



**Town Council
Regular Meeting Minutes
January 16, 2024 – 9:30 a.m.**

Mayor O’Cain called the Regular Council Meeting to order at 9:30 a.m. on January 16, 2024, in person at Town Hall, 441 White Pine Drive, Laurel Park, NC 28739 and electronically through Zoom platform.

The following attended in person at Town Hall, 441 White Pine Drive, Laurel Park, NC 28739:

- Mayor Carey O’Cain
- Commissioner George W. Banta
- Commissioner Kristin Dunn
- Commissioner Deb Bridges
- Town Manager Alex Carmichael
- Town Clerk Tamara Amin
- Finance Officer Kirk Medlin
- Police Chief Bobbie Trotter
- Public Works Director Brandon Johnson
- Interim Zoning Administrator/Code Enforcement Officer Kaitland Finkle
- Fire Chief Tim Garren

The following attended via ZOOM Platform:

- Chad Meadows- CodeWright

The following were absent:

- Mayor Pro Tempore A. Paul Hansen

Mayor O’Cain opened the Regular Meeting and led the Pledge of Allegiance.

PUBLIC COMMENT

Mayor O’Cain asked if there was any public comment; there was none.

APPROVAL OF THE AGENDA

Mayor O’Cain removed the Oath for the Mayor Pro Tem until Commissioner Hansen attends. Commissioner Bridges asked to add Friends of Laurel Park request to allow banners to hang longer than two weeks at a time.

Commissioner Bridges moved to approve the amended agenda. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

APPROVAL OF THE CONSENT AGENDA

- a. December Monthly Report - The aforesaid report is attached to, and made part of, these minutes as Appendix 1.

Commissioner Banta moved to approve the consent agenda. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

OLD BUSINESS

TREE CITY/BEE CITY SIGNS

Town Manager Carmichael said at the December meeting the Council discussed the placement of the Bee City signs and decided that they are too big. A motion passed to approve the placement of the Bee City signs that are amended to be the same size as the Tree City signs on Laurel Park street signposts. The Bee City signs are 24” x 24”. When inspecting the Tree City Signs, they were measured at 24” x 30.”

The motion that was passed at the December meeting would actually have the Town installing larger signs than what are currently available. Staff recommends a new motion that would allow the Bee City signs to be posted as is.

Mayor O’Cain calls too many signs “Architectural Acne” and says signs are too big. He would like to see the signs half that size maximum 12x18. Mayor O’Cain asked Staff to find out if there are any size requirements and put on the agenda for next month's meeting.

RENAMING OF LAUREL PARK HIGHWAY DISCUSSION

Commissioner Bridges said Mayor O’Cain came up with a draft survey to consider other than Parkway. Mayor O’Cain suggested having a blank line on the survey for other suggestions residents may have.

Mayor O’Cain told the residents in the audience that the Council had received a request to consider renaming Laurel Park Highway from David Hartig. Mr. Hartig proposes “Laurel Park Parkway” as an alternative. He feels changing the name would help slowdown traffic and provide a residential and sophisticated connotation.

Renaming roads would have to be approved by the County Planning Department. Staff reached out to the County and learned that 101 addresses would have to be changed. A Public Hearing before the County Commissioners would have to be conducted before the County could act on it.

Mayor O’Cain and Commissioner Bridges have been working on a survey to gauge interest.

Mayor O’Cain wants to physically send a letter/survey to everyone located on Laurel Park Highway.

Commissioner Banta recommended moving the last question in the survey to the first question. Commissioner Dunn read Mayor Pro Tem's email.

- b. Mayor Pro Tem Hansen's email- The aforesaid email is attached to, and made part of, these minutes as Appendix 2.

Commissioner Dunn said slowing down traffic is a separate issue. There need to be physical elements that change traffic and slows them down.

Commissioner Bridges said she will do some revisions and bring it back to Council. The residents would receive the survey by mail for their opinion to bring back to Council on their March Agenda giving them two weeks for a response, then taking the results to the County.

NEW BUSINESS

FRIENDS OF LAUREL PARK BANNER REQUEST

Commissioner Bridges said she was approached by Mr. Robert Fain. Mr. Fain would like to create and or donate seasonal and holiday banners. Mr. Fain and the members of the Friends of Laurel Park would like them to stay up for longer than two weeks. They have asked Staff if there is a policy or ordinance.

Town Manager Carmichael said there was no policy that it was just a administrative decision. Mayor O'Cain said he would be okay with season signs as long as they are not up for more than 30 days.

PROPOSAL FOR HIGHWAY 64 RENDERINGS

Chad Meadows, CodeWright Planning consultant, presented a proposal for Highway 64/Brevard Road corridor vision renderings. These renderings can be used in the Town's discussions with developers poised to make decisions affecting the Town. This would be a ten-week project. Mr. Meadows said that if this was a stand-alone project no public hearing would be needed, but if the Town wishes to add this to the Comprehensive Plan, then a public hearing would be required.

Mayor O'Cain explained to the residents in the audience that Ingles bought the shopping center and Coates factory. The Town met with Ingles two months ago and they said the didn't have plans. The Town would like to show Ingles some concepts to help guide them when they decide to develop.

Commissioner Dunn said the Town needs a couple of drawings quickly for Ingles and ten-weeks does not fit with the original intention.

Commissioner Bridges asked if the vision of the 2015 Comprehensive Plan has changed and if the Town needs a whole new set and new concept. Commissioner Bridges appreciated Chad for putting this proposal together but did not think that Town would want to spend this much, especially since Ingles has their own standard.

Commissioner Banta said he sat in on the first meeting because the Town was under the impression the developer was going to move quickly but that does not seem to be the case. Commissioner Banta said the Town needs to approach the developer and see if they have something in stone or if there is some opportunity for a little change in the concept. The Town needs to go to the developer and plant the seed or the Town will get a cookie cutter store. Commissioner Banta said the Town definitely needs to update the Comprehensive Plan because we did not anticipate one developer taking such huge chunks of land. The Town needs to adjust for these current changes.

Mayor O’Cain said that the Coates factory was paying the Town a stipend of \$8k per year, the Town needs to approach Ingles and get an agreement together.

Commissioner Dunn had two hesitations, the cookie cutter store and the Town throwing away \$12K, and the timeframe. Commissioner Dunn recommended bringing in three drawings and presenting them to Ingles and asking them what they think, and what their plans are.

Commissioner Bridges asked Staff to find out when the Town can meet with Ingles.

Mayor O’Cain said he and Alex will have a conversation with Ingles and let them know that the Town would like to have a say in how they develop that land and visualize it together. Mayor O’Cain asked Mr. Meadows how much an aerial view would cost of the Ecusta Trail, highway 64 and the retirement home.

Mr. Meadows said the aerial renderings would be \$2800 a piece and Mr. J. J. Zanetta can do this without CodeWright. The Town would need to sit with him and explain what it is that the Town is looking for.

Commissioner Bridges recommended reaching out and sharing the Towns vision.

Mayor O’Cain said Council can call a Special Meeting if necessary.

