PUBLIC HEARING MINUTES
MONDAY, SEPTEMBER 28, 2020, 6:00 P.M.
VIA WEBEX SOFTWARE

COUNCIL MEMBERS: Rennie Brantz-Mayor, Loretta Clawson-Mayor Pro Tem, Connie Ulmer, Dustin Hicks, Sam Furgiuele, and Nancy LaPlaca

PLANNING COMMISSION MEMBERS: Elizabeth Shay-Chair, Eric Plaag-Vice Chair, Frank Veno, Chris Behrend, John Tippett, and Adam Zebzda (joined at 6:55 p.m.)

PLANNING STAFF PRESENT: Jane Shook-Director of Planning and Inspections and Brenda Henson-Board Secretary

OTHER TOWN STAFF AND REPRESENTATIVES PRESENT: John Ward-Town Manager and Allison Meade-Town Attorney

OTHER ATTENDEES/PARTICIPANTS VIA WEBEX: John Grasinger, Connie Ginsberg, Bill Dixon, and Alan Crees

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<u>Call to Order</u>

Mayor Brantz called the Town Council to order at 6:02 p.m. for the Public Hearing/Planning Commission meeting held via WebEx and Chair Shay called the Planning Commission to order at 6:02 p.m.

<u>Approval of Meeting Minutes</u>

Council Member Ulmer made a motion to approve the August 24, 2020 Public Hearing minutes as written. The motion was seconded by Mayor Pro Tem Clawson. Council Member Furgiuele noted his name was not shown in the list of attendees for the August 24, 2020 meeting although he was present and stated he had already made the Board Secretary aware of the omission.

Vote: Aye – All
Nay – None
The motion passed.

Vice Chair Plaag made a motion to approve the August 24, 2020 Public Hearing minutes as written. The motion was seconded by Commission Member Tippett.

Vote: Aye – All
Nay – None
The motion passed.

<u>Case PL03547-020420 – Kensington Gate – Conditional District Zoning Map Amendment</u>

WF&G Development LLC, with the consent of the Kensington Gate property owners, has submitted a Conditional District Zoning Map Amendment for Kensington Gate at 140, 155, 180 & 189 Gateway Drive to be rezoned from O/I Office Institutional to Conditional District R5 55+ Housing Residential District with a site specific development plan for Use 1.17 Adult Living Community which would allow the construction of a third residential building within the development.

Ms. Shook presented the request as it was outlined in the meeting packet. She stated this project was originally granted a special use permit by the Board of Adjustment in 2003 to construct 3 buildings and only one building was completed within the vesting period. In 2005, the BOA granted a special use permit modification for the construction of the two remaining buildings with a four year vesting. The applicant completed a second building and poured the slab for the third building but was unable to complete that building. Ms. Shook noted that the UDO was modified in 2014 and multi-family uses were no longer allowed in an OI zoning district.

Mr. Grasinger with WF&G Development LLC stated this was an adult living community for the older population. He explained that the 2008/2009 recession kept them from completing building 3 but felt it was now feasible to move forward.

Alan Crees, engineer for the project, stated he had been working with Mr. Grasinger since 2003 on this project. He stated that construction of the 3rd building would trigger Tier 2 requirements. Mr. Crees noted that bicycle parking was not required when the project was first approved but would now be required for the development under Tier 2. He stated he made a mistake when calculating the required number of bicycle parking spaces for the project, noting he used multi-family zoning calculations instead of adult living community calculations so there were 6 spaces shown on the plans instead of the 2 spaces that were actually required. Mr. Crees asked if it would be a problem to make that change. Ms. Shook replied that the change was being discussed during the hearing and should not be a problem but stated she would like to see more than 2 long term bicycle parking spaces for the project even though they were not technically required by the UDO. Mr. Crees stated they would meet or exceed the bicycle parking requirements.

Mr. Crees stated that the lighting plan would be in compliance with current requirements. He stated there was currently one dumpster on the development and they would be adding recycling containers as required. Mr. Crees noted that signage would comply with the Ordinance. The exterior building colors would be in the Town's neutral palette and would match the other buildings. Mr. Crees stated there was significant wooded area already on the property but they would be enhancing the landscape buffer to meet current requirements.

