

**MINUTES**  
**The Regular Meeting of the**  
**Aberdeen Planning Board**

February 18, 2009  
Thursday, 6:00 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Planning Board met Thursday, February 18, 2010 at 6:00 p.m. for their regular Board Meeting. Members present were Chairman Bob Rigsby, Vice Chair Johnny Ransdell, Elease Goodwin, Bill Prevatte, Sarah Ahmad, Owen Gallagher and Joe Dannelley. Others in attendance were Planning Director Kathy Liles, Planner I Patti Jilson and Secretary Jenni Secrist. Members of the public present were Bob Friesen, Elizabeth Cox, Jarrod Hilliard.

1. Call to Order:

Chairman Rigsby called the meeting to order at 6:00pm.

2. Approval of Minutes of December 17, 2009

Mr. Dannelley moved to approve the minutes of December 17, 2009  
Ms. Goodwin seconded

**VOTE:** Unanimous

3. New Business

- a. Preliminary Plat PLP#10-01 Submitted by Habitat for Humanity for Phase 1, 2, and 3 of Midway Gardens located on the north side of Midway Road, south of Bronwyn Street.

Ms. Liles Presented the Plat and staff's report.

Chairman Rigsby asked if Habitat would be clear cutting in this area. Ms. Liles informed him that there would be no clear cutting but there would be some tree removal as needed.

Ms. Ahmad wanted to be clear that the street design will only have one way in and one way out. Ms. Liles confirmed this statement and she commented that Fire Chief Phillip Richardson reviewed this plan and found it acceptable.

Bob Friesen board member and Attorney, Elizabeth Cox executive director for Habitat, and Jarrod Hilliard from Hobbs Upchurch attended the meeting and informed the Board they were there to answer any questions.

Joe Dannelley made a motion to approve Preliminary Plat PLP#10-01 with the following conditions:

1. Construction shall not commence until all state permits are on file in the Planning Department.
2. Easements shall be placed over all drain-ways not given to the town.
3. All infrastructure shall be inspected by the town before dedication.
4. Fencing shall be installed around retention basin.

5. Trees shall be retained in site in accordance with the tree survey.  
Seconded by Johnny Ransdell

**Vote:** Unanimous  
Owen Gallagher has abstained

4. Zoning Code Text Amendment, ZA#10-01 for Electronic Gaming Operations.

Ms. Liles presented the staff's report and stated the Zoning Ordinance is silent on Electronic Gaming Operations. After receiving several requests for this type of use from the public, and given the potential impact on the Police Department the Town Attorney prepared language to address this as a specific use.

Ms. Ahmad commented on the map presented by staff and needed further explanation on the placement of the Electronic Gaming Operations. Ms. Ahmad stated she would like to limit these Operations to the Highway Commercial districts only.

Mr. Ransdell asked how these Operations are different from locations that offer WiFi. Ms. Jilson commented that the Electronic Gaming Organization have monetary pay outs. Mr. Ransdell said this should be specified in the language. Ms. Liles stated we could add "the machines are owned and operated by the business".

Mr. Gallegher asked if Electronic Gaming was illegal. Ms. Liles stated this issue is being debated in the court system and this language will be added in preparation for a decision on legality.

Mr. Dannelley asked what is the flexibility on hours of operations. Ms. Jilson stated the Town attorney felt we could not limit days of operation but as long as we maintain a reasonable hours there is some flexibility.

Ms. Ahmad commented on how these operations would fall into the definition of entertainment. Ms. Liles stated this language will take these operations out of the entertainment definition all together.

Mr. Gallegher made a motion finding the text to be consistent with the Town of Aberdeen 2030 Comprehensive Land Development Plan.  
Mr. Dannelley Seconded

**Vote:** Unanimous

Ms. Ahmad made a motion to approve the Zoning Code Text Amendment ZA#10-01 with the following changes, "machines must be owned or operated by the business" be added, remove from the General Commercial District, and limit the hours of operation for 12:00 pm until 10:00 pm.

Motion was removed from the table with no second.

Mr. Gallegher made a motion to approve the Zoning Code Text Amendment ZA#10-01 with the following changes, "machines must be owned or

operated by the business”, be added and remove from General Commercial District.

Mr. Ransdell Seconded

**Vote:** Unanimous

5. Meeting Adjourned: 7:00 pm

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Bob Rigsby, Chairman

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Jenni Secrist, Secretary