PUBLIC HEARING- UDO AMENDMENTS

Commissioner Dunn moved to open the public hearing at 10:30 a.m. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mr. Chad Meadows from CodeWright said The Laurel Park Planning Board has recommended the following text amendments to the UDO:

Section 3.1, Sites with Slopes or Geologic Hazards, to authorize an applicant-prepared slope study that documents if a development is located outside steep or very steep slopes. Approval of a slope study waives the more restrictive dimensional requirements for steep and very steep slopes in Sections 2.5.3 (R-30), 2.6.3 (R-20), and 2.7.3 (OI District).

Section 10.2.9, Average Slope and Elevation, is revised to describe how a slope study is to be prepared. Section 10.3, Definitions, is revised to define slope study and land disturbance.

Sections 6.3.16, Site Plan, and 6.3.20, Variance, are revised to clarify the review process site plan approval when a variance is required, and that applications for a variance must include a plan depicting the necessary information.

Section 3.1- CURRENT SLOPE STANDARDS

Mr. Meadows said the Planning Board gave direction to staff on September 12, 2023 for the following:

1. Current calculation of average slope fails to address lots that have flat/flatter portions
2. Want to encourage development on flattest parts of lots
3. Apply the average slope standards in §10.2.9, but create an opportunity for an applicant to have slope study prepared that would permit them to avoid slope areas (and requirements)
4. As drafted, amendment allows for preparation of slope study. If development subject to a slope study takes place outside steep/very steep slopes, it is exempted from slope standards and special dimensional requirements
5. If land disturbance takes place within a steep or very steep portion of a lot subject to a slope study, then the slope and dimensional requirements apply to the entire lot

3.1.4: APPLICABILITY

A: GENERALLY

- 1: The standards in this section shall apply to all lots or tracts with geologic hazards present as well as to lots or tracts with steep or very steep slopes on any portion of the lot or tract, whether such slopes existed prior to or after land-disturbing activity or grading.
- 2: Unless subject to a special study in accordance with Section 3.1.4.8: Subject to Slope Study, the presence of a geologic hazard, designation of a steep slope, or designation of a very steep slope shall apply to the entire lot, in accordance with this section and Section 10.2.9: Slope and Elevation.

B: SUBJECT TO SLOPE STUDY

- 1: In cases where a lot is subject to the standards in this section, and the applicant seeks a professional engineer licensed by the State to prepare and seal a slope study indicating that only a portion of a lot has geologic hazards, a steep slope, or a very steep slope in accordance with Section 10.2.9: Slope and Elevation, then only those so-designated portions of the lot identified in the slope study as having geologic hazards, steep slopes, or very steep slopes shall be subject to the standards in Section 3.1.5: Standards, Section 3.2.6: Development on Steep Slopes or Sites with Geologic Hazards.
- 1:2: In cases where a lot is subject to a slope study that identifies portions of a lot as having a steep or very steep slope, as determined in accordance with Section 10.2.9: Slope and Elevation, and land disturbance is proposed within any portion of the lot identified as steep or very steep, then all development on the lot shall comply with the applicable dimensional requirements for the zoning district where located.
- 3: A driveway or site accessway may occupy up to five percent of a land disturbance area having a steep or very steep slope without triggering compliance with all applicable dimensional requirements identified in sub-section (2) above. However, in such instances, all required site plans shall be supplemented with sealed engineering studies or plans documenting how stormwater runoff from the driveway or site accessway within the steep or very steep portion of the land disturbance area will be addressed.

Mr. Meadows recommended these changes that would:

1. Create slope study option
2. Exempt land outside identified slope areas from slope standards (if using study option)
3. Clarify that if land disturbance takes place within designated slope area, must comply with all slope and dimensional standards


Fire Chief Tim Garren departed the meeting at 10:34 am.

This Clarifies that if land disturbance takes place within designated slope area, must comply with all slope and dimensional standards.

2.5: R-30 RESIDENTIAL LOW DENSITY DISTRICT

2.5.1: PURPOSE AND INTENT
 The R-30 district is designated primarily for single-family detached residential development on individual lots with a minimum of 30,000 square feet. The areas of Laurel Park designated for the R-30 district are generally characterized as areas with steeper slopes, limited access to public sewer, limited road access, watershed restrictions, and established patterns of lower density development.

2.5.2: TYPICAL FORMS OF DEVELOPMENT



2.5.3: DIMENSIONAL STANDARDS

Requirement	Lots with Land Disturbance on Low Slopes (less than 15%)	Lots with Land Disturbance on Steep Slopes (15% to 25%)	Lots with Land Disturbance on Very Steep Slopes (25% or more)
Maximum Residential Density (units/acre)	1.45	1.22	1.0
Minimum Lot Area (sq. ft.)	30,000	35,500	43,560
Maximum Impervious Cover (% of lot area)	40	35	30
Minimum Lot Width (feet)	100	90	80
Minimum Street Setback (feet)	Principal Structure: 35 Accessory Structure: 35	40	45
Minimum Side Setback (feet)	Principal Structure: 25 Accessory Structure: 10	35	20
Minimum Rear Setback (feet)	Principal Structure: 25 Accessory Structure: 10	35	20
Minimum Spacing Between Principal Structure and Detached Accessory Structure (feet)	In accordance with State Building Code and applicable fire codes		
Maximum Building Height (stories) (feet)	Principal Structure: 31/35 Accessory Structure: 21/20	31/35	31/35

CHAPTER 2: DISTRICTS
SECTION 2.5: R-30 RESIDENTIAL LOW DENSITY DISTRICT

2.5.3: DIMENSIONAL STANDARDS

Minimum Open Space Set-Aside (% of total development size)	Residential Uses	10	12	15
All Other Allowable Uses	5	7	10	10

NOTES

1/ The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4.B: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.

2/ May be increased to 2.0 for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance.

3/ May be reduced to 21,780 square feet for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance provided compliance with all applicable Henderson County Health Department requirements is maintained.

4/ May be reduced to 30,000 square feet for lots of record lawfully established prior to the effective date of this Ordinance.

5/ Measured at the interior edge of the front setback.

6/ 50 feet from an arterial or thoroughfare street right-of-way.

7/ May be reduced to 25 feet when necessary to minimize erosion, sedimentation, or land disturbance. The rear or alternate side setback, as appropriate, shall be increased by an amount corresponding to the reduction in the street setback.

8/ Except for fences, walls, and features identified in Section 2.4.B: Allowable Encroachments into Setbacks, detached accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.

9/ Minimum setback increases by two feet for every foot in height beyond 8 feet.

10/ At least 50 percent of the open space set-aside shall be configured for active recreation.

11/ Applied based on the average grade of the development.

2.6: R-20 MODERATE DENSITY RESIDENTIAL DISTRICT

2.6.1: PURPOSE AND INTENT
 The R-20 district is designated primarily for single-family detached residential development on individual lots with a minimum of 10,000 square feet.