Vice Chair Plaag noted that the Town wanted to promote carbon neutrality and asked if Mr. Grasinger would accept a condition to place solar panels on the carport. Mr. Grasinger replied that he had studied the idea of solar but did not think the carport would get sunlight the entire day. Vice Chair Plaag stated that Google Maps showed the carport to be in an area that would get plenty of sunlight.

Council Member LaPlaca stated she was all for carbon neutrality but stated the payback for solar panels with the areas local utility companies was terrible. She felt that requiring the installation of solar panels without a good net metering plan in place was not reasonable.

Vice Chair Plaag stated he had a solar array on his house and he put it there because it was the right thing to do, not because he was going to save money. He stated that the Town was trying to encourage carbon neutrality and felt this was an excellent opportunity to help that happen. Chair Plaag stated if there was no demand on the utility companies, the payback would not change. Mr. Grasinger felt it would be difficult and expensive to add solar panels to the project.

Vice Chair Plaag asked what the structure to the east of the slab was and Mr. Grasinger replied that it was a temporary construction shed. Vice Chair Plaag asked if the structure would go away when building 3 was complete. Mr. Grasinger stated that it would be removed after construction.

Vice Chair Plaag noted the development was close to the ASU student parking lot and asked if they felt there would be a problem with students parking in the Kensington Gate parking spaces. Mr. Grasinger responded that they had had no problems with that so far and did not anticipate any in the future.

Connie Ginsberg, a resident of Kensington Gate, added that the development had gates but they had not had to use them because they had not had any issues.

Council Member Furgiuele asked why the lighting plan said that adjustments might be necessary. Mr. Crees replied that he placed that on the plan in case staff felt any changes needed to be made to the plan during their review. Ms. Shook added that Brian Johnson, Urban Design Specialist, reviewed the lighting plan and felt it was in compliance with Ordinance requirements.

Council Member Furgiuele asked why there were 47 parking spaces listed instead of the 36 that were required. Mr. Grasinger replied that all of the parking spaces for the development were installed years ago and met the UDO requirements at the time. He stated they may need to repair some of the asphalt.

Council Member Furgiuele noted there were a number of the units that were owned by WF&G. Mr. Grasinger stated he lived in one of the units and the others were for sale. Council Member Furgiuele asked if those units were vacant. Mr. Grasinger stated that all but one of the units he owned were being rented and would be put up for sale as the current tenants moved out.

Council Member Furgiuele asked if they planned to install any hardwoods or shade trees. Mr. Grasinger replied that there were numerous large trees on the property and they would be enhancing the landscaping. Mr. Crees stated that they would be adding 6 large and 7 small deciduous trees.

Council Member Furgiuele asked if the new building would be built with the same materials as the other 2 buildings. Bill Dixon, architect for the project, replied that the building materials would be the same. Council Member Furgiuele asked if it was correct that there was no difference in what was presented to the Board of Adjustment and what was being presented currently. Mr. Dixon stated that was correct.

Commission Member Veno noted that the slab had been there for years and asked if it was in compliance with the building code and would it need to be inspected. Mr. Dixon replied that the slab was in good shape and was inspected at the time it was installed.

Mayor Brantz asked if access to the project was from Dale Street. Ms. Shook stated that was correct. Mayor Brantz asked for the time frame for completion of building 3. Mr. Grasinger replied that he would like to begin construction in the spring and hoped to finish in about a year. Mayor Brantz asked Mr. Grasinger if he had contacted the neighbors about his proposed project. Mr. Grasinger replied that the neighbors were commercial properties and ASU. He stated that he had not contacted them but noted he had not heard any opposition.

Council Member Ulmer asked how they would know that all 6 of the items mentioned in the staff report were done. Ms. Shook replied that bicycle parking, site lighting, trash and recycling containers, signs, exterior building color, and landscaping would be reviewed during the next step and then would be inspected by staff when the project was completed.

