscaping in the Apple Orchard. Initially, Bob Ingalls planted Bradford Pear trees to align Orchard Lane. However, as the trees have grown larger, they are presenting a problem of breaking apart, branching into the road and causing problems for large trucks, and perhaps undermining the sidewalks in places. Ms. Buchanan said the packets contain an aerial view of the Apple Orchard through Phase 1 and part of Phase 2 and some photographs she took of the areas where concern was expressed. The POA is requesting that the Town allow all the Bradford Pears to be removed. Ms. Buchanan said she has a concern for all of the shade being removed from the sidewalks. Meredith Olan said our ordinance allows for participants to

remove a tree and put a tree back. Ms. Buchanan said sometimes this is feasible and sometimes it's not, it just depends on the case.

Joel Owen said there are six (6) along the entrance, two (2) across from Williams Pride Road and two (2) in a curve. Mr. Owen also mentioned there are some cherry trees that are dying or are already dead that he'd like to see removed. Mr. Williams was present and said the POA would be agreeable to putting back some trees. Ms. Buchanan said perhaps Joel Owen could prepare a plan and bring it back for the Board's approval. Joel Owen asked if he and Cheryl could approve the plan once done. The Board agreed to that.

With no further business, Meredith Olan moved to adjourn with a second by Aaron Barlow. The vote was unanimous and the meeting came to an end at 8.11 pm.

Respectfully submitted,  
Cheryl Buchanan, Zoning Administrator, Town of Banner Elk