2.6.2: TYPICAL FORMS OF DEVELOPMENT



2.6.3: DIMENSIONAL STANDARDS

Requirement	Lots with Land Disturbance on Low Slopes (less than 15%)	Lots with Land Disturbance on Steep Slopes (15% to 25%)	Lots with Land Disturbance on Very Steep Slopes (25% or more)
Maximum Residential Density (units/acre)	2.17	2.0	1.75
Minimum Lot Area (sq. ft.)	20,000	21,750	25,000
Maximum Impervious Cover (% of lot area)	45	40	35
Minimum Lot Width (feet)	80	70	70
Minimum Street Setback (feet)	Principal Structure: 30 Accessory Structure: 30	35	40
Minimum Side Setback (feet)	Principal Structure: 20 Accessory Structure: 10	25	20
Minimum Rear Setback (feet)	Principal Structure: 20 Accessory Structure: 10	25	20
Minimum Spacing Between Principal Structure and Detached Accessory Structure (feet)	In accordance with State Building Code and applicable fire codes		
Maximum Building Height (stories) (feet)	Principal Structure: 31/35 Accessory Structure: 21/20	31/35	31/35
Minimum Open Space Set-Aside	Residential Uses: 10	12	15

CHAPTER 2: DISTRICTS
SECTION 2.6: R-20 MODERATE DENSITY RESIDENTIAL DISTRICT

2.6.3: DIMENSIONAL STANDARDS

(% of total dev. size)	All Other Allowable Uses	5	7	10
Residential Uses	10	12	15	15

NOTES

1/ The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4.B: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.

2/ May be increased to 2.5 for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance.

3/ Any allowable uses other than a single-family detached dwelling require an additional 10,000 square feet per lot.

4/ May be reduced to 17,420 square feet for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance provided compliance with all applicable Henderson County Health Department requirements is maintained.

5/ May be reduced to 20,000 square feet for single-family detached dwellings on lots of record lawfully established prior to the effective date of this Ordinance.

6/ Measured at the interior edge of the front setback.

7/ Increase by 10 feet any other allowable uses other than a single-family detached dwelling.

8/ 50 feet from an arterial or thoroughfare street right-of-way.

9/ May be reduced to 25 feet when necessary to minimize erosion, sedimentation, or land disturbance. The rear or alternate side setback, as appropriate, shall be increased by an amount corresponding to the reduction in the street setback.

10/ Except for fences, walls, and features identified in Section 2.4.B: Allowable Encroachments into Setbacks, accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.

11/ Minimum setback increases by two feet for every foot in height beyond 8 feet.

12/ At least 50 percent of the open space set-aside shall be configured for active recreation.

13/ Applied based on the average grade of the development.

2.7: OI OFFICE INSTITUTIONAL DISTRICT

2.7.1: PURPOSE AND INTENT

The Office Institutional (OI) district is established to accommodate civic and institutional uses in high quality single building and multi-building developments. The OI district also serves as a transition area between higher intensity commercial and mixed-use developments and nearby lower density single-family residential neighborhoods.

2.7.2: TYPICAL FORMS OF DEVELOPMENT



2.7.3: DIMENSIONAL STANDARDS

Requirement	Lots with Land Disturbance on Low Slopes (less than 15%)	Lots with Land Disturbance on Steep Slopes (15% to 25%) /1/	Lots with Land Disturbance on Very Steep Slopes (25% or more) /2/
Maximum Residential Density (units/acre)	None	None	None
Minimum Lot Area (sq. ft.)	20,000	21,750	25,000
Maximum Impervious Cover (% of lot area)	55	45	40
Minimum Lot Width (feet) /2/ /3/	60	70	70
Minimum Street Setback (feet)	30	35	40
Minimum Side Setback (feet)	20	25	30
Minimum Rear Setback (feet)	10	15	20
Minimum Spacing between Principal Structure and Detached Accessory Structure (feet)	10	15	20
Maximum Building Height (stories/feet)	3/ 35	3/ 35	3/ 35
	2/ 20	2/ 20	2/ 20

CHAPTER 2: DISTRICTS
SECTION 2.7: OI OFFICE INSTITUTIONAL DISTRICT

2.7.3: DIMENSIONAL STANDARDS

Requirement	Lots with Land Disturbance on Low Slopes (less than 15%)	Lots with Land Disturbance on Steep Slopes (15% to 25%) /1/	Lots with Land Disturbance on Very Steep Slopes (25% or more) /2/
Minimum Open Space Set-Aside (% of total dev. site)	5	7 /4/	10 /6/

NOTES
 /1/ The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4.B: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.
 /2/ Measured at the interior edge of the street setback.
 /3/ Increase by 10 feet for allowable uses other than a single-family detached dwelling.
 /4/ Except for fences, walls, and features identified in Section 2.4.B: Allowable Encroachments into Setbacks, accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.
 /5/ Minimum setback increases by two feet for every foot in height beyond 8 feet.
 /6/ At least 50 percent of the open space set-aside shall be configured for passive recreation; the balance may be configured as urban or active.

Section 10.2.9- AVERAGE SLOPE DETERMINATION

Mr. Meadows said:

1. Applicants must use average slope method in UDO or obtain slope study
2. Slope study must be prepared by PE
3. Report + map showing slope areas + methodology
4. If have slope study is conducted, applicant must show slope areas on all subsequent applications
5. Areas excluded from slope study are subject to slope determination method in UDO
6. Slopes defined

10.2.8: LOT COVERAGE

Lot coverage is the percentage of a lot or development site that is covered by buildings or roof structures, excluding allowed projecting eaves and balconies.

10.2.9: AVERAGE SLOPE AND ELEVATION

A: AVERAGE SLOPE

The degree of deviation of the ground surface from a flat, horizontal elevation, usually expressed in percent or degrees of deviation from horizontal (see Figure 10.2.9: Slope). The average slope of a lot may shall be determined using the following approach:

$0.33 \times 100 = 33\% \text{ slope}$

2: DETERMINING SLOPE BASED ON SLOPE STUDY OPTION

- a: As an alternative to use of the methodology in sub-section (1) above, an applicant may have a slope study prepared by a professional engineer licensed by the State for all or a portion of the lot in accordance with Section 3.1.4.B: Subject to Slope Study.
- b: Use of the slope study option shall result in a sealed report and corresponding map of the lot(s) that indicates the average slope throughout the lot, with all areas of low slope, steep slope, and very steep slope indicated on the map.
- c: The slope study shall also include the methodology used by the preparer in determination of average slopes.
- d: Lots subject to a slope study shall include the demarcated slope area designations and the total limits of land disturbance on all site plans, preliminary and final plats, plot plans, and site sketches submitted for the purposes of review under this Ordinance.
- e: Average slopes on any portion of a lot subject to a slope study, but not included in the slope study, shall be determined in accordance with Section 10.2.9.A:1: Determining Average Slope Based on Topographic Contours.

B: LOW SLOPE DEFINED

The portion of a lot, tract, or site that has a natural or man-made slope of 15 percent or less, determined in accordance with this section.

B:C: STEEP SLOPE DEFINED

The portion of a lot, tract, or site that has a natural or man-made slope exceeding 15 percent but less than 25 percent, determined in accordance with this section. If any portion of a lot has a pre-development slope between 15 percent and 24.99 percent, the entire lot shall be considered as a lot with a steep slope.

C:D: VERY STEEP SLOPE DEFINED

The portion of a lot, tract, or site that has a natural or man-made slope of 25 percent or more, determined in accordance with this section. If any portion of a lot has a pre-development slope of 25 percent or more, the entire lot shall be considered as a lot with a very steep slope.