Council Member Furgiuele asked if bicycle parking had to be in compliance for the entire development. Ms. Shook replied that it did, noting 1 long term space was required for every 10 units and there were a total of 24 units in the development so 2 long term spaces would be required.

Mayor Brantz asked what was considered an active senior. Mr. Grasinger stated an active senior would be 55 or older and able to take care of themselves. He added that the development was also wheelchair accessible.

At 6:47 p.m. Mayor Brantz invited public comment.

Ms. Shook noted that Susie Navarro and Connie Ginsberg had signed up to speak but Ms. Navarro was not present at the meeting.

Ms. Ginsberg stated she loved living at Kensington Gate. She stated she could walk right out onto the greenway, there were trees that provided shade and protection, there was a good HOA, there were good neighbors, and it was an ideal location for seniors. Ms. Ginsberg noted that she and her husband were one of the first owners and she would like to see the development finished. She felt it would increase property values and be much prettier.

Chair Shay asked if the current units were owner occupied. Mr. Grasinger replied that the units owned by WF&G were being rented but it was the intention to sell those units and have them be owner occupied.

Mayor Pro Tem Clawson thanked Ms. Ginsberg for joining the meeting and providing her input.

Council Member Furgiuele felt that the issue of solar that was raised by Vice Chair Plaag was worth considering and should at least be encouraged. He also felt that 1 space per 10 units was not enough long term bicycle parking. Council Member Furgiuele noted that the location of Kensington Gate was ideal for riding bicycles on the greenway.

Mr. Grasinger felt it would be too difficult and expensive to install the solar panels.

Commission Member Zebzda joined the meeting at 6:55 p.m.

Ms. Meade read the following from the general statutes: Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to local government ordinances, plans adopted pursuant to G.S. 160D-501, or the impacts reasonably expected to be generated by the development or use of the site.

Council Member Furgiuele suggested a condition to reconstruct the parking lot with a permeable surface if reconstruction was necessary within the next 10 years. Council Member Ulmer asked if permeable materials were more expensive. Council Member Furgiuele replied that they were. He noted that the project was granted a variance by the Board of Adjustment to invade the stream buffer and the parking lot was right on the buffer. Council Member Furgiuele suggested that if the Town had adopted standards within the next 10 years regarding permeable surfaces, this development should conform to those standards.

Ms. Meade wished to clarify that Council Member Furgiuele was suggesting a condition that, if the Town develops permeable surface standards within the next 10 years and Mr. Grasinger reconstructed his parking lot in that timeframe, he must construct it with a permeable surface. Council Member Furgiuele stated that was what he was suggesting.

Mr. Grasinger stated he removed portion of the stream that were previously culverted and brought the stream back above ground. He felt that the development provided more than the permeable requirements now.

Vice Chair Plaag asked Mr. Grasinger if he would be willing to accept a condition to install the solar panels if efforts were made by the Town that led to a new net metering system that would allow him to recover his costs within 10 years. Mr. Grasinger replied that he did not see the benefit and felt technology would change over the next 10 years and offer something more feasible.

Vice Chair Plaag asked if the common areas would be conveyed to the HOA when all of the units were sold. Mr. Grasinger stated that was correct. He noted he would only be retaining the one unit he lives in.

Chair Shay asked what level of government had the ability to affect net metering. Ms. Meade replied that it would be the Utilities Commission or the General Assembly.

Chair Shay asked what the requirements were for sidewalks and the second entrance/exit. Ms. Shook stated that fire and building codes would have to be met for access. She noted that sidewalks were not required until Tier 3 was triggered.

Discussion ensued as to sidewalk requirements in the UDO. Ms. Shook noted there was some issues in Section 7.05 that warranted further examination of UDO requirements.

With no further questions or comments, Mayor Brantz closed the public hearing for this case at 7:18 p.m.

