

Macon County Planning Board Minutes

May 19, 2011

Call to Order: Chairman Lewis Penland called the meeting to order at 5:05 pm. in the Macon County Health Department

Members: Lewis Penland, Mike Grubermann, Mark West, Alan Marsh, Karl Gillespie, Jimmy Tate, Al Slagle, Susan Ervin, Lamar Sprinkle

Staff: Derek Roland, Jack Morgan, Rhonda Blanton, Matt Mason

Media: Franklin Press, Macon News

Approval of Minutes: Alan Marsh made motion to approve minutes from April 21, 2011, Mark West seconded this motion. Motion carried unanimously

Liaison Reports:

MCWC- No report was given for the Macon County Watershed Council

Transportation Steering Committee- Karl Gillespie commented that with several members absent at the last meeting, it was more of a “work session”. Gillespie went on to say that some skepticism surrounded the 22 items DOT added on to the plan to be discussed. The decision was made at this meeting, by the committee to remove all these items and add back only the ones they felt necessary. Approximately 9 were added back according to Grubermann, with 4 or 5 being located in the Town of Franklin. Another meeting will be held in two weeks, with hopefully a better turnout.

New Business:

Commissioner Koppers to introduce “at large” board member candidates

The remaining “at large” board members will be introduced at a later date.

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Presentation of Slope Recommendations

Chairman Penland first welcomed Sprinkle and Slagle back to the planning board. Penland reminded the board that while we always might not agree, we must continue to move ahead and keep planning. Penland then turned the meeting over to Al Slagle and the Slope Development Workgroup.

Slagle informed the board that after two years *the Slope Development Committee* now the *Slope Development Workgroup* was presenting their recommendations for a Slope Development Ordinance. Slagle introduced the committee some of which were present. The workgroup members were introduced as follows: John Becker (realtor), Barry Clinton (scientist), Susan Ervin (planning board member), Stacy Guffey (consultant), Reggie Holland (builder), Paul Shuler (grading contractor), Al Slagle (hydro geologist). Dr. Ed Haight, a retired engineer who has dealt extensively with earth movements, volunteered many hours helping the workgroup put the recommendations into a “useable form”. These recommendations have been field tested and Slagle felt that they work well, although more field testing would be needed. Slagle closed by saying he felt the workgroup was presenting a fair, scientifically based set of recommendations which focused on the safety and private property rights, while not being unduly burdensome to the citizens of Macon County. Stacy Guffey then gave a presentation summarizing the process taken by the work group to arrive at the final set of recommendations. Lastly, Ed Haight reviewed the technical aspects of the recommendations with the planning board.

Slagle asked the remaining members of the Slope Development Workgroup in attendance to comment on the recommendations as presented. Comments were as follows:

Barry Clinton: Down slope hazard areas are difficult to compact and more subject to movement, as they are located on unstable debris deposits. That is why the workgroup is recommending a design professional for these areas.

John Becker: No comment

Susan Ervin: The recommendations presented by this workgroup were extremely moderate when compared to other slope development ordinances.

Slagle then turned the meeting over to Penland, who thanked the group for the time and discussion that went into the recommendations. Penland asked if the board had any questions.

Jimmy Tate: How would vested rights on slopes be determined? Slagle replied by saying that the recommendations had not addressed this topic. More than likely vested rights would be a question for the attorney to answer according to Slagle.

Mark West: There is a limited amount that can be done on Category 4 (down slope hazard sites) aside from moving a house. Slagle commented that the workgroup had struggled with the down slope hazard sites but these sites were the most dangerous of all.

Lamar Sprinkle: “As a private property owner this scares me to death.” Sprinkle felt that road standards needed to be addressed but there was no need to go to the level of detail the slope development committee had went to. Sprinkle felt the recommendations would be a detriment to development in Macon County. Roland then presented research he had completed which focused on building permits in counties that had slope development.

standards in place. Slope development standards did not appear to adversely affect development in these counties based on this research.

Lewis Penland: It is easier to disclose on the front end than repair it on the back end.

Karl Gillespie: Most slides have occurred in subdivisions. Furthermore, none of the subdivisions where slides have occurred were developed under the existing subdivision ordinance. Slagle and members of the workgroup commented that measures were taken throughout the process to ensure that regulations contained in other ordinances were not duplicated. Gillespie felt that for ease of administration that these recommendations could be contained within other ordinances. Slagle commented that the state however, would not allow slope regulations to be included in the Sedimentation and Erosion Control Ordinance. Gillespie then eluded to the fact that Buncombe County had incorporated slope standards into their subdivision ordinance.

Gillespie then questioned why we were basing an ordinance on the Slope Hazard Maps when the County Commission had ordered them to be removed from the website? Penland felt this was a question for the County Commission.

Al Slagle: The sub-committee brought a proposal before the planning board in February of 09'. The planning board then voted to send this proposal to the Commission to see whether or not they wanted the planning board to compose an ordinance. Commissioner Koppers informed the board that consensus was given to the planning board to begin writing an ordinance using the assistance of the slope development workgroup.

Unfinished Business:

Public Comment:

Jenny Sanders: In terms of loss of life is one not enough? Sanders went on to say that the recommendations were innovative and well thought out. The board should take this into consideration when reviewing the document.

Next Meeting Date: The next meeting will be a continuation of tonight's meeting. The next meeting will be held on June 16, 2011 at the Macon County Public Health Center. The board requested that the slope development workgroup be present at this meeting. The Board of Commissioners will be considering the Comprehensive Plan for adoption on May 31, 2011 at 6:00 pm. All board members should attend. Roland will email the slope recommendations to each planning board member and remind them to attend the meeting on May 31, 2011. Roland will also email the members of each sub-committee involved in the creation of the plan.

Meeting Adjourned: Al Slagle made the motion to adjourn at 7:06 but was notified that the meeting had been previously adjourned when the quorum dissolved.