D:E: BASE FLOOD ELEVATION (BFE)

Mr. Meadows also clarified some definitions:

1. Defined “land disturbance” – impervious, semi-impervious, soil movement, land with CRZ of removed trees
2. Defined Slope Study – report, map, methodology, by professional PE

CHAPTER 10: WORD USAGE	
SECTION 10.3: DEFINITIONS	
INVASIVE SPECIES	A plant species identified as noxious or dangerous by the Town or other governmental agency.
ITINERANT MERCHANT SALES	An individual or business offering goods or services for sale at retail to members of the general public either in their homes, their place of business, or from a vehicle on a lot with an established use or a vacant lot.
J K L	
LAKE OR NATURAL WATERCOURSE	Any stream, river, brook, swamp, sound, bay, creek, run, branch, canal, waterway, estuary, and any reservoir, lake or pond, natural or impounded, in which sediment may be moved or carried in suspension, and which could be damaged by accumulation of sediment.
LAND DISTURBANCE	<u>For the purposes of determination of how zoning district dimensional standards apply to development on a lot with geologic hazards, steep slopes, or very steep slopes, land disturbance shall mean any area of impervious or semi-impervious surface, any area where soil has been or will be disturbed as a part of development, and all locations located within the critical root zones of trees that are proposed to be removed from a site as part of development.</u>
LAND-DISTURBING ACTIVITY	Any use of the land by any person in residential, industrial, educational, institutional, or commercial development, highway and road construction
SITE SKETCH	See "Plan, Plot."
SLOPE STUDY	<u>A study consisting of a written report and accompanying map prepared by a professional engineer licensed by the State that designates the average slope of one or more portions of a lot, and how average slope was determined.</u>
SLOPE, LOW	See Section 10.2.9: Slope and Elevation

Section 6- SITE PLAN PROCEDURE/VARIANCE PROCEDURE

Mr. Meadows said the Planning Board and Board of Adjustment gave staff the following directions on November 16, 2023:

1. Remove statement in site plan procedure requiring variance to be decided before site plan
2. Planning Board to review, but not decide applications for site plans that require a variance
3. BOA will review and decide variance; variance application must include all the information necessary to determine if the application meets the review criteria
4. Planning Board will then decide site plan application
5. Added clarification that when site plan applications include an administrative adjustment request, the adjustment request shall be decided by staff prior to decision on the site plan by Planning Board

Mr. Meadows went through the site plan procedure:

1. Removal of language about prior variance approval
2. Indicates Planning Board will review, but not decide, site plans that require a variance
3. BOA will decide variance after initial Planning Board review

4. Planning Board will make final decision on site plan after BOA decides variance
5. Additional clarity regarding timing of administrative adjustment
6. Administrative adjustment to be decided by staff prior to site plan decision by Planning Board

B: APPLICABILITY													
<p>Except for development exempted from site plan review in accordance with Section 6.3.16:C: Exemptions, all forms of development that involve construction, moving, or significant alteration of a building or habitable structure, that result in the increase in the amount of impervious surface on a lot, or that involve the provision of landscaping, off-street parking, stormwater control mechanisms, or similar site features shall be subject to site plan review in accordance with this section. <u>In cases where a site plan requires approval of a variance or administrative adjustment, the variance or administrative adjustment shall be reviewed and decided prior to review of the site plan.</u> (AMENDED 8-15-22 UDOTA 1-23)</p> <p>C: EXEMPTIONS</p> <p>1: The following forms of development are exempted from site plan review, but may require a plot plan and shall be subject to the standards in Section 6.3.22:Zoning Compliance Permit, and Section 6.3.4: Building Permit, as appropriate:</p> <ul style="list-style-type: none"> a: Construction of a single-family detached dwelling on its own individual lawfully established lot provided the lot does not have geologic hazards, steep slopes, or very steep slopes; b: Establishment of an accessory use or structure on a single-family residential lot with a lawfully established principal use; and c: Interior up-fits or changes to a lawfully established non-residential structure or use type that do not result in the need for additional off-street parking spaces, additional screening or landscaping, differing stormwater practices, or any changes to the amount of impervious surface cover. <p>2: In cases where a single-family detached dwelling is proposed on a lot that has geologic hazards, steep slopes, or very steep slopes, site plan review in accordance with this procedure shall be required. (AMENDED 12-15-22 UDOTA 3-22)</p> <p>D: PROCEDURE</p> <p><u>Except as described below, site plan applications shall be reviewed and decided by the Planning Board in accordance with Figure 6.3.16, Site Plan Procedure.</u></p> <p>1: <u>In cases where an application for site plan approval also requires approval of a variance in accordance with Section 6.3.20: Variance, the Planning Board shall review the site plan application prior to consideration of the variance by the Board of Adjustment, but the Planning Board shall not decide the site plan application until after any required variances have been approved by the Board of Adjustment.</u></p>	<table border="1"> <tr> <td>2</td> <td>File Application See Section 6.2.6: Application Filing and Acceptance</td> </tr> <tr> <td>3</td> <td>Determination of Completeness See Section 6.2.6.F: Determination of Application Completeness</td> </tr> <tr> <td>4</td> <td>Staff Review and Recommendation See Section 6.2.8: Staff Review and Action Includes consideration of tree retention aspects</td> </tr> <tr> <td>5</td> <td>Parks and Greenways Board Review and Comment For impacts on tree protection, parks, and greenways</td> </tr> <tr> <td>6</td> <td>Planning Board Review and Decision See Section 6.2.10: Public Meetings and Hearings</td> </tr> <tr> <td>7</td> <td>Written Notification of Decision See Section 6.2.12: Written Notice of Decision</td> </tr> </table>	2	File Application See Section 6.2.6: Application Filing and Acceptance	3	Determination of Completeness See Section 6.2.6.F: Determination of Application Completeness	4	Staff Review and Recommendation See Section 6.2.8: Staff Review and Action Includes consideration of tree retention aspects	5	Parks and Greenways Board Review and Comment For impacts on tree protection, parks, and greenways	6	Planning Board Review and Decision See Section 6.2.10: Public Meetings and Hearings	7	Written Notification of Decision See Section 6.2.12: Written Notice of Decision
	2	File Application See Section 6.2.6: Application Filing and Acceptance											
	3	Determination of Completeness See Section 6.2.6.F: Determination of Application Completeness											
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	5	Parks and Greenways Board Review and Comment For impacts on tree protection, parks, and greenways											
	6	Planning Board Review and Decision See Section 6.2.10: Public Meetings and Hearings											
	7	Written Notification of Decision See Section 6.2.12: Written Notice of Decision											

CHAPTER 6: PROCEDURES	
SECTION 6.3: DEVELOPMENT APPLICATION PROCEDURES	
<p><u>2: In cases where an application for a site plan approval is accompanied by a request for an administrative adjustment in accordance with Section 6.3.2: Administrative Adjustment, the administrative adjustment request shall be decided by the Town Manager before the site plan application is decided by the Planning Board.</u></p> <p>D:E: REVIEW CRITERIA</p> <p>Following a public meeting, a site plan shall be approved by the Planning Board, provided the application complies with:</p> <ol style="list-style-type: none"> 1: All standards or conditions of any prior permits or development approvals; 2: The applicable street addressing policies of the Town and the County, and that the street address of all lots are clearly identified on the site plan; 3: Any applicable concept plans, master plans, or terms and conditions; 4: All applicable requirements of this Ordinance, including zoning district requirements in Chapter 2: Districts, environmental requirements in Chapter 3: Environment, use provisions in Chapter 4: Land Uses, development standards in Chapter 7: Standards, and subdivision and infrastructure requirements in Chapter 8: Subdivisions; and 5: All applicable County, State, and federal requirements. <p>E:F: EFFECT</p>	

