

SPECIAL BOARD MEETING of March 24, 2004, with Mayor Pro Tem Amy Patterson and Commissioners Hank Ross, H. N. James, Dennis DeWolf, and Alan Marsh present. Mayor Trott was out of Town.

Also present were Richard Betz, Lamar Nix, Larry Gantenbein, Nancy Welch, Kim Lewicki, Jim Lewicki, Bill Rethorst, Linda Clark, John Cleaveland, Ginger Slaughter, Lewis Doggett, Bronce Pesterfield, and Scott Cole.

I. Call to Order.

The Mayor Pro Tem called the meeting to order at 7:00 p.m.

II. Approval of Agenda.

Copies of the agenda had been distributed by mail. The Clerk reported that one item of new business, discuss bid on roofing Civic Center, needed more study and could be deleted from the agenda. He also had one item to add: several applications for use of Town right-of-way for construction activities.

MOVED BY COMM. MARSH, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS AMENDED.

III. Approval of Minutes.

Copies of the minutes of the March 17 Regular Board Meeting had been distributed by mail.

MOVED BY COMM. ROSS, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS DISTRIBUTED.

IV. Reports.

1. The Town Administrator distributed copies of the Fire Department's annual budget for the year for the Board to review; it would be on the agenda of the April 14 meeting for approval.

He also distributed copies of a letter dated March 24 from Jodie Cook, Chairman of the Peggy Crosby Community Service Center, concerning the need for emergency funding for the Family Counseling program at the Center; it had been received late that afternoon. The Board agreed to place the request on the agenda of the next Board meeting.

He also reminded the Board about the informal joint meeting with the County Commissioners scheduled for 6:00 p.m. March 25 at the McCollum House in Franklin.

V. Old Business.

1. Mayor Pro Tem Patterson welcomed several Planning Board members who were present for a discussion on proposals to amend the Subdivision and Zoning Ordinances to facilitate clustering and to permit multi-family in the B-3 District. Comm. Patterson asked if the Planning Board had felt the ideas were good ones, or if they had developed them because they understood the Board wanted them to review them. Lewis Doggett replied that the request from Scott Cole had brought the matter to their attention initially, but the Board would not have recommended it had it not felt it was a good idea. John Cleaveland agreed; he felt it was a way of preserving green space while permitting no more dwelling units than were already permitted in B-3. Ginger Slaughter said that she felt the proposal provided a good transitional use between commercial and single-family uses. Linda Clark expressed some concern over B-3 areas located far from the downtown business district, which adjoined residential areas, and she pointed out that they had fewer restrictions than

in the R-3 district, like setbacks. Larry Gantenbein said that, while having less restrictive setbacks, the proposals called for buffers between parking lots and residential areas.

In a wide-ranging discussion, the Board then discussed some of the implications of the two proposals. Comm. Patterson asked if someone could buy a lot in a clustered subdivision or multi-family development in B-3, then later use it for commercial purposes at some time in the future; Mr. Gantenbein agreed that it could. Scott Cole suggested that restrictive covenants could protect against that possibility; John Cleaveland suggested that perhaps a separate District called "B-3R" could be developed that would not permit commercial. Lewis Doggett recommended that the Planning Board review this potential loophole. Linda Clark asked how the proposal would affect existing buildings in B-3 that could be converted to multi-family; Comm. Ross agreed this could be a problem in large B-3 areas where loft-like areas were possible. The distinction between incidental apartments and multi-family was also discussed.

Comm. Ross also wondered if development would occur more rapidly on B-3 property if these proposals were adopted. Comm. James felt that it would because the densities were being reduced, and he pointed out that this was a totally different direction for Zoning which had over the years increased densities. Comm. Patterson asked why the percentage built-upon limit was 30% in the critical area and 50% in the balance of watershed, rather than 12% and 24% respectively as was in the current Ordinance. Mr. Gantenbein said that those were the upper limits that DENR would approve, and they would only be permitted with engineered stormwater controls. Comm. Ross felt the Board might want to look at what areas in B-3 would be appropriate for this type of development. Comm. DeWolf agreed, and felt that it might be worthwhile to have a second B-3 district as had been suggested earlier; Larry Gantenbein suggested an overlay district.

John Cleaveland pointed out that there was little potential for re-development of commercial property in B-3 to multi-family. Comm. Ross disagreed; he pointed out that with the continuing increase in the cost of housing it might be a possibility. Lewis Doggett felt that it was important to determine what kind of housing Highlands wants to have; there were situations where more dwellings located close to Town within walking distance might be welcome, and clustering and multi-family might also provide housing that more people could afford. Comm. Patterson agreed that walking to Town had always been a part of Highlands. Comm. DeWolf pointed out that unbridled residential growth outside of Town might put create more pressure for strip highway commercial development to feed it. Bill Rethorst asked about the stormwater requirement; he wondered if they would control runoff or contain it. Comm. Ross asked about the minimum size for multi-family, which was one acre. Mr. Gantenbein pointed out that it was currently two acres, and Mr. Ross wondered why it could not be less.

Mayor Pro Tem Patterson suggested that the Planning Board take the suggestions made and review the proposals again; Mr. Doggett said the Board would welcome the opportunity to do so. She also wondered if the Planning Board would be addressing these larger issues as part of the Land Use Plan update. She said that she well remembered the large public meetings 20 years ago when the Town had closed the door to condominiums, and she wondered if this was a change in that philosophy.

Scott Cole wondered how long he would have to wait for an answer to his original request, and asked if it could be treated on an individual basis. Comm. Patterson said that the request had raised much larger issues with more ramifications, and she did not feel the Town should rush into a decision for the sake of one application.

