

**Planning Board Minutes
Regular Meeting
Maggie Valley Town Hall Boardroom
Tuesday, March 19, 2024
5:30pm**

Planning Board Members Present: Chairman Eric Helfers, Bill Sebastyn, Jared Lee, Chuck Cummings, Janet Banks

Members Absent: None

Staff Present: Sam Cullen, Town Planner, Noah Taylor, Assistant Town Planner

Others Present: Jim and Norma Heffron.

1. Call to Order

The meeting was called to order at 5:30 pm by Chairman Helfers. The Pledge of Allegiance was said by all.

Chairman Helfers stated that there is a plaque to be presented to Jim Heffron for his years of service.

2. Roll Call/Quorum Determination

Five members are present. A quorum was established.

3. Oath of Office

- a. Jared Lee

Jared Lee was sworn in at 5:31 pm by Assistant Town Planner, Noah Taylor

- b. Chuck Cummings

Chuck Cummings was sworn in at 5:33 pm by Assistant Town Planner, Noah Taylor

4. Appointment of Chair and Vice Chair for 2024

Bill Sebastyn made the motion to approve Eric Helfers as Chairman of the Planning Board. Chuck Cummings seconded. The Motion passed with all in favor.

Eric Helfers made the motion to approve Bill Sebastyn as Vice-Chairman of the Planning Board. Chuck Cummings seconded. The Motion passed with all in favor.

5. Disclosure of Conflicts/Approval of Agenda

Chairman Helfers asked if there were any conflicts of interest on the agenda for anyone. There were none.

Mr. Helfers asked if there was any discussion. There was none. He then asked for a motion to approve the agenda.

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Bill Sebastyn made the motion to approve the agenda for the March 19th meeting. Janet Banks seconded. The Motion passed with all in favor.

6. Approval of Minutes

a. January 16, 2024

Chairman Helfers noticed a minor grammatical mistake on page 6 involving language and capitalization.

Chairman Helfers asked if there were any other corrections to the minutes. There were none.

Chairman Helfers asked if there was any more discussion. There was none. He then asked for a motion to approve the corrected minutes.

A motion to approve the corrected minutes was made by Chairman Helfers. Bill Sebastyn seconded. The Motion passed with all in favor.

7. New Business

a. Initial Zoning R-2, 320 Cedar Drive PIN 7697-93-5744

Planner Cullen gave the report and background information. The owner of the home contacted the town to inquire about annexation for the purpose of connecting to the town sewer system, as his septic system failed. The use of the lot is a single-family home. The minimum is .25 acres, and this lot sits at .50 acres.

Planner Cullen said staff recommendation is for the property to be zoned R-2 – Medium Density Residential. This is based on the Future Land Use map (a copy included for members) and the table of permitted uses. He read the portion of the Comprehensive Plan concerning the Mountain Residential District. He stated this recommendation is consistent with the future land use plan.

Planner Cullen offered to answer any questions.

Eric Helfers noted the repair time for septic systems.

Bill Sebastyn stated that requirements have changed for septic systems and asked if this lot will be provided more services.

Planner Cullen stated the sewer services this property would receive from the Town of Maggie Valley.

The Planning Board continued to discuss the new septic requirements.

Chuck Cummings asked how much the monthly charge is for sewer service.

Planner Cullen stated that it depends on usage of the property and could vary.

**Planning Board Minutes
Regular Meeting
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Mr. Helfers asked if there was any more discussion. There was none. He then asked for a motion.

Janet Banks made the motion to recommend initial zoning of R-2. Medium Density Residential for parcel known as PIN: 7697-93-5744. Bill Sebastyn seconded. The Motion passed with all in favor.

Janet Banks made the motion to adopt the recommendation and the consistency statement for 320 Cedar Drive PIN: 7697-93-5744. Bill Sebastyn seconded. The Motion passed with all in favor.

b. Text Amendment for Underground Utilities

Planner Cullen gave the report and background information. He stated the two reasons for this text amendment coming back to the Planning Board. 1. That planning staff updated the language that removed trailer park exemptions from the language as recommend. 2. Discussion with the attorney led to minor language changes.

Chairman Helfers asked for a recap of what happened with underground utilities due to two new members that were not present in past meetings.

Planner Cullen gave the background info. He stated that this text amendment is to make sure future developments will have underground utilities enforced. He stated the General Statutes that give rules in guiding this text amendment. He stated that there are still some options for developers by stating that they can ask for a variance from the Zoning Board of Adjustment (ZBOA) if they prove a hardship due to the enforcement of this ordinance.

Janet Banks asked about the updated language of the amendment and asked about two previous developments.

Planner Cullen stated that the subject developments were already installing underground utilities.

Eric Helfers asked about permeable surfaces and asked if this amendment has anything to do with that.

Planner Cullen stated this amendment does not deal with Stormwater and permeable surfaces.

Mr. Helfers asked if there was any more discussion. There was none. He then asked for a motion.

Jared Lee made the motion to approve the text amendment. Bill Sebastyn seconded. The motion passed with all in favor.

Janet Banks made the motion to adopt the consistency statement for the text amendment to the Town of Maggie Valley Subdivision Ordinance. Bill Sebastyn seconded. The Motion passed with all in favor.

Planner Cullen asked for a Planning Board member to volunteer to be appointed for the Haywood County Planning Board.

**Planning Board Minutes
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Eric Helfers stated the times of the meetings for the Haywood County Planning Board.

Planner Cullen stated that there are only items if county staff requests for the board to hear certain cases. He stated that they have not had a quorum due to this absence.

Eric Helfers asked if someone would volunteer to go to a meeting.

Planner Cullen stated that there may be options for other board members to serve on the Haywood County Planning Board, such as the ZBOA but he was not sure at this time.

Planner Cullen stated that there will be an upcoming text amendment for rules and procedures for this board. He stated that a ZBOA text amendment will also be voted on, as they are written in the UDO. He stated that the ZBOA language needs to be updated as it is outdated.

Janet Banks stated that there is a N.C. Senate Bill coming up that details what requirements can be enforced by municipalities.

Eric Helfers asked for the Town Manager and the Board of Aldermen to lean on N.C. League of Municipalities to fight this bill.

Eric Helfers stated that Gatlinburg, Tennessee did it right for making the appearance of the town look like a tourist town.

Chuck Cummings stated that a certain HOA could not discourage or prohibit solar panels due to North Carolina General Statutes.

8. Old Business

There was no old business discussed.

9. Adjourn

Janet Banks made a Motion to adjourn, seconded by Bill Sebastyn. The Meeting adjourned at 6:03pm.

s/ Eric C. Helfers

Eric C. Helfers, Chairman

s/Noah Taylor

Noah Taylor, Town Planning Assistant