

**Planning Board Minutes  
Rescheduled Regular Meeting  
Maggie Valley Town Hall Boardroom  
Thursday December 1st, 2022  
5:30pm**

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

**Staff Present:** Kaitland Finkle, Town Planner, Sam Cullen, Assistant Town Planner

**Others Present:** 7

**1. Call to Order and Pledge of Allegiance**

Chairman Helfers called the meeting to order at 5:28pm. The Pledge of Allegiance was said.

**2. Roll Call / Quorum Determination**

Quorum was established.

**3. Disclosure of Conflicts / Approval of Agenda**

Chairman Helfers asked if there were any conflicts of interest. There were no conflicts noted.

**Chairman Helfers moved the agenda be approved; Bill Sebastyn seconded. Motion passed with all in favor.**

**4. Approval of Minutes – October 25th, 2022**

Chairman Helfers asked Planner Finkle about the Board of Aldermen decision on the Conditional Zoning of the Jonathan Creek property, and she updated the Board about the decision to have a barrier along 276, but not to include plantings. Chairman Helfers spoke about how important safety and sound attenuation issues will be as they entertain conditional zoning requests in future.

**Chairman Helfers moved that the minutes be approved, Jeff Lee seconded. The Motion passed with all in favor.**

**5. New Business**

**a. Initial Zoning Contiguous Annexation of 1.554 acres located at 1580 Moody Farm Road, portion of PIN 7696-08-3702.**

Planner Finkle noted the pin number has changed for the property to 7696-08-6462.

Planner Finkle explained this petition for annexation is driven by sewer. She explained the existing septic is not suitable for the house proposed that is replacing an existing manufactured home on the property. Staff has recommended that this property be zoned MU-2 Moody Farm Road Mixed Use. Bill Sebastyn asked for clarification of where the house is to be located on the property and Planner Finkle explained. Additionally, the Maggie Valley Land Use Plan recommends that this property be zoned Moody Farm Mixed Use.

**Chairman Helfers made a motion to recommend approval of the annexation, Jim Heffron seconded. The Motion passed with all in favor.**

**b. Conditional Zoning of 21.85 acres located at 1114 Jonathan Creek Road, PIN 8607-34-5642 for 87 lots (Single family and Accessory Dwelling Units)**

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Planner Finkle gave the report and updated the audience on the property's history. Planner Finkle noted that this property is at the far limits of town. She also spoke about the neighborhood meeting and that one individual showed up, but we have received some letters in opposition. She explained that slope and other factors will limit the number of dwellings allowed on this parcel. Planner Finkle also spoke to some things that the site plan does not meet or show according to town standards. Concern was expressed about unknowns such as where pump stations for water and sewer would be located if needed because they are not shown on the site plan. Jim Heffron asked if the sewer line could be brought in any other way. Planner Finkle said yes at a high cost. Jeff Lee spoke about how there is only one access point to the property and Planner Finkle said they do not yet have a DOT driveway permit.

**Chairman Helpers made a motion to request more information from the developer, Janet Banks seconded. The Motion passed with all in favor.**

**c. Requested 6 months extension of Moody Farm PUD Preliminary Plat Approval.**

Planner Finkle explained that this approval was like the two requests that the Board heard two months ago. She explained there are no changes in the plans. Bill Sebastyn asked if the Board could move forward with this request because the property is in litigation. Planner Finkle said after speaking with the town attorney he suggested we must continue. Chairman Helpers commented that the Board does not have a reason to deny this request at this time.

**Chairman Helpers made a motion to approve the 6 months extension, Jeff Lee seconded. The Motion passed with all in favor.**

**6. Other Business**

**a. Comprehensive Plan Update: Vision Statements**

Planner Finkle spoke about the vision statements submitted by our consultant for the future land use plan and the great response that we had with the survey. The Board was pleased with the response. Janet Banks commented that option 2 could do without the language on municipal services. Planner Finkle reminded the board of the January Planning Board meeting on the 17<sup>th</sup> and updated the board of some agenda items to expect. A special called meeting was discussed for some time in December.

**7. Adjourn**

**Chairman Helpers made a Motion to adjourn at 6:43 pm. Jeff Seconded. The Motion passed with all in favor.**

  
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Eric C. Helpers, Chairman

  
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Sam Cullen, Assistant Town Planner