Mr. Meadows presented the variance procedure to Council:

1. Clarification regarding required site plan content
2. Clarification regarding Planning Board's prior review of site plan in cases where a variance application is associated with a site plan application

6.3.20: VARIANCE		
A: PURPOSE AND INTENT		
<p>The purpose of this section is to allow deviations from certain standards of this Ordinance when the landowner demonstrates that, owing to special circumstances or conditions beyond the landowner's control (such as topographical conditions, narrowness, shallowness, or shape of a specific parcel of land), a literal application of the standards would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest. This section also includes variance provisions for reasonable accommodation of persons with physical disabilities and variances pertaining to the Town's special flood hazard area requirements, water supply watershed protection standards, and stormwater provisions.</p> <p>B: APPLICABILITY</p> <ol style="list-style-type: none"> 1: Development that would otherwise be subject to undue and unique hardship from the applications of the standards in this Ordinance may seek relief from the standards in accordance with this section. 2: No variance may be sought that increases development density (e.g., units per acre) beyond that allowed in a base zoning district, or that would permit a use not allowed in a zoning district. 3: Applications seeking variance from the watershed protection standards applicable in the WPO districts shall be filed and considered in accordance with this section and Section 2.12.2.L: Variance from Watershed Standards. 4: Applications for a variance shall <u>require include</u> submittal of a site plan <u>depicting all the information necessary for the Board of Adjustment to determine if the application meets the applicable review criteria.</u> (AMENDED 8-15-22 UDOTA 1-23) 5: <u>In cases where a variance application is associated with a separate site plan application filed in accordance with Section 6.3.16: Site Plan, the Planning Board shall review the site plan application in accordance with the standards and procedures in Section 6.3.16: Site Plan, before the Board of Adjustment considers the associated variance request, but shall not render a decision on the site plan until after any associated variance applications have been decided in accordance with the standards of this section.</u> <p>C: DECISION</p> <ol style="list-style-type: none"> 1: In cases where a development application (e.g., a site plan) requires approval of a variance, the variance shall be reviewed and decided prior to review of other aspects of the development application. (AMENDED 8-15-22 UDOTA 1-23) 	FIGURE 6.3.20: VARIANCE PROCEDURE <small>(AMENDED 8-15-22 UDOTA 1-23)</small>	
	STEP	ACTION
	1	Pre-Application Conference See Section 6.2.4: Pre-Application Conference
	2	File Application See Section 6.2.6: Application Filing and Acceptance Variance applications shall require submittal of a site plan
	3	Determination of Completeness See Section 6.2.6F: Determination of Application Completeness
	4	Staff Review See Section 6.2.8: Staff Review and Action
	5	Public Hearing Scheduled
	6	Public Notification See Section 6.2.9: Public Notification
	7	Board of Adjustment Review and Decision See Section 6.2.10: Public Meetings and Hearings
8	Written Notification of Decision See Section 6.2.12: Written Notice of Decision	
9	Recordation	

Mayor O’Cain asked if there are any public comments. There were two.

Town Clerk Amin read a letter sent by Mr. Steven Shadle of 331 Orchard Circle:

- c. Letter - The aforesaid letter is attached to, and made part of, these minutes as Appendix 3.

Mr. Shadle of 276 Orchard Circle thanked the Council and asked about the consequences of density. He asked if the Council has done any study about future density.

Mayor O’Cain said the Town has done less studies because Laurel Park is running out of space on the mountain. Mayor O’Cain explained the reason for the UDO is because the Town can’t allow erosion

because of potential land slides that are very costly for the Town to fix or prevent. The UDO is a living document that the Town knows they will need to tweak numerous times to try to get it as close to right as possible.

Commissioner Bridges moved to close the public hearing at 11:17 a.m. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Mayor O’Cain asked if Council had any further discussion. There were none.

Commissioner Dunn moved to approve the current calculation of average slope that fails to address lots that have flat/flatter portions. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Bridges moved to approve encouraging development on the flattest parts of lots. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Banta moved to approve applying the average slope standards in §10.2.9 but creating an opportunity for an applicant to have a slope study prepared that would permit them to avoid slope areas (and requirements). Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Dunn moved to approve as drafted, amendment allowing for the preparation of a slope study. If the development is subject to a slope study takes place outside steep/very steep slopes, it is exempted from slope standards and special dimensional requirements. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Commissioner Bridges moved to approve any land disturbance taking place within a steep or very steep portion of a lot subject to a slope study, then the slope and dimensional requirements apply to the entire lot. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

Town Clerk Amin asked Council to approve ORDINANCE NO. UDOTA 2-23.
Commissioner Banta moved to approve the Ordinance, but the vote was never called.

Mr. Chad Meadows departed the meeting at 11:20 am.

401K CONTRIBUTIONS- UPDATE POLICY

Finance Officer Medlin said the Town’s Personnel Policy requires an update concerning Section 500.06 (Supplemental Retirement Income – 401(k) Plan). State law mandates a 5% contribution by the Town for all full-time police officers; contributions for all other employees are based upon the annual budget.

From fiscal year 2016 to 2018, the rate for all other employees increased 0.5% per year to move the contribution from 3.5% to 5%. While the Council retains the authority to change this rate in future budgets, the Personnel Policy should reflect the current rate. Mayor O’Cain would like to encourage people to put money into their 401K.

Commissioner Dunn moved to approve the update to Section 500.06 of the Town's Personnel Policy. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

TOWN MANAGER’S REPORT

Town Manager Carmicheal said Mr. Brent Detweiller ran numbers for the sidewalks between the Town of Laurel Park and the City of Hendersonville and they are less than \$1,000. Town Manager Carmichael said he has a meeting scheduled with Town Attorney Alexander.

Due to the storm, there was a landslide on Ransier Drive. Public Works did a great job cleaning it up.

There were some issues with Laurel Green Park, storm measure two on the Lakemoor side had a blowout on one portion of the berm. Baker Construction is looking into correcting the issue.

The area between the playground and the coffee shop is always flooded and worsened when a drain was put in the wrong angle.

The live stakes and fence will be picked up by Baker Construction, this week.

Due to staff turnover the website will be a little delayed, but after speaking with Mr. Burns it should be ready by the Budget Retreat.

DEPARTMENT HEAD REPORTS

PUBLIC WORKS

Public Works Director Johnson said the department is still working on leaves, then they will pick up brush. Due to the rainstorm, there were three trees lost and clogged drains. Due to the ice storm, there were limbs that were picked up and staff salted all the roads.

FIRE

Fire Chief Tim Garren was not present. Chief Bobbie Trotter said the fire department has been busy, but they are fully staffed. Chief Garren just wanted everyone to be careful with alternate heat sources.

POLICE

Chief Trotter said there were 12,856 events. Officer Pittman's last day will be next week. New Officer Maynard finished his field training, and a new reserve officer Banks was sworn in.

In regard to the vehicles, the department had a problem with one of the Durango's and got a Tahoe in.

Officers Elliott, Murray, Maynard, and Junger will be in training.

Finally, the department has gotten the radar sign.

ADMINISTRATION

Town Clerk Amin said Staff is still working on end of year and beginning of year reporting while still being short staffed.

Town Manager Carmichael said he and Commissioner Banta will have an interview on the 17th for a part-timer.