Case PL04195-090820 Administrative Mechanisms Modification – UDO Text Amendment

Modify UDO Article 2 to reorganize, align text with NC General Statutes, and clean up language regarding board membership. Summary of modifications:

1. Creation of a “generally applicable” section to apply for all boards.
2. Text modified to create consistency within each board section.
3. Text modified to limit the number of terms that can be served by a Board of Adjustment member.
4. Text modified on how the Chair and Vice-Chair of the Board of Adjustment and the Planning Commission are selected. Note: process follows the 2018 Planning Commission’s recommendations.
5. Text modified to remove references to “ETJ” from the Historic Preservation Commission language.
6. Text modified to remove Town Council members as official members of the Historic Preservation Commission.
7. Text modified to create an Appalachian State University student position on the Community Appearance and Historic Preservation Commissions.

Ms. Shook presented the request as it was outlined in the meeting packet.

Ms. Meade suggested the following change to the membership portion for the Planning Commission, Community Appearance Commission and the Historic Preservation Commission: One membership position shall be designated for an Appalachian State University student; provided more than one Appalachian State University student may be appointed to the Commission in the discretion of Town Council.

Council Member Furgiuele wished to clarify that there would be one student position that would serve a one year term, noting that any of the other regular positions on the Planning Commission could also be filled by students. Ms. Meade stated that was correct.

Ms. Meade suggested the following change to Section 2.02.02(A)Term: The designated Appalachian State University student member shall serve a term of one (1) year.

Ms. Shook noted that, although there had been direction to reduce the number of Community Appearance Commission members from 7 to 5, State statutes require Community Appearance Commissions to have 7 members. She added that, due to the level of interest in historic preservation, she would recommend leaving the Historic Preservation Commission’s membership at 7 as well.

Ms. Shook asked Ms. Meade to speak about in-town residency for board membership. Ms. Meade explained that State law required that Planning Commission and Community Appearance Commission members be Town residents and should be deemed resigned when they move out of town. State law does not place the same requirement on the Board of Adjustment. Council had indicated its view that Board of Adjustment members should be in-town residents, but there remained a question about whether they should be allowed to continue to serve after moving out of town if they were participating in an unfinished case. She noted the following options that were contained in the meeting packet for consideration:

ALTERNATIVE 1: With respect to the Board of Adjustment, a member who moves outside the Town limits shall be deemed to have resigned from the board effective upon the date a replacement is appointed by the Council. With respect to the Planning Commission and Community Appearance Commission, a member who moves outside the Town limits shall be deemed to have resigned from the board effective immediately.

ALTERNATIVE 2: With respect to any board for which membership requires residency within the Town limits, a member who moves outside the Town limits shall be deemed to have resigned from the board effective immediately.

Council Member Furgiuele stated he felt strongly that the Board of Adjustment should be made up of only Town residents and was okay for a member to continue to serve if they were in the middle of a case.

Mayor Pro Tem Clawson agreed with Council Member Furgiuele.

Council Member Furgiuele referenced Section 2.01.05(F) and felt maybe there should be a period after the word act. Ms. Meade suggested that the sentence should read: Any other matter the Board is required to act upon by any other Town Ordinance or State law. Council Member Furgiuele was okay with that change.

Council Member Furgiuele referenced Section 2.05.01(F) and asked that the last sentence read: Regardless of whether or not a quorum of the board is present, any duly advertised regular or special meeting may be continued to a later date ("continuation meeting") without additional notice and advertising if the date, time, and location of the continuation meeting is announced by the Chair.

Ms. Meade suggested revising the last sentence in that section to read: Regardless whether or not a quorum of the board is present, any duly advertised regular or special meeting may be continue to a later date ("continuation meeting") without additional notice and advertising, if the date, time and location of the continuation meeting is announced by the Chair.

Council Member Furgiuele referenced Section 2.05.01(H)(3) and stated he had a problem with truncating public comment. Ms. Meade felt this applied to organized groups, such as POA's, who could designate a spokesperson. She suggested changing this from a requirement to a request.

Discussion ensued as to Section 2.05.01(J)(1). Ms. Meade recommended: Except as otherwise provided by this Ordinance or other law, a quorum shall consist of a majority of the members of the board. Vacant positions are not counted as members for purposes of calculating quorum.

