

BANNER ELK PLANNING BOARD  
TUESDAY, 28 AUGUST 2012  
MINUTES

Members Present: Allen Bolick, John Lavelle, Martha Laura Miller, Joel Owen, Dawn Sellars, Ann Swinkola, Penny VonCanon

Staff Present: Cheryl Buchanan, Rick Owen

Others Present: Rebecca Bolick, Bret Gardella, Glenn Johnson, Mr. Pepin (?sp), Ted Silver, Charlie B. VonCanon

Chairman Owen called the meeting to order at 7:03 pm and noted that a quorum was present. He opened the meeting with the pledge of allegiance to the flag.

Consideration of the July 2012 Minutes

Penny VonCanon moved to approve the minutes as submitted. Allen Bolick seconded. The vote was unanimous and the motion carried.

Joel Owen asked if the Town could look into posting events somewhere at the traffic light intersection so that tourists could see what is happening in Banner Elk. Town Manager Rick Owen said he would look into this request.

Ordinance Text Amendment – Section 600 Signs

Ms. Buchanan opened by stating that some Realtors has approached her about adding a small rider sign across the bottom of their sign that would display a QR code or a text-to-text number. The reason this request came before the Planning Board is that the QR code does not function on a sandblasted sign, which is required for all real estate signs now. The small rider sign would not have to meet the same material requirements that signs do now, since it must be printed on a flat smooth surface in order for it to work. Ms. Buchanan has suggested that the Realtors can have either an info tube or a rider sign, but not both and that the dimensions of the sign cannot exceed the width of the existing real estate sign it is attached to and not higher than 6 inches.

After some discussion, Ann Swinkola moved to approve this request with the Realtor being given the choice of an info tube, or a rider sign and not to exceed the dimensions described above. Penny VonCanon seconded. The vote was unanimous and the motion carried.

Ordinance Text Amendment – Section 922 Incubators

This request came directly from Town Council asking the Planning Department to work with Bret Gardella to arrive at some agreeable wording that would allow existing or anchor business to operate within the AC PRIDE Incubator. Town Manager Rick Owen, Zoning Administrator Cheryl Buchanan, Councilman Allen Bolick, Avery County Economic Development Director Bret Gardella, and Commissioner Glenn Johnson met on Monday, 27 August 2012. A consensus was reached and the wording was then put before the Planning Board. The following changes are being proposed:

Section 200 Definitions: Strike reference to no allowance of existing businesses in the Incubator, add two new definitions, distressed and anchor businesses.

Section 922 Incubators: Strike the reference to no allowance of existing businesses in the Incubator in the first paragraph, "Intent". The addition of # (14) that describes the categories any Incubator's admissions criteria would have to meet in detail when submitting plans for an Incubator.

After much discussion, Penny VonCanon moved to recommend approval of the changes and request Town Council call for a public hearing for the ordinance text amendments as submitted. Ann Swinkola seconded. The vote was unanimous and the motion carried.

#### Tree Ordinance Discussion

At the last Planning Board meeting, the board indicated that they favored an ordinance fashioned after Beech Mountain's Tree Ordinance. Cheryl Buchanan called the Town's Attorney and asked if he thought it might be a good idea to begin fresh, or the meld the existing that we had with Beech Mountain's Ordinance. The attorney said to meld them together. Before the Planning Board met on Tuesday night, Ms. Buchanan had put together some text revisions that blend the two together. Additionally, Attorney Eggers submitted a draft version of his own. Ms. Buchanan said that she had met with Penny VonCanon on Tuesday morning and they had discussed at length the revised Tree Ordinance. Ms. Buchanan presented the draft with additional notes by Penny VonCanon for the Board to review before the next meeting. She also plans to have the Town's Attorney review it as well. Perhaps a draft can be approved at the October meeting and sent to Town Council.

#### Members Resignation

Dawn Sellars has submitted her resignation from the planning Board as an In-Town member. The remainder of her term will expire in March 2014. Because we had a member resign just a few months ago due to a change in her address, Ms. Buchanan took the liberty of calling her and asking if she would consider serving again. Mrs. Jillian Rosato has agreed to serve the remainder of Mrs. Sellars term. The Board was in agreement and a request has been made of Town Council to approve this request.

With no further business before the Board, Ann Swinkola moved to adjourn. Allen Bolick seconded. The meeting came to a close at 8:33 pm.

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