

**TOWN OF YOUNGSVILLE
PLANNING BOARD MEETING
Youngsville Community House -- 115 East Main Street
July 2, 2019
6:00 P.M.**

Chairman Donnie Tharrington called the meeting to order at 6:00 P.M.

In attendance were Chairman Tharrington; Vice-Chairman Mark Hurt; Members John Cyrus, Janice Pearce, Hank Lindwall, and Scott Anderson; Planning and Zoning Administrator Bob Clark; and Board Clerk Sandi Fleming. Town Administrator Phillip Cordeiro, Member Bob Martin, and Senior Planner Andy Thomas, due to commitments elsewhere, were not present.

Chairman Tharrington welcomed all attendees and addressed Minutes prepared of the meeting of the Board held on June 4, 2019.

Without further discussion, the following Motion was made by Member Hank Lindwall, seconded by Member John Cyrus, and unanimously carried:

MOTION: The Minutes of the Planning Board meeting held on June 4, 2019, are approved, as presented.

Briefing was shared by Chairman Tharrington of his participation in the Branding Workshop held, on June 24, 2019, as a joint session of the Board of Commissioners, the Planning Board, and the ABC Board. He reported that the firm of Arnett, Muldrow and Associates offered highly effective objectives for redeveloping the Town's logo and redesigning its seal and gateway signage. Input was, he noted, interesting; at times, comical; and, in his opinion, positive and promising. Feedback from preliminary presentation to the Steering Committee on June 25th should be received within the next few weeks.

In keeping with the Agenda, Planning Director Clark opened discussion of revised Phases 5-10 of Holden Creek Preserve. The original plans for this subdivision were approved back in 2007, with water and sewer allocation limiting lot approval to a maximum of 50 per year. Phases 1-4 account for approximately 171 lots, and roughly 150 are yet to be developed, meaning that construction is a little more than half completed. Ongoing building has been assigned to two specific contractors (AV Homes and Caviness & Cates Building), both of which comply well with regulations and maintain a constant production rate.

Copies were distributed of the currently proposed Phasing Plan, and Mr. Clark pointed out that the County has recently signed off on a new pump station installed just south of Porter Hill Drive. He noted that the majority of open space designated is situated along the northerly, bordering Holden Road, and westerly, adjoining Richland Creek, boundaries of the underlying tract, and that one such dedication extends south, even, of the subdivision itself.

Attention was directed to the facts, first, that existing open space is somewhat limited to the outer edges, and none whatsoever provided within the inner portions, of the development, and, secondly, that these areas, purportedly being conveyed to the HOA for the benefit of residents, are insufficient in dedicated acreage. “This is a discrepancy,” he assured the Board, “that’s being corrected.” To accommodate, it will be necessary either to decrease average lot size of 10, 000-11,000 square feet (and reconfigure) or to remove, convert, and donate roughly three (3) numbered lots. Conversation is underway with Developer Steve Gould regarding not only these issues but also pump station requirements and completion of infrastructure by extending and/or stubbing accessways. He’s well aware of pending adjustments and requests that we review and endorse this current phasing approach merely in an effort to alleviate delayed construction.

Member Anderson mentioned that the Board’s comfort zone hinges upon Ordinance compliance. Administrator Clark volunteered that Mr. Gould is looking at potential walking trails and bridges and has inquired about various methods of stubbing streets. Chairman Tharrington opened the floor for recommendation, and the following Motion was made by Member Scott Anderson, seconded by Member John Cyrus, and unanimously carried:

MOTION: The Site and Phasing Plan, as the same has been revised, for Phases 5-10 of Holden Creek Preserve is approved, subject to the subdivision’s compliance with open space regulations set forth in the Youngsville Zoning Ordinance.

The floor was passed to N-Focus Representative Rick Flowe, who, deviating a bit from the Agenda, began his continuation of YDO review by emphasizing that Article 8 now contains standards for an MFO (Mini-Farm Overlay). This option allows optimization of land uses and resources for both residential and agricultural purposes. By clustering development and allowing no more than 1.15 units per acre, projects capture density bonuses while, at the same time, preserving the unique, natural features and rural amenities of farmland.

Such districting is confined to properties consisting of at least 66 acres of land lying within the Agricultural District, and not less than 67 percent of each site must be conveyed as common agricultural and open space. Lot sizes would likely range from 50,000 square feet to a couple of acres, but consideration must be given to the fact that larger lots entail longer roadways.

It was reiterated that Overlays are tools of accommodation, not of necessity, and are available for use solely at the Board’s discretion. The State Legislature affords Members not only authority but also choice, and the Board need never feel pressured into pursuing a non-standard course.

The same General Assembly that focuses on order and procedure is also capable, sometimes, of pushing bills to the Governor’s desk without an abundance of public awareness. One such law awaiting signature has significant impact on the Ordinance’s Article 18, which, ironically is scheduled as this meeting’s primary topic of review.

Recent hurricanes have labeled “Flood Damage Prevention” a major item on North Carolina’s priority list. With relative legislation dating back a hundred years, the State Bar Association, in 2015, and again in 2017, assigned a task force of attorneys to replace convoluted regulations with clarity. Case law was edited and updated; yet, until a matter of days ago, July 28, 2019, to be exact, reservation within the Legislature prevented movement forward. “Blindside or no,” explained Mr. Flowe, “all these modifications can, during upcoming months, be integrated into the YDO. New law filters are always a good thing.” Pertinent change requires that ETJ boundaries be recalculated every ten (10) years, and that each respective jurisdiction adopt a comprehensive development plan.

