

Planning Board Minutes
Regular Meeting
Maggie Valley Town Hall Boardroom
Tuesday, July 18th, 2023
5:30pm

Planning Board Members Present: Chairman Eric Helfers, Jeff Lee, Jim Heffron, Bill Sebastyn, and Janet Banks

Staff Present: Sam Cullen, Interim Town Planner and Shelly Clement, Executive Assistant

Others Present: Five others

1. Call to Order

The meeting was called to order at 5:25 pm by Chairman Helfers. The Pledge of Allegiance was said by all.

2. Roll Call/Quorum Determination

Roll Call/Quorum Determination, all five members are present.

3. Disclosure of Conflicts / Approval of Agenda

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

A Motion to approve the agenda was made by Jeff Lee, seconded by Bill Sebastyn. The Motion passed with all in favor.

4. Approval of Minutes

- a. **April 18th, 2023**, Chairman Helfers noted corrections to the minutes.

Janet Banks made the Motion to approve the minutes as corrected and Jeff Lee seconded. The Motion passed with all in favor.

- b. **May 30th, 2023**, Chairman Helfers requested a name correction in these minutes. Bill Sebastyn made a suggested typo change.

A Motion to approve the minutes as corrected was made by Janet Banks seconded by Jim Heffron. The Motion passed with all in favor.

5. New Business

- a. **Request for Preliminary Plat Approval: Maggie Valley RV Park**

This property is the previously approved RV PUD behind the Citgo station – PIN 7686-86-1324. Planner Cullen gave the background information.

The applicant is seeking Preliminary Plat approval. Former Town Planner Finkle and Public Works Director Mehaffey have both reviewed this plat and the applicant has addressed all of their comments.

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The plat is displayed on the table. Planner Cullen invited everyone to take time and review it. He noted the lots will be sold separately.

The Zoning Board of Adjustment set conditions for this plat in 2021 and they have been met. Chairman Helfers discussed the vegetative barrier. Planner Cullen said our new UDO requires vegetative barriers, but he didn't believe the old code did.

Bill Sebastyn spoke of the three units that may be seen when traveling on Soco Road.

Jeff Lee spoke of the length of the review of this plat. He asked Planner Cullen if the plat met the old regulations and Planner Cullen said yes.

Chairman Helfers said he would like to see some trees along the road front and Frankie Wood spoke from the audience and said that he would be happy to do that.

Chairman Helfers asked for Public Comment – Allen Alsbrooks, Hearth and Home Inn stated this plat has been around for a long time. He said Mr. Woods would like to elevate this from a campground to an RV Resort. Chairman Helfers thanked him for his comments.

Jeff Lee asked for Staff Recommendation. Planner Cullen said the recommendation is to approve the Preliminary Plat because it meets the required standards/conditions. He cautioned against setting any additional conditions.

Rick Helfers said it was in the spirit of cooperation to ask the applicant for a buffer. Jim Heffron said it would be nice to put trees but that over time they would need to be trimmed out of the road. He said bushes might hide the dumpster enclosure. The worst condition would be to impede someone coming down the road.

Chairman Helfers said if there was no further discussion, he would like a Motion.

Janet Banks made the Motion to recommend approval of the Preliminary Plat for Maggie Valley RV Park. Jeff Lee seconded. The Motion passed with all in favor.

6. Old Business

a. Comprehensive Plan Wrap-Up

Planner Cullen said the Comprehensive Plan is now approved and he will be happy to give anyone a paper copy if they are interested. There were four copies requested. Jeff Lee requested a copy of the Zoning map and the Future Land Use map for all.

Bill Sebastyn said he was under the impression the Future Land Use map would need some tweaking and Planner Cullen said it will be reviewed often.

Rick Helfers mentioned the concerns of the citizens of Jonathan Creek.

Janet Banks asked Planner Cullen about HB 184. Planner Cullen will speak about that in Other Business.

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b. Crypto Mining Update

Planner Cullen made mention of the Crypto Mining Research he received from the Town Planner in Waynesville. Rick Helfers requested an email with specific information. Jeff Lee spoke of the Haywood County Planning Board meeting to be held on July 31st

7. Other Business

a. HB 184 Update

Planner Cullen said this Bill was signed into law a few days ago. It eliminated our Extra Territorial Jurisdiction authority, disallowed any down zoning and disallowed the Town from placing a moratorium of any kind. Our ETJ Board member Josh Hoogerwerf is no longer a member of the Planning or Zoning Board.

Jeff Lee questioned the down zoning portion of the Bill. Planner Cullen said one effect of the bill is that the interpretation of a Slope Ordinance could be considered a down zoning. Planner Cullen said he is not speaking to the legal interpretation.

Planner Cullen said for now Special Use Permits will not be used to take away a use that's allowed 'By Right.'

Rick Helfers spoke of lobbyists working for Maggie Valley.

Bill Sebastyn spoke of the recent approval for the Haywood County property and how they needed water and sewer service. He said developers may still want water and sewer.

Safety was discussed and environmental concerns. Planner Cullen said that a petition for annexation is still required to be considered for Town sewer service.

Planner Cullen said the Town is still able to use the Conditional Zoning process. Our utility policies are written to allow for growth.

Planner Cullen said the ETJ allows control over development so that annexations are not a slew of non-conforming properties.

Slopes were discussed. Planner Cullen said there can be no downzoning of any properties.

Haywood County is looking at their Crypto Mining policy, which would protect parcels outside of Town.

Planner Cullen spoke of the various reasons for annexation. He said that HB 184 sunsets in 2028 and after that, there may be non-conforming structures wanting to annex into Town.

b. Letter of Thanks Discussion

Janet Banks suggested the Board draft a thank you letter to Kaitland Finkle, former Town Planner. Ms. Banks said Planner Finkle did an incredible job, steering us through the UDO and into the Comprehensive Plan. She would like Ms. Finkle to have this letter in her portfolio as a recommendation. Ms. Banks would like to work with Rick Helfers to formulate a letter.

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Jeff Lee asked if each Board member would have the chance to sign the letter. Ms. Banks said yes. Jim Heffron spoke of how Planner Finkle was able to finish projects that the Town had been working on for eight years.

Janet Banks made a Motion to draft a Thank You letter to former Town Planner Finkle for her exemplary service to the Town. Jim Heffron seconded. The Motion passed with all in favor.

Planner Cullen stated that he is now the Interim Planner. He will be at a Conference for next month's regular meeting time. He asked if the Board would like to reschedule or cancel that meeting and meet again in September.

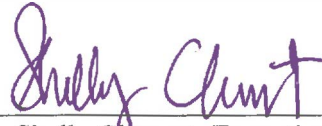
Jim Heffron made a motion to postpone the meeting until September 19th, seconded by Bill Sebastyn. The Motion passed with all in favor.

8. Adjourn

Janet Banks made a Motion to adjourn at 6:15pm seconded by Bill Sebastyn. The Motion passed with all in favor.



Eric C. Helfers, Chairman



Shelly Clement, Executive Assistant