

BANNER ELK PLANNING BOARD  
AND LAND USE COMMITTEE  
MONDAY, 07 JUNE 2010  
MINUTES

PB Members Present: Dan Hemp, Joel Owen, Dawn Sellars, Ann Swinkola, Penny VonCanon

LUC Members Present: Steve Chandler, John Davis, Joe H. Perry, Robert Tufts

Staff Present: Cheryl Buchanan, John Mejaski

Others Present: Toni Cook, Bill & Donna Dicks, Rick Foster, Bob Littleton, Barbara Miller, Steve Sams, Ted Silvers, Charlie B. VonCanon

Joel Owen called the Land Use Update Committee to order at 6:30 PM. He opened with the pledge of allegiance to the flag.

Cheryl Buchanan had asked the committee members to review the proposed text changes proposed by Ginny Faust of the Division of Community Assistance for the Introduction and Section 3. She is rewriting Section 2 with a different format.

Regular Planning Board Convened

After a discussion of the changes by the committee, Joel Owen called the regular Planning Board members to order at 7:25 PM. A quorum was present.

Consideration of the May 2010 Minutes

Dawn Sellars asked that the statement "Dawn Sellars asked why the developers had not come to the Planning Board with official plans" be removed from the minutes. Ann Swinkola moved to approve the minutes with the requested change. Dawn Sellars seconded. The vote was unanimous and the motion carried.

Discussion of the two ETJ Maps

After further discussion between the Board Members and members of the audience, Penny VonCanon moved to approve the first map with the entire one-mile barrier. No second was forthcoming and the motion failed.

Ann Swinkola made a motion to work on the general assumption that we clean up the existing ETJ and the existing Town of Banner Elk before we go forward. Joel Owen asked Ann Swinkola to clarify what she means by the existing ETJ. The map has two lines, one blue, which is actually a working ETJ line and one purple, which is the official ETJ line on file with the State. Ann Swinkola said the blue line was the one she was referring to. Ann Swinkola said that if we are

going to pursue the ETJ expansion; then it needs to be equitable in all directions, which is what the first map is. She further stated that if it is equitable in all directions then it is not equitable in how it brings people in and she agrees that Elk River does not need to be supervised by the Town of Banner Elk and it is not equitable to the people who live on Dobbins Road to exclude Elk River. Mrs. Swinkola said that although the zoning issues are not a problem money wise for people who live in Elk River, it is a problem for others and when you apply zoning, money becomes an issue. Dan Hemp seconded. Joel Owen again clarified that the blue line on the first map indicates no expansion of the ETJ. Chairman Owen asked if there was any further discussion. The vote was Dawn Sellars, Dan Hemp, Joel Owen, and Ann Swinkola in favor of the motion. Penny VonCanon seconded. The motion passed with a majority vote. Joel Owen explained that the motion is a recommendation to Town Council and that there will be another Public Hearing in July and he asked that groups of people choose a spokesman.

Dawn Sellars moved to adjourn. Penny VonCanon seconded. All were in agreement and the meeting came to a close at 8:30 PM.