Mr. Clark experienced firsthand the devastation of flooding from Hurricane Florence last year. The Greenville area, which he calls home, is, of course, far more prone than Youngsville. Local residents, nevertheless, are consistently surprised by the number of locations within our own ETJ that are affected by the 100-Year Floodplain. Certain properties, along Mosswood Boulevard and Tarboro Road, for instance, are subject to considerably wide riparian buffers. As many people residing just east of us can genuinely attest, remaining homeless nearly a year after disaster is in no manner a minor ordeal.

Article 18 stems from FEMA standards that include notification of availability of flood insurance and recommend tax base maintenance through sound development of affected regions. Floodplain Permits and Elevation Certificates are pre-construction requirements in such areas, and, if non-residential floodproofing is used to meet regulations, a Certificate of Proof, from a registered engineer or architect, is mandated as well. The Ordinance closely monitors elevation, fill and grading practices, appropriate building materials, and water and sanitary sewer systems designed to minimize or eliminate infiltration of floodwaters.

Though both promote health, safety, and welfare, flood hazard prevention and stormwater management are entirely separate realms in the world of zoning. We all learned in Science 101 that water, in one form or another, falls from the sky, and that we, ironically, have no power over when or how much moisture is yielded. Contractors are all too familiar with facilities called detention and retention ponds. Detention is the process by which runoff is slowed down, or detained, such that it can drain, in reasonable volumes, into our creeks, streams, and rivers. Retention, on the other hand, captures, or retains, water for which we ourselves assume responsibility of disposal or utilization. By encouraging development, we inevitably double this dilemma – the more of Earth’s absorption base we destroy, the less tolerant Mother Nature becomes.

Article 19 is the Watershed Protection Ordinance that has been purposely delayed for presentation and review until staff transitions within Town Hall could be completed. Executive administrative involvement is essential in consideration of the recent recommendation of a regional stormwater facility, owned, operated, and maintained by the Town. Such a venture would constitute investment with return based upon a minimal per-owner assessment. It serves as a growth incentive in that it takes a costly monkey off the backs of developers and, as Director Clark pointed out, frees valuable real estate for more desirable usage. Fact is, the property owner pays, regardless, and a tax-deductible assessment is likely the preferred means of doing so.

Vice-Chairman Hurt remarked that maintenance and yearly recertification are but a couple of associated burdens for the developer – the hazard these facilities pose for curious children with little to no conception of danger is the gravest concern of all. In his opinion, cost aside, a regional arrangement would be worth its weight in gold merely in terms of the red tape it would extinguish.

Town Administrator Phil Cordeiro has favorably received the proposed idea, and engineering studies are being conducted. A centralized system poses combined retention and detention resolution for existing as well as future development.

Mr. Flowe advised the Board that time is being reserved on the August Agenda for a far more in-depth discussion of stormwater management, and he then asked that Members shift their attention to a large display of the Youngsville Official Zoning Map. By way of transparent overlay, he revealed draft redistricting thus far determined through joint agreement between himself and Mr. Clark. “The ‘CIV,’” he reminded, “allows you to in a single glance view the Town’s tax base. ‘AG’ is low density, and, where you see ‘SFR-1, you can assume ‘septic.’ ‘SFR-3’ contains smaller lots, and ‘SFR-2’ is closest to what we currently call ‘RS.’” He explained, in response to questions from Member Pearce, that Youngsville has for years allowed too much mixture within the MU District, and that “MU-1” and “MU-2” are intended as balancing factors. “Our main goals are (1) to maintain the Town’s character, and (2) not to create nonconformance.” Tendency is to “grandfather,” or protect, nonconforming where necessary – we plan neither to “eliminate” nor to “perpetuate.”

The answer was “yes” when Member Lindwall inquired as to whether Overlays can be applied anywhere on the map, but suggestion followed that no Overlay, but for Scenic Corridor, should be used unless and until specifically requested. Comments were made about the attraction of “MS” and “RMST” to Boomers and Millennials alike. “C-1” has replaced much of the Mixed Use along U. S. 1, and “VSR” and “IND” appear to be aptly distributed on the draft. It’s primarily “CP-1” that will be newly disclosed on the polished version being presented in August.

As Mr. Flowe solicited closing comments, Chairman Tharrington mentioned, with reference to earlier discussion of runoff and drainage, that he often wonders whether pipes used by DOT beneath many of our roadways are of sufficient size to support water flow issues. He quickly identified that statement as simply food for thought; expressed the Board’s gratitude, as always, for the YDO presentation; and recognized Planning Director Clark for his monthly report.

Mr. Clark announced that formal request was officially made, on Friday, June 28, 2019, that Luddy Park Trail, initially introduced to CAMPO back in 2015, be placed in the funding queue for DOT's highly anticipated bicycle trail project. He also informed the Board that we're on target with regard to obtaining Temporary Construction Easements for Main Street sidewalk improvements and revisited the excessively high cost estimate of CSX engineers for railroad crossing repair. We're hoping that those figures, as has been the case in the past, are inaccurate. If not, ample funds are available, but much thought should be attributed to whether the work is, at that price, even feasible. Vice-Chairman Hurt responded that he can provide the name of an integral CSX contact if needed.

With no additional business having been introduced, Chairman Tharrington wished all a safe and happy Fourth, and the meeting was adjourned at 8:05 P. M.