Council Member Furgiuele referenced Section 2.05.01(J)(2) and suggested it read: Unless otherwise required by law or this Ordinance, all actions or recommendations of a board are only effective or adopted upon majority vote of the members present, following a motion and second.

Vice Chair Plaag noted that the selection and designation of Chair and Vice Chair by Town Council had been included in the HPC section and asked if that was an error. Ms. Shook explained that, due to the types of cases the Historic Preservation Commission would be handling, she felt that Council would want to make the final selection of Chair and Vice Chair for that committee as well. Vice Chair Plaag stated he had no objection to that procedure but felt the HPC should have knowledge of this change before it takes places. Ms. Shook stated she could attend the next Historic Preservation Commission meeting and explain the procedural change before it goes into effect. Vice Chair Plaag state he just did not want it to be a surprise to the Commission.

Vice Chair Plaag stated he would like for resignations to be effective immediately on Historic Preservation Commission. Ms. Meade replied that it was clear under State law that this needed to be the case for HPC and CAC but Council had flexibility with respect to the BOA.

Vice Chair Plaag noted, on the matter of HPC members, he felt it would be easier to obtain a quorum if there were 7 members on the Commission. He also felt that allowing 3 consecutive terms was a good idea and brought the HPC in line with other boards.

Council Member Furgiuele also supported the change to 3 consecutive terms for HPC.

Council Member Ulmer pointed out the following errors:

2.03.06(A)(3): The word Development should be Develop.

Comprehensive Plan Objective for Automobile Transportation: Should say at the expense of the town.

At 8:06 p.m. Mayor Brantz invited public comment.

Ms. Shook stated there was no one signed up to speak.

With no further questions or comments, Mayor Brantz closed the public hearing for this case at 8:07 p.m.

Adjournment of Town Council

Council Member LaPlaca made a motion for Town Council to adjourn at 8:07 p.m. The motion was seconded by Council Member Ulmer.

Vote: Aye – All
Nay – None
The motion passed.

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Rennie Brantz, Mayor **Brenda Henson, Board Secretary**

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Elizabeth Shay, Planning Commission Chair

Continuation of Planning Commission Meeting

Chair Shay called a break in the Planning Commission meeting from 8:08 p.m. until 8:16 p.m.

Approval of Meeting Minutes

Commission Member Tippett made a motion to approve the August 24, 2020 Planning Commission meeting minutes as written. The motion was seconded by Vice Chair Plaag.

Vote: Aye – All
Nay – None
The motion passed.

Case PL03547-020420 – Kensington Gate – Conditional District Zoning Map Amendment

WF&G Development LLC, with the consent of the Kensington Gate property owners, has submitted a Conditional District Zoning Map Amendment for Kensington Gate at 140, 155, 180 & 189 Gateway Drive to be rezoned from O/I Office Institutional to Conditional District R5 55+ Housing Residential District with a site specific development plan for Use 1.17 Adult Living Community which would allow the construction of a third residential building within the development.

Commission Member Zebzda stated he had missed the majority of this case due to his late arrival to the meeting and would like to abstain from voting. Ms. Shook reminded everyone that abstentions counted as a positive vote.

Ms. Shook reminded Commission members that the applicant did not agree to any conditions at the public hearing. She asked if the Commission were going to further consider conditions to recommend to Council she would ask that the Commission to be thoughtful of how the condition was crafted. She referenced the discussion about the reconstruction of the parking lot and noted that Staff would need guidance on what that would mean. She explained that most people would either apply a sealant or if they were repairing the parking lot the applicant would most likely mill the top layer of asphalt without disturbing the base. She noted the base for asphalt and the base for permeable surfaces was different and she would need to know what type of work would actually trigger any permeable requirements. She noted permits were not required for asphalt milling.

Vice Chair Plaag asked Ms. Shook if the Commission should be concerned that a building might remain vacant or underutilized when considering Conditional District requests. Ms. Shook stated no more than concerns with the viability of any other project or if there were to be a discussion about extended vesting. She note she would have to research the issue more and felt it would be a good training topic.

