

BANNER ELK PLANNING BOARD MEETING
MONDAY, OCTOBER 04, 2021
MINUTES

Members Present: Aaron Barlow, Melinda Eggers, Jacki Lecka, Meredith Olan, Joel Owen

Members Participating via Zoom Meeting: Penny VonCanon

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

Due to the Covid-19 Pandemic and the restrictions placed on the State of North Carolina in conducting public meetings, the Planning Board meeting for October 2021 was conducted via in person and Zoom audio and video. Chairman Joel Owen called the meeting to order at 6:00 pm; noting that himself, Aaron Barlow, Melinda Eggers, Jacki Lecka, Meredith Olan, and Joel Owen were present and Penny VonCanon were present for audio and video. A quorum was present, and the meeting was called to order.

Consideration of the September 2021 Minutes

Penny VonCanon motioned to approve the September 2021 minutes as submitted. Second by Jacki Lecka. The vote was:

Aaron Barlow – Yea

Melinda Eggers – Yea

Jacki Lecka – Yea

Meredith Olan – Yea

Joel Owen – Yea

Penny VonCanon – Yea. The motion carried with a 6 to 0 vote in favor.

New Business


None

Old Business

Ordinance Discussion on Commercial Campgrounds

Joel Owen stated that he had received e-mail from outside parties about suggestions to this ordinance amendment. However, Mr. Owen felt that these issues would be addressed by other agencies like North Carolina Department of Transportation, the Avery County Fire Marshall and others addressing issues like trespassing, potential traffic problems, and other nuisances.

Meredith Olan asked for a description of a dry hydrant. Chairman Owen said he thought it was a water access that can have water turned on to it but did not have it readily accessible all the time.



Chairman Owen asked if the Board wanted to approve this ordinance tonight. Meredith Olan motioned to recommend this amendment to the Town Council. Seconded by Penny VonCanon. The vote was:

Aaron Barlow – Yea

Melinda Eggers – Yea

Jacki Lecka – Yea

Meredith Olan – Yea

Joel Owen – Yea

Penny VonCanon – Yea. The motion carried with a 6 to 0 vote in favor.

Other Ordinance Considerations and Workshop Materials


This discussion was centered around the items from the workshop held in September. Zoning Administrator Cheryl Buchanan rendered a copy of the notes Phil Trew presented to the Board along with some ordinances that were brought up during the review. Among those topics were mandates for a planning board from the North Carolina General Assembly, optional duties of the planning board, planning board duties, items for future consideration, and items that the planning board cannot regulate.

Town Manager Rick Owen addressed a concern over a phone call he received that there is a rumor going around Town that all the power of the Planning Board is being taken away. Manager Owen said that he hoped that the rumor had not originated from any members of the Board and that was never the intent of the workshop. Manager Owen said that the Planning Board has a lot of influence over ordinance requirements in the Town and hoped that they could appreciate how important this was to the Town and how it regulates development.

Ms. Buchanan stated that some examples that might help put this into perspective would be the comment in an earlier meeting about how to stop development, that we have too much of that. Ms. Buchanan cited some instances of recent development that they could change if they felt it was too open. For example, in the subdivision ordinance, minimum lot sizes are quarter acre lots. In the review of Red Fox Meadow, the Board talked about wanting one acre lots. This would be a way to limit development by making that change to the subdivision ordinance. Another example was the review of Notting Hill and the density. If the Board feels that the density was too much, then change the lot size requirements for this as well. Ms. Buchanan did caution the Board that their requests should be reasonable and not arbitrary, founded on good reasoning.

Meredith Olan said one of the items in the ordinance she would like to see addressed is viewshed. Mrs. Olan said she was not happy with the total disregard of the Board of Adjustment on this matter during the review of Notting Hill. Meredith Olan said she would like to have Town Council clarify what their role is in the Town's planning process.

Aaron Barlow said he would still like to see the Planning Board as a reviewing board for projects. Manager Owen said this was important, that they could review and make suggestions to the project manager without making a recommendation to the BOA. Manager Owen said this would help the Planning Board decide where there are grey areas in the ordinance that could need clarification.



Penny VonCanon spoke about the importance of the trees to our area but that sometimes clear cutting was a necessity to allow for healthy growth of forested lands. Mrs. VonCanon cited Mike Eggers clearing of underbrush and smaller trees from the property across from Town Hall and how much healthier it looked while still maintain tree coverage. Penny VonCanon said the tree ordinance needed to be more about tree management than tree protection.

Mrs. VonCanon spoke about buffers and how they are not always supposed to hide something but can be used to enhance what you see. Penny VonCanon urged the Planning Board to step back and look at the bigger picture.

Aaron Barlow said he would like to see the Board better informed about issues in the Town and to institute that loop of knowledge.

Chairman Owen said that for the next meeting, it would be good for members of the Board to look at the items they wanted to work on and bring those back to the Board for discussion and review.

With no further business, Aaron Barlow motioned to adjourn. Second by Jacki Lecka. All agreed and the meeting came to an end at 7:43 pm.

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