Finance Officer Medlin said they are currently working on creating an audit draft.

MAYOR AND COMMISSIONER COMMENTS

Commissioner Banta- Commissioner Banta asked Staff to contact the cable company about removing the overhead cable from Echo Lane.

Commissioner Dunn- Commissioner Dunn asked about the repairs to the castle at Laurel Green Park. Town Manager Carmichael said the repairs are complete, but the walkway is still not done. Commissioner Dunn urged Staff to complete the park and reopen it as soon as possible.

Mayor Comments- Mayor O'Cain presented to Council videos and pictures of a park in Cary that he visited to give Council some possible ideas for the future park at Laurel Green.

Mayor O'Cain said Marti Rimbault reached out to ask for the Council's support in building a sewer sleeve under the track while they are doing construction on the Ecusta trail.

- d. Letter - The aforesaid letter is attached to, and made part of, these minutes as Appendix 4.

Council all agreed that this was the time to do it. Mayor O'Cain said he will work with Town Manager Carmichael to come up with a letter of support.

Mayor O'Cain said the owner of the development off Willow Road that abuts Somersby Lane is asking the Mayor his thoughts about putting twenty residential homes on thirty-one acres of land. Mayor O'Cain said he is in favor of high-end controlled homes. Town Manager Carmichael said he had a preconference with the owner when Mr. Jones was here, and he will meet them again with Ms. Finkle.

Commissioner Bridges- Commissioner Bridges said there will be a community event on March 28 from 1 p.m. to 3 p.m. presented by Mr. Steve Pettis, Valley Hill Fire Department, Friends of Laurel Park, and two Somersby residents. It will cover wildlife control, wildfire, and Invasive Species.


Commissioner Bridges asked if anyone had any agenda items for Land of Sky. Town Manager Carmichael said to ask Land of Sky if they can help with the sewer extension.

Mayor O’Cain said there is also an LGCCA meeting today.

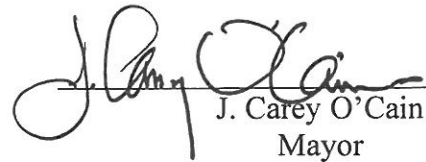
ADJOURNMENT

There being no further business, Commissioner Banta moved to adjourn at 11:52 a.m. Mayor O’Cain asked for discussion; there was none. The vote was unanimous in favor of the motion.

ATTEST:



Tamara M. Amin, CMC, NCCMC
Town Clerk/ Deputy Tax Collector


J. Carey O’Cain
Mayor

2/20/24

Date

Resolution from the Local Government Committee for Cooperative Action Honoring the Past Service of Councilman Bob Davy

WHEREAS, Councilman Davy has been a strong supporter of local government services throughout his 30 plus years of service to the community; and

WHEREAS, Councilman Davy has been instrumental in bringing recreational services and facilities to the Town of Fletcher making it a focal point in the community; and

WHEREAS, Councilman Davy has been a strong part of the Town of Fletcher's efforts to develop its downtown area through the Heart of Fletcher and Town Center initiatives; and

WHEREAS, Councilman Davy has been a good steward of the Town of Fletcher's resources helping to ensure that services have been provided in the most economical and efficient manner for its residents; and

WHEREAS, Councilman Davy has been a good example to follow of civic mindedness in striving to represent the best interests of the constituents that he served; and

WHEREAS, Councilman Davy has also been a strong advocate of what is in the best interest of our region through his service on the Land of Sky Regional Council, Metropolitan Planning Organization Transportation Advisory Council, Henderson County Transportation Advisory Council, and Local Government Committee for Cooperative Action; and

WHEREAS, Councilman Davy was recently awarded the Order of the Long Leaf Pine by the Governor for his exemplary service and accomplishments serving the Town of Fletcher.

NOW THEREFORE BE IT RESOLVED, by the Local Government Committee for Cooperative Action (LGCCA), as follows:

That Councilman Bob Davy be recognized for his many years of outstanding service to the community and his many contributions to the LGCCA and other regional local government entities in western North Carolina.

Approved this the 16th day of January, 2024



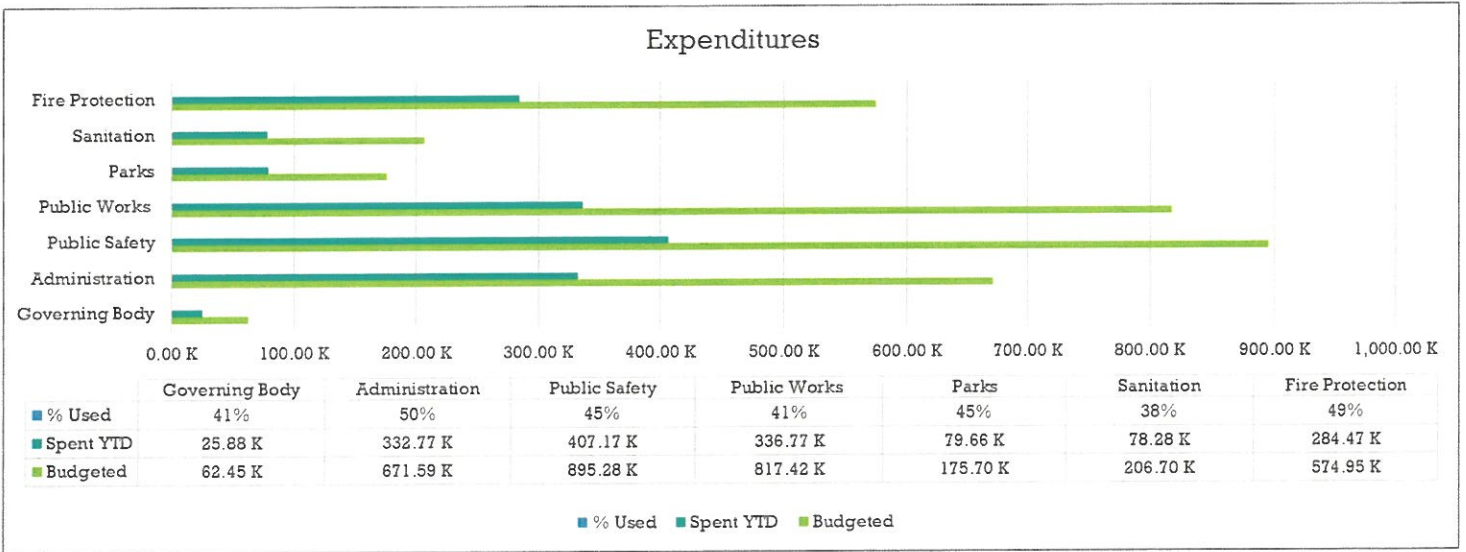
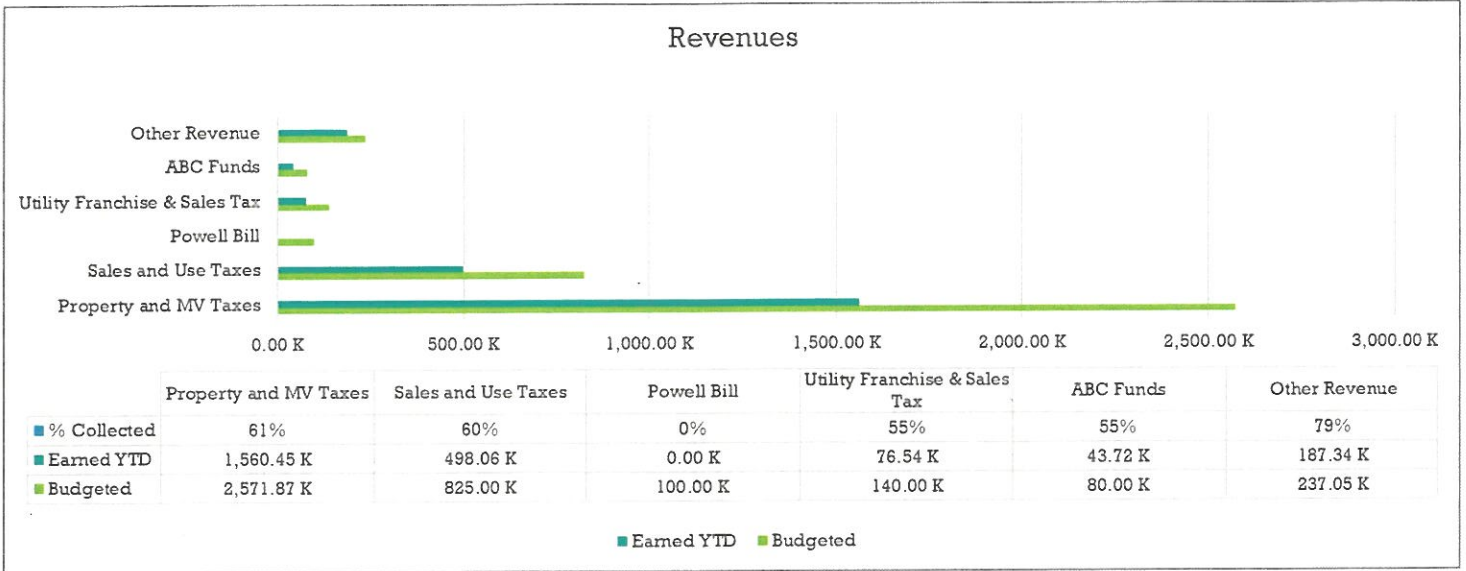
Mayor J. Carey O' Cain
Town of Laurel Park