Chair Shay asked what the applicant would be able to do with the property if the Conditional District was not approved. Ms. Shook noted the property was zoned OI and due to the Ordinance change the current buildings were non-conforming. She noted that the applicant could building anything that was permissible in the O/I zoning district but the applicant would have to go back to the Board of Adjustment for a special use permit modification.

Commission Member Veno felt the project met the requirements of the UDO and expressed concern about imposing a condition to require solar panels. Vice Chair Plaag stated that he asked the applicant if he would be willing to accept a condition but was not trying to impose the condition. He added that just because this applicant did not want to install solar did not mean that the question should not be asked in all applicable instances.

First Motion and Vote: Vice Chair Plaag made a motion that the proposed amendment to the Town's zoning map is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because it complies with:

Comprehensive Plan Policy 2.1.1 Economic Development

D. Economic development efforts shall encourage the revitalization and reuse of currently unused or underutilized structures, sites and infrastructure in appropriately located areas.

K. Boone shall identify and provide services consistent with the needs of the area's growing retiree population.

Comprehensive Plan Policy 2.3 The Community

A. Urban type development within the Urban Growth Area shall meet appropriate Town standards.

Comprehensive Plan Policy 2.3.1 Community Appearance

A. Measures to improve the effectiveness of grading, landscaping and buffering standards for new and existing developments shall be encouraged.

Comprehensive Plan Policy 2.3.2 Community Character

E. New development, redevelopment and rehabilitation of structures and sites shall occur in a manner which is consistent with the neighborhood and architectural context of the immediate area, and supportive, whenever possible, of Boone's original community character as a High Country small town.

Comprehensive Plan Policy 2.3.3 Housing & Neighborhoods

E. Factors in determining preferred locations for high density residential development shall include: close proximity to university, employment or shopping centers; access to major thoroughfares and the transit system; the availability of public services and facilities; and compatibility with adjacent land uses.

H. The overall housing unit density for proposed infill residential development or redevelopment should be compatible with the average density of existing areas.

The motion was seconded by Commission Member Tippett.

Vote: Aye – 5
Nay – None
Abstain – 1 (Zebzda)
The motion passed.

Ms. Shook stated that the applicant was not asked during the public hearing if he would accept the staff recommended conditions but noted the Town Council could ask that question when they do their final consideration of the case at their October meeting.

Second Motion and Vote: Vice Chair Plaag made a motion that the Planning Commission recommends approval of the proposed amendment to the Town's Zoning map and believes approval is reasonable and in the public interest because the completion of the project finishes a project that was delayed by the 2008 recession and meets a perceived need for senior housing in Boone that is presently lacking. The motion was seconded by Commission Member Behrend.

Vote: Aye – 5
Nay – None
Abstain – 1 (Zebzda)
The motion passed.

<u>Case PL04195-090820 Administrative Mechanisms Modification – UDO Text Amendment</u>

Modify UDO Article 2 to reorganize, align text with NC General Statutes, and clean up language regarding board membership. Summary of modifications:

1. Creation of a "generally applicable" section to apply for all boards.
2. Text modified to create consistency within each board section.
3. Text modified to limit the number of terms that can be served by a Board of Adjustment member.
4. Text modified on how the Chair and Vice-Chair of the Board of Adjustment and the Planning Commission are selected. Note: process follows the 2018 Planning Commission's recommendations.
5. Text modified to remove references to "ETJ" from the Historic Preservation Commission language.
6. Text modified to remove Town Council members as official members of the Historic Preservation Commission.
7. Text modified to create an Appalachian State University student position on the Community Appearance and Historic Preservation Commissions.

