

BANNER ELK PLANNING BOARD
MONDAY, 01 OCTOBER 2012
MINUTES

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

Staff Present: Cheryl Buchanan, Rick Owen

Others Present: Ted Silvers (late arrival), Charlie B. VonCanon

Chairman Joel Owen recognized that a quorum was present and called the meeting to order at 7:00 pm. He opened the meeting with the pledge of allegiance to the flag.

The Chairman swore in Jillian Rosato and Martha Laura Miller as the newest members.

Consideration of the August 2012 Minutes

Joel Owen noted that in speaking about signage at the traffic light in the August minutes, he was asking the Town to consider some type of notification in case there are events in town that would cause traffic delays, in order to make the public aware. He mentioned that coming up towards Lees-McRae College (LMC) from Hwy 194, when the Farmers Market is in session; that it is easy to come upon stopped traffic, especially if you are not aware that there are any events going on.

Martha Laura Miller noted that the man in attendance at the last meeting was indeed Sean Pepin.

With no further comment, Penny VonCanon moved to approve the minutes as written. Ann Swinkola seconded. The vote was unanimous and the motion carried.

Discussion and Consideration of Signs

Village Shoppes: Bill Dicks had submitted a rendering of proposed signage for Sorrentos, Barras Sports Club, and The Sushi Club. These are to be placed in the combined development sign along Shawneehaw Avenue, near Almost Rodeo Drive's clothing store. The colors are in the approved color chart and the size is well within the dimensions of the sign ordinance.

Ann Swinkola moved to approve the signs for the Village Shoppes combined development sign. Jillian Rosato seconded. The vote was unanimous and the motion carried.

PR Codes: Ms. Buchanan told the Board that Town Council had not passed their recommended verbiage for the sign ordinance and had expressed concern for QR Codes

that are 1sf, stating that this was much too large for a lot for the signage in Banner Elk. After much discussion, several members were supportive of a 6" x 6" size while others preferred the 4" x 4" size. Martha Laura Miller graciously demonstrated how far away you would need to stand in order to scan a 6" x 6" size QR code with your smart phone. It was estimated that she could scan it as far away as 8 feet. Town Council was concerned that some motorists may try to scan them while driving by an establishment and would prefer that they stop and get out of their vehicle to scan a code. Ms. Buchanan stated that even though a realtor had first brought this to her attention, she would ask the Planning Board to consider these codes as being used by all businesses. She also said that she had called other towns and although they thought it was a good idea, had failed to address it at this time.

The biggest issue facing the Board is that these codes cannot be sandblasted, hand-carved or routed, a requirement for all signs in Banner Elk. Therefore, these additions would need to be placed on a smooth flat surface. The Board was amenable to allowing the addition of a small flat surface to mount the QR Code to as either part of or in addition to an original sign with no greater than a 4" x 4" dimensions.

Penny VonCanon made a motion to approve the use of QR Codes as part of a sign or in addition to, mounted on a smooth flat surface and not to exceed 4" x 4". Jillian Rosato seconded. The vote was unanimous and the motion carried.

Additional Discussion on Directional Signage for LMC: Bill Dicks is working on a signage plan for LMC and has asked if he might be able to add two directional signs to the Mill Pond sign. One would direct traffic to the Athletic Center on Hickory Nut Gap Road and the other to the main campus. However, once someone is directed to the main campus from the Mill Pond area, Mr. Dicks then asked if the Town would consider allowing another directional sign at the traffic light. Concern was expressed for all the other businesses in Banner Elk that would want the same type of signage and that this could potentially be a lot of directional signs at the Town's one intersection. The Planning Board would support the two directional signs at the Mill Pond sign, but not at the intersection of Highway 184 and 194.

Discussion of the Proposed Tree Ordinance

Chairman Owen stated that he was pleased with where the Town was with the Tree Ordinance proposal to date. Penny VonCanon said she would like to see an addition of a definition for tree, caliper and how to measure it, and perhaps combining the definitions of injuring a tree, general maintenance, and maintenance into one definition for general maintenance. Chairman Owen said he would like to see a definition for elevation or elevated, and asked that we look at the definitions for thinning and crown reduction.

Penny VonCanon asked that we consider several small changes to the wording of the ordinance (see attached.) Ms. Buchanan said she would make these changes and then submit a readable copy to the Town's Attorney. There was some discussion about the penalties section and just how large a penalty the Town could place on developments.

The Planning Board was concerned that \$10,000 was too small and that a developer might think it was worth \$10,000 to clear-cut an acre and that this fine should probably be a lot more. The amounts of \$50,000 and \$100,000 were mentioned as well as considering a prorated amount per acre for the entire development.

Ann Swinkola said she was concerned that those in the ETJ might resent the Town's Tree Ordinance, and she feels that being a representative of the ETJ, she should express this concern on their behalf. Martha Laura Miller said she too understands what the Town is trying to do, but also sees how those in the ETJ might resent the Town as well. Town Manager Rick Owen said that he had the same concerns and wanted to consult the Town's Attorney about the validity of this ordinance before we go any further. Manager Owen said perhaps we could consider staging the ordinance and put it into affect in the Town limits first and perhaps the ETJ later on.

Other Business:

Chairman Owen asked if any of the members would mind changing the meeting hours to 6:00 pm for the winter. All were in agreement and the next meeting was set for 6:00 pm.

With no other business, Ann Swinkola moved to adjourn. Penny VonCanon seconded. All were in agreement and the meeting came to a close at 8:50pm.

Respectfully submitted,
Cheryl Buchanan, Planning and Zoning Department