ATTEST: 

Tamara Amin, Town Clerk
Town of Laurel Park



Appendix - 1
December Monthly Report



Tax Collector's Report (December 31, 2023)

For prior year taxes, a total of \$30,342.28 remains outstanding. The Town received \$566,838.86 from Henderson County for property taxes collected for August and a total of \$2,158,498.69 since the 2023 bills were mailed. The 2023 tax levy is \$2,571,274.14. The Town currently has a collection rate of 84.167%.



Planning & Zoning

Status of Single Family Residential Dwellings (SFRD)

2021-19	212 Beechwood	Jennifer Yost	UC
2022-1	312 Daniel Dr.	Chris St. Onge	UC
2022-23	74 Indian Woods Trl	Jon Skillman	UC
2022-31	10 Fawn Turn Ln	Sigfrid Della Valle	UC
2022-38	209 Ficker Cir.	Sarah Adams	UC
2022-44	945 Somersby Pkwy.	Matt Padula	UC
2023-4	200 Rowland Dr.	Loyd Alexander	LPZCP
2023-5	PIN# 9548467175/Clays Cv.	Josh Youngblood	LPZCP
2023-29	PIN# 9558252937 (9558262012)	Chris Brock	UC

Status Legend

LPZCP = Laurel Park Zoning Compliance Permit

HCBP = Henderson County Building Permit

UC = Under Construction

NC = Nearly Complete

Monthly Permits Other Than SFRD

Deck	0
Sign	0
Fence	0
Additions or Remodel	0
Accessory Use or Structure	0
Total for December	0

Appendix - 2

Tamara Amin

From: Paul Hansen
Sent: Monday, January 15, 2024 1:02 PM
To: Tamara Amin
Subject: Council meeting subjects

Tamara,

Since I cannot be at the Council meeting, I have some comments to add:

1. Renaming Laurel Park Highway. Changing it to "Parkway" will not help controlling the speed. You could rename it "Boulevard" but it would not cause higher speeds. Calling it a "Carriage way" would not slow down traffic either. The name of the road will not control the speed. We need to work with the PD and come up with some "out of the box thinking" I can think of several potential options going forward. LP Highway should stay the way it has been for the last 100 years!

2. We discussed having 4 renderings, 1 specifically showing what the Hwy-64 / Ecusta Trail is going to look like so that we can put it on the website and newsletter.

Paul

Sent from my iPhone



P.O. Box 1276
Hendersonville, NC 28793
Phone: (828) 698-0407
E-mail: legals@hendersonvillelightning.com
Web: hendersonvillelightning.com

January 10, 2024

Tamara Amin, CMC, NCCMC
Town Clerk
441 White Pine Drive
Laurel Park, NC 28739

Public Hearing Notice: Tuesday, January 16, 2024, at 9:30 a.m.

I, William L. Moss, affirming the following under the penalties of perjury state:

I am editor and publisher of the *Hendersonville Lightning*, a newspaper published, issued and entered as periodical mail in the City of Hendersonville, County of Henderson and State of North Carolina. I hereby certify that the advertisement annexed hereto was published in the editions of the *Hendersonville Lightning* on the following date or dates:

1/03, 1/10

And that the said newspaper in which such notice, paper, document or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and is a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This 10th day of January, 2024.

(Signed)

Sworn to and subscribed before me this 10th day of January, 2024.

Janet R. Chapin
Janet R. Chapin

Notary Public

My commission expires December 11, 2024.

NOTICE OF PUBLIC HEARING

The Laurel Park Town Council will hold a PUBLIC HEARING on Tuesday, January 16, 2024, at 9:30 a.m. in the Laurel Park Town Hall, 441 White Pine Drive, Laurel Park, NC 28739. The Town Council will consider amendments to the text of the Unified Development Ordinance that address the following sections:

Section 3.1, Sites with Slopes or Geologic Hazards, to authorize an applicant-prepared slope study that documents if a development is located outside steep or very steep slopes. Approval of a slope study waives the more restrictive dimensional requirements for steep and very steep slopes in

of Henderson, State of North Carolina, this is to notify all persons, firms and corporations having claims against said estate to present them to the court.

Prince, Massage & Alexander, PLLC
Attorneys
240 Third Avenue West
Hendersonville, NC 28739
1/2/13, 20, 1/03, 1/10/24

TOWN OF LAUERL PARK

Council
Public Hearing
UDO

PUBLIC COMMENT SIGN-UP SHEET

MEETING DATE: 1/16/24

NOTE: ALL INFORMATION PROVIDED ON THIS FORM IS A PUBLIC RECORD

WE APPRECIATE OUR CITIZENS AND GUESTS EXPRESSING THEIR VIEWS ON THE FUTURE OF LAUREL PARK.

WE OFFER THE FOLLOWING GUIDELINES FOR SPEAKING DURING PUBLIC COMMENT.

