

TOWN OF UNIONVILLE
MINUTES OF REGULAR PLANNING BOARD MEETING

The Planning Board of the Town of Unionville met on Monday, September 9, 2019, at Town Hall, 1102 Unionville Church Road, Monroe, NC. Chairman Ken Trull, Board members Jeff Broadaway, Barry Baucom, Craig Rushing, Joe Medlin, and Alternates Scott Barbee and Matt Price were present. Absent were Jerry Adams and Andy Fowler.

Everyone stood and recited the Pledge of Allegiance to the United States flag, after which Craig Rushing led the prayer of invocation.

Chairman Trull called the meeting to order and welcomed all to the meeting at 7:32 p.m. Chairman Trull asked Scott Barbee and Matt Price to fill in for Jerry Adams and Andy Fowler on the Board. He then welcomed everyone who came out to the meeting.

Chairman Trull then asked for any questions on the minutes of the July 1, 2019, Regular Meeting. After a motion by Barry Baucom, seconded Matt Price, the Board unanimously approved the minutes from the July 1, 2019, Regular Meeting.

Next, Chairman Trull moved on to the next item, the recommendation of Text Amendment #TC-19-03, a text change to reverse septic restrictions to Sections 238 and 239, requiring on-site sewage disposal facilities, in compliance with House Bill 495. Chairman Trull then asked Land Use Administrator Gaddy to tell the Board about the proposed text change. She advised the Board that this was something coming from the General Assembly. House Bill 495 reversed the text amendment that required the septic system to all be on the house site. She has given them the language from the House Bill, the amended text that was repealed with House Bill 495, and the previous language used in the Town's ordinance. Administrator Gaddy stated that Council needed a recommendation for the text amendment. Matt Price clarified that this was not an option and if the Board had to do something. Chairman Trull asked if the Board had been given any direction from Council on how they preferred it. Land Use Administrator Gaddy stated that the Council did not give any specific suggestions. She advised the Board that the simplest thing to do would be to go back to the old wording. Per the Town's Ordinance, the Planning Board would provide a recommendation before Council can call for a public hearing and take a vote. Jeff Broadaway said that if the Board voted not to make a recommendation, Council could then make the call. Land Use Administrator Gaddy advised the Board that this was in response to the General Assembly's bill. Craig Rushing said that they could vote one way or the other to go back with the old verbiage or change. Jeff Broadaway then made a motion to postpone this text amendment to the next meeting. Scott Barbee then asked for clarification based on Old Gate's system and asked if there was potential for any compromise. Land Use Administrator Gaddy stated that the House Bill instructs that municipalities cannot control these things. Joe Medlin seconded the motion.

Chairman Trull then opened the floor for public comments. Darrell Baucom shared that the Department of Health and Human Services regulates sewer. This entity governs septic and how it's to be set up, with several rules that discuss off-site septic and septic easements. He stated that the municipalities are not allowed to regulate this, and the text amendment should be worded to push the

requests to the DHHS. He told the Board that he felt that they responded based on bad advice from N-Focus. Land Use Administrator Gaddy stated that Union County provides the service and makes the regulations and our ordinance was more restrictive than Union County. Craig Rushing stated that they were looking out for the homeowner and trying to avoid future issues with repair field areas, building on land, and potential problems with needed repairs. He advised that he was also concerned that there was a potential to be sued. Darrell Baucom stated that if they were abiding by the regulations, then they could not be sued. Ken Trull then repeated the motion that was on the floor and it passed unanimously.

Next, Chairman Trull brought forward the next item on the agenda, the consideration of a text change to remove multi-family housing in RA-40 from the Land Use Ordinance and Table of Uses. Land Use Administrator Gaddy stated that someone had come in asking about duplexes. She stated that it was an easy answer since that was removed from the ordinance back in 2010. Then the person started asking about other multi-family housing, and she was surprised because she started finding multi-family housing in the ordinance. Back in 2008 the Council had voted to only approve one dwelling unit per lot, which is worded in our ordinance, but then there are contradictions elsewhere. Nadine Bennett started looking into the ordinance for us and she sent her recommended revisions to strikethrough or remove from the ordinance. Land Use Administrator Gaddy stated that she wanted the Board to discuss and study this ordinance and make any decisions and recommendations to send to Council. Chairman Trull stated that since Council voted one house per lot, which is on the books, then they should recommend taking multi-family instances out of the ordinance as well. Land Use Administrator Gaddy stated that she has provided several pages of strikethroughs in the ordinance and updates to remove related items from the Table of Uses. She advised the Board that she goes to the Table of Uses to determine if and where it is allowed. Multi-family housing was simply overlooked in the past, and we need to clean up the contradictions. Chairman Trull asked for any thoughts/comments/questions from the Board. Land Use Administrator Gaddy clarified that she has not received an application for anything at this time, this is just in response to a question. Chairman Trull asked if this was in reference to a property in the Town of Unionville. Land Use Administrator Gaddy stated that it was. Jeff Broadway stated that if the document provided with the recommended deletions and alterations would clean up the ordinance, then he moved that it be accepted. The motion was seconded by Barry Baucom. Craig Rushing asked if anything had been passed under this allowance that would have to be grandfathered in. Land Use Administrator Gaddy stated that if so, it would be considered a non-conforming use. As long as the homeowners are not looking for an approval for any permits, then they would be left alone. She also gave an example of someone wanting to build a mother-in-law suite on their property. It would have to connect or it is otherwise considered a duplex, which is not allowed. However, a detached garage with an accessory apartment would still be allowed. Chairman Trull stated that there was a motion and second to recommend the removal of all the multi-family uses in the ordinance and table of uses. The Board passed the recommendation unanimously.

Chairman Trull then discussed the Land Use Plan and Future Land Use Map updates per N.C.G.S. 160D recent changes. Land Use Administrator Gaddy stated that N-Focus is watching out for us and there is a new Senate Bill that addresses some of our zoning procedures. Nadine is on it and is going to a

conference in October. She wants us to wait on making changes to the Land Use Plan until she gets back from that.

Chairman Trull then recognized Sonya to discuss the Town's Facebook page. She told the Board that Kaitlyn Baucom has set the Town up on Facebook. She has it set so that no one can make any changes that are unauthorized. Matt Price asked if this was just a Town of Unionville Facebook page. Land Use Administrator Gaddy stated that it was and we would post agendas, town events and pictures.

In other business, there is one application that will be kept for an opening. The Council has asked any applicants to come and introduce themselves.

There being no other business, and upon motion duly made by Craig Rushing the Board unanimously adjourned the meeting at 7:56 p.m.

Respectfully submitted,

Melody Braswell

Deputy Clerk