Bronce Pesterfield asked if the two issues, clustering and multi-family, could be separated; clustering seemed to have fewer issues. Linda Clark agreed. Comm. Patterson suggested that the Planning Board could look at the option of separating the two issues; if it felt it could deal with the clustering option first, she would have no objection to the Planning Board working on that first.

2. The Board again reviewed the budget requests discussed in a

memorandum distributed at the March 3 meeting. It was agreed that the Board would discuss increased funding for the Recreation Department and extension of the Water & Sewer Improvements Fund at the joint meeting with the Macon County Commissioners scheduled for March 25. It also agreed to proceed with the request that Jackson County institute a fire tax, or in lieu of that provide an equivalent amount to fund fire protection for those areas of Jackson County in the Highlands Fire District.

Alan Marsh had prepared a proposal for providing a full-time attendant for the public restrooms during the day between June 1 and October 31, as well as on other holidays; he said that he had given the proposal to John Stanfield, the current contractor cleaning the restrooms, and understood he would be able to do the work. The Town Administrator said he understood Mr. Stanfield would not be able to do the work with his full-time job, but suggested that the Board obtain informal proposals if it wished to change the contract.

MOVED BY COMM. JAMES, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO OBTAIN INFORMAL PROPOSALS FOR STAFFING THE RESTROOMS AS OUTLINED IN MR. MARSH'S PROPOSAL.

3. Town Engineer Lamar Nix had prepared a plan for providing 12-foot and 16-foot wide gravel parking spaces and storm water drainage for the south side of Spring Street between Third and Fourth, as requested by the Board at the previous meeting; the plan would eventually provide for 19 to 20 parallel parking spaces. Comm. Ross said that he had looked at the area and he felt that planting areas could also be created eventually, when the areas was no longer being used for storage. Mr. Nix said that all of the major stormwater components were already in place, and he understood that Old Edwards Inn was still interested in pursuing the idea of paying for the improvements in exchange for the right to use the right-of-way for storage of materials and equipment. It was pointed out that the use would include a definite time-frame and some stipulations concerning traffic safety. The Town Engineer agreed to provide the plan to Old Edwards Inn, obtain informal prices, and see if they were interested in proceeding.

VI. New Business.

1. Each Board member had received a copy of the minutes of the Public Works Committee meeting of March 9, containing several recommendations on parking, sewer connections, and other matters. The valet parking plan for Old Edwards Inn had been submitted to the Committee as requested by the Board on January 7 and January 21, and it was recommended that the request be granted; two spaces would be reserved on Main Street, a 15-minute parking space would be removed, and guest cars would be parked in the 43 parking spaces provided at the former Rib Country property. Comm. Patterson observed that guests at the Inn could still park on Main Street if they wished, but the Committee had agreed that it would provide some relief.

MOVED BY COMM. JAMES, SECONDED BY COMM. ROSS, AND UNANIMOUSLY CARRIED TO APPROVE THE VALET PARKING REQUEST FOR ONE YEAR.

The Committee also recommended that future requests be addressed contingent on providing the parking which would be required by the Zoning Ordinance for the use on off-street property, as was the case in this application, or by providing 20 spaces per each designated valet parking space.

The Committee also recommended that the 15-minute parking space permitted in front of The Highlander Newspaper on Fifth Street the previous August be removed due to completion of construction at the Episcopal Church, which had been cited at the time as part of the need for the space.

MOVED BY COMM. JAMES, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO REMOVE THE 15-MINUTE PARKING SPACE.

The Board agreed to take the rest of the recommendations in the memorandum under advisement.

2. MOVED BY COMM. ROSS, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO RE-SCHEDULE THE AUGUST 7 REGULAR BOARD MEETING TO AUGUST 14.

3. Comm. DeWolf reported that he was still reviewing a proposal for repairing the roof at the Civic Center; he suggested that the Board provide adequate funding in the upcoming budget for the repairs.

4. The Town Administrator reported that he had received last-minute requests for use of the Town right-of-way for construction activities since adoption of the Ordinance the previous week. Joe Geoghagan had asked for permission to use East Main Street to construct a handrail as approved at previous Board meetings, and had said he expected to be finished by April 12. The Board agreed by consensus to provide him until April 15 to complete the work. A dumpster in front of The Highlander Newspaper building would be moved tomorrow.

He had also received a letter outlining the traffic, right-of-way, and power-outage requirements for installation of a large generator at Old Edwards Inn on March 29; coordinating with the Highway Patrol, Police Department and Town Electric Department would be required.

Comm. DeWolf asked when the generator would run; Bronce Pesterfield, OEI Engineer, said that, outside of power outages, it was scheduled to run for 15 minutes once each week. The Town Administrator also said that he had received a brief outline of some of the activities expected at Old Edwards Inn from McCarroll Construction, but had not yet received the plan which he had expected showing all of the areas involved. Due to adoption of the Ordinance the previous week, however, he had not yet had time to develop forms and fully inform all involved. The Board agreed by consensus for the Town Administrator to work with McCarroll Construction on these issues but not to levy any penalties at this time.

5. Larry Gantenbein was asked about Geoffrey Willett's schedule, as discussed at the previous meeting. He reported that Mr. Willett had a full schedule for the next few weeks, but would eventually be able to meet with the Land Use Planning Committee twice per month, the frequency of time they had agreed to meet.

He also reported that he had contacted the Department of Environment and Natural Resources and been told that the Board could amend the watershed requirements in the Zoning Ordinance without State approval, provided the requirements were stricter than State standards; thus, as discussed at the previous meeting, the Board amend the Ordinance to apply the built-upon requirement irrespective of lot size.

VII. MOVED BY COMM. ROSS, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO ADJOURN.

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor Pro Tem at 9:05 p.m.

Richard Betz, Town Clerk