- COMMENTS WILL BE **LIMITED TO 3 MINUTES** IN AN EFFORT TO BE FAIR AND OFFER EVERYONE AN OPPORTUNITY TO SPEAK.
- ATTENDEES ARE REQUESTED TO DESIGNATE A SPOKESMAN FOR GROUPS SUPPORTING OR OPPOSING THE SAME POSITION. IF THE NUMBER OF PERSONS WISHING TO ATTEND THE COMMENT PERIOD EXCEEDS THE CAPACITY OF THE HALL, GROUPS ARE ASKED TO SELECT DELEGATES FROM GROUPS SUPPORTING OR OPPOSING THE SAME POSITION.
- PLEASE BE RESPECTFUL AND COURTEOUS IN YOUR REMARKS.
- PLEASE REFRAIN FROM PERSONAL ATTACKS AND FROM USING PROFANITY.
- **PLEASE STATE YOUR NAME AND ADDRESS PRIOR TO SPEAKING.**

PLEASE PRINT THE INFORMATION BELOW

	<u>NAME</u>	<u>ADDRESS</u>	<u>SUBJECT</u>
1.	Steven Shadle	UDO Appointments 331 Orchard Circle	UDO Amend. (email)
2.	Mark Packard	276 Orchard Circle	? 's UDO (email)
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Appendix-3

January 12, 2024

To: Laurel Park Town Council

From: Steven Shadle

Re: Public hearing regarding the Unified Development Ordinance - UDO amendment dated January 16

Good Morning Laurel Park Town Council,

I am submitting these written comments as I am unable to attend due to a family emergency that requires me to be out of town. I will join via zoom to observe.

My wife and I purchased our home in Laurel Park in January 2016 and I have been here almost full time since 2019. As part of my past work experience I was Assistant Director of Land Development for small home builder for 3.5 years and have worked in multiple jurisdictions all with different subdivision and land development ordinances. I have attended an extensive number of variance, planning commission and town council meetings in my former capacity. I was excited when the UDO was enacted in 2018 as it was a significant step forward in preserving the character of Laurel Park. I appreciate all who put time and energy into developing the UDO. Our property is next to an undeveloped very steep sloped lot and so any proposed changes to the very steep slope requirements has the potential to directly impact the enjoyment of and value of our property which is why I am submitting these comments.

I must admit that for a small town with limited resources I am surprised at the amount of time and resources committed to what appears an almost continuous revision of the UDO; the Town Council is now considering the SIXTH amendment in just over 3 years. My experience in smaller municipalities has been that revisions are considered by planning commissions every 2 or 3 years after a joint meeting between town staff, planning commission members and board of adjustment members to discuss areas of the ordinances that have been issues with residents and/or developers that need clarification.

I met with the Town Manager and Interim Zoning Administrator last Thursday to discuss this proposed amendment. It was a lively and informative discussion and I have several issues which are outlined below. One question I had asked is why we are considering this amendment and I was told it was brought forth by the planning commission. I asked why this particular item was brought forward since it will impact a very small percentage of land owners in Laurel Park. I also inquired with the Town Clerk last Friday morning if the chair or any members of the planning commission would be in attendance to answer that question and she indicated they are not required to attend. I find it hard to understand that at a public hearing to consider an amendment to the UDO; that the citizens of Laurel Park who sit on the planning commission and oversaw the draft of this document with the support of town staff and consultants are not present. I believe at minimum the chair of the planning commission should be here to answer the questions of fellow residents and explain the rationale; this should not fall to town staff or consultants.

Steven Shadle

SUBJECT: SUPPLEMENTAL RETIREMENT INCOME - 401(K) PLAN

PURPOSE: To outline procedures for the administration and eligibility of the State 401(k) Supplemental Retirement Income Plan.

STATEMENT OF POLICY: The Town participates in the Supplemental Retirement Income Plan of North Carolina created in 1984 by the North Carolina General Assembly to offer a tax-deferred investment program. The plan is allowable and governed under Section 401(k) of the Internal Revenue Code. The plan is sponsored by the State of North Carolina and is governed by the Department of State Treasurer and the Plan's Board of Trustees.

For all full-time police officers, the Town of Laurel Park contributes 5% of their pay to the State's 401(k) Plan as prescribed by law.

For all other full-time employees, the Town of Laurel Park contributes 5% of their pay to the State's 401(k) Plan.

Employees may make additional contributions to the State 401(k) Plan.

Benefits received through this program are in addition to any Social Security or Retirement System benefits for which the participating employee would be eligible.


Enrollment and benefits forms are available through the Administrative Office. It is the employee's responsibility to keep information on file up to date related to their account as to name, address and beneficiary(s).

EFFECTIVE: 04/01/98

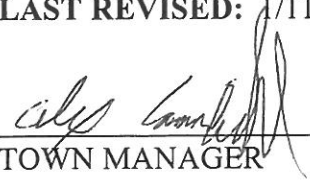
LAST REVISED: 1/11/24

APPROVAL: _____

MAYOR



TOWN MANAGER



Appendix - 4

To: Jennifer Balkcom

From: Marti Rimbault, LRH Properties, LLC

Cc: Carey O'Cain, Mayor, Town of Laurel Park

Adam Steuer, Utilities Director, City of Hendersonville

NC DOT

Re: Assistance with Sewer Line Extension for property affected by DOT Project U-5783

US 64 Improvements from Blythe Street to White Pine Drive (Laurel Park)

My husband and I own property (through LRH Properties, LLC) at the intersection of US 64 and Daniel Drive which is being impacted by the upcoming DOT Project U-5783. The property contains a rental duplex, a single family home and a detached garage. While none of the buildings are affected, the project reroutes Daniel Drive over both septic fields, rendering the property unusable.

We, along with our neighbors, are requesting your assistance in getting the DOT to bring a sewer connection under the rail bed to enable both a connection at our property now and future expansion for sewer in Laurel Park. The timing is immediate and critical as demolition and prep work on this project have begun.

This will necessitate working with the NC DOT, the City of Hendersonville Utilities, and the Town of Laurel Park. The Town of Laurel Park is in support of this proposal, and I have spoken with the Utilities Director who agrees that it makes sense to provide sewer access at this time. We need your help with NC DOT.

This addition to the U-5783 project is important for many reasons:

1. The water and sewer lines at this intersection are already being relocated at this intersection as part of the project. This cost is to be shared by the City of Hendersonville Water Department and the NC DOT.
2. There is an existing sewer manhole within 300 feet of the property, however, it is located on US 64 on the other side of the rail bed which is being converted into the Ecusta Trail.
3. There are 10-12 parcels between White Pine Drive and the Ecusta Trail which have been rezoned to Mountain Mixed by the Town of Laurel Park as part of its Uniform Development Ordinance (8/18/2021). The intention of this zoning was to provide a buffer between the residential area of Laurel Park and the Ecusta Trail. Seven (7) of these parcels are currently residential; one has a business. All of these properties are on aging septic systems which could dramatically limit any future business development in this area.

4. Almost 70% of Laurel Park is on aging septic systems, some of which are failing. There have not been many options to connect to sewer in the past primarily due to the cost/difficulty of running a connection under the railroad line. At some point, a sewer connection for lower Laurel Park will be imperative.
5. The cost to bring this sewer connection under the rail bed during this NC DOT project will be much more cost efficient now than waiting until a later date, especially since the water and sewer lines are being relocated at this time.

I am attaching copies of the project plan as well as the Laurel Park UDO zoning designation and a map of the properties in this Mountain Mixed area. The undersigned are the additional property owners in this area.