Ms. Shook outlined the changes that were discussed at the public hearing as follows:

- 2.01.05(F): Add *or State law* to the end of the sentence.
- 2.02.02(A): Should read *One membership position shall be an Appalachian State University student; provided more than one Appalachian State University student may be appointed in the discretion of Town Council.*
- 2.02.02((A)(Term): Should read *The designated Appalachian State University student member shall serve a term of one (1) year.*

- Reference to the ASU student position, membership and term, shall apply also apply to 2.03.02 and 2.04.02
- 2.03.06(A)(3): Change the word *Development* to *Develop.*
- 2.04.02(A): Leave HPC membership at 7.
- 2.04.02(C)(1): HPC members may serve 3 consecutive terms.
- 2.05.01(F): Change wording at the end to state that continuation meetings will be announced by the Chair.
- 2.05.01(H)(3): Change the word *require* to *request.*
- 2.05.01(J)(1): Change to read *Except as otherwise provided by this Ordinance or other law, a quorum shall consist of a majority of the members of the board.*
- 2.05.01(J)(2): Change to read *Unless otherwise required by law or this Ordinance, all actions or recommendations of a board are only effective or adopted upon majority vote of the members present, following a motion and second.*

Ms. Shook noted that the issue of residency requirement needed to be resolved.

Commission Member Zebzda asked if a Board of Adjustment member could remain on the Board and still get another person to fill that position. Ms. Shook replied that once the position is filled, it is filled and could not be held by two people.

Vice Chair Plaag felt strongly about choosing ALTERNATIVE 2: With respect to any board for which membership requires residency within the Town limits, a member who moves outside the Town limits shall be deemed to have resigned from the board effective immediately. Vice Chair Plaag stated he was unsure if someone living outside Town limits could be fair and impartial on decisions regarding cases located in a town where they no longer reside.

Commission Member Tippett agreed with Vice Chair Plaag.

Chair Shay, Commission Members Veno and Behrend stated they also preferred Alternative 2.

Chair Shay stated she was comfortable with all of the revisions that had been made and suggested.

First Motion and Vote: Commission Member Zebzda made a motion that the proposed amendment, with the changes discussed, to the Town's zoning ordinance is consistent with the Town's comprehensive plan and any other adopted plan(s) of the Town that are applicable because it complies with:

Comprehensive Plan Policy 2.3.4 Public Involvement

A. Public involvement shall be encouraged in decisions concerning land use and development by making the public aware of proposed developments at the earliest opportunity, as well as fostering communication among developers, the Town, the County, the University, and the general public.

D. Special committees, advisory panels, educational forums, public workshops, leadership seminars, town meetings and media contacts shall be encouraged and fostered to enhance the effectiveness of citizen involvement in community planning and action.

The motion was seconded by Commission Member Veno, who wished to add:

Comprehensive Plan Policy 2.1.1 Economic Development

E.1 Continue to look for ways to make development regulations and permit procedures more predictable and timely. Evaluate opportunities for administrative review and permit issuance for development projects which, due to their small size or relatively minor impacts, may not require review by a formal public commission or board.

Commission Member Zebzda accepted the amendment to his motion.

Chair Shay wished to add that the Planning Commission recommended ALTERNATIVE 2: With respect to any board for which membership requires residency within the Town limits, a member who moves outside the Town limits shall be deemed to have resigned from the board effective immediately.

Commission Members Zebzda and Veno accepted the amendment.

Vote: Aye – All
Nay – None
The motion passed.

Second Motion and Vote: Commission Member Zebzda made a motion that the Planning Commission recommends approval of the proposed amendment to the Town's Zoning ordinance, with the changes discussed, and believes approval is reasonable and in the public interest because it encourages public involvement in Town affairs, encourages student civic involvement as well, and encourages public service that assists in economic development. The motion was seconded by Commission Member Behrend.

Vote: Aye – All
Nay – None
The motion passed.

<u>Other Matters</u>

Ms. Shook announced there would be a training session held at the October Planning Commission meeting.

<u>Adjournment of Planning Commission</u>

Vice Chair Plaag made a motion to adjourn the meeting at 9:21 p.m. The motion was seconded by Commission Member Veno.

Vote: Aye – All
Nay – None
The motion passed.

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Elizabeth Shay, Planning Commission Chair **Brenda Henson, Board Secretary**