

Minutes  
Work Session  
Aberdeen Town Board

February 28, 2013  
Thursday, 5:30 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Town Board met Thursday, February 28, 2013 at 5:30 p.m. for the Work Session. Members present were Mayor Elizabeth B. Mofield and Commissioners Pat Ann McMurray, Jim Thomas, and Walter Wright. Mayor Pro-tem Robbie Farrell and Commissioner Alan Parker were not in attendance for the meeting. Staff members in attendance were Planning Director Kathy Liles, Senior Planner Pam Graham, Community Development Planner Jae Kim, Assistant Public Works Director Harold Watts, Town Manager Bill Zell, and Town Clerk Regina Rosy. Allan Casavant, Reporter for the Pilot Tom Embrey, Shane Sanders, Maurice Holland, Sr., and Maurice Holland, Jr. were also in attendance for the meeting.

Mayor Mofield called the meeting to order at 5:30 p.m.

1. Status of Conditional Use Permit for Sandy Springs.

Planning Director Liles stated Sandy Springs was approved for a conditional use permit back in 2005. Planning Director Liles stated there has been some activity at Sandy Springs and there is potential for the Sandy Springs property to change hands, which would allow the opportunity for a redesign for the site. Planning Director Liles stated there could be a difference in how the properties are laid out and how much contiguous open space would be provided. Shane Sanders, with SNS Engineering, stated currently Sandy Springs has a conditional use permit for 280 dwelling units, and currently 77 lots are on the ground, which is basically all of Phase I and half of Phase II. Mr. Sanders stated there are issues with the townhomes, and the new developer is looking at doing away with the townhomes and doing single family housing in the entire development. This conversion to single family housing would increase density on the inside lots, and would provide more perimeter buffer. Planning Director Liles stated the issue is if this will be a minor modification to a conditional use permit, or will it require Board action.

Planning Director Liles stated adjoining property owners have stated they do not like the concept of townhomes adjacent to their property lines, and they would prefer single family housing. Mr. Sanders stated the maximum number of dwelling units would be 275 and sufficient open space would still be provided as well.

Planning Director Liles stated in order to treat this as a minor modification to a conditional use permit, then the project could not cause any more of an impact to the area than what was originally proposed. Mr. Sanders stated the new developer does not want to do a sanitary sewer pump station for the project, due to the condition of the southern

section of the development. All of the perimeter of the project would be 15,000 square feet lots.

Mr. Sanders stated the new developer is willing to do the mass grading for the project which will help with the drainage. Planning Director Liles stated she just needs to know if the new developer decides to move forward, is it okay to treat this proposal as a minor modification.

Commissioner Wright asked Assistant Director Watts about drainage. Assistant Director Watts stated the drainage situation will improve by going with this proposal of all single family housing. Planner Graham stated another advantage to this proposal is placing the higher density housing in the center of the development. Mr. Sanders stated the developer is looking at doing an additional playground towards the back of the property, and constructing a connecting trail to the other playground through the woods. Mayor Mofield confirmed there are sidewalks on both sides of the road in this development. Manager Zell stated yes. 41+ acres of open space will be provided with this development, whereas only 30+ was approved with the previous plan.

Mayor Mofield asked what size homes would be built on these lots. Mr. Sanders stated the homes will be approximately 2200 square feet and 2 stories. The Board was in agreement to move forward with this project as a minor modification.

2. Conditional Use Permit CU #12-06 for a Major Subdivision on Wayland Road submitted by Allan Casavant.

Mayor Mofield stated the 2<sup>nd</sup> public hearing was held on February 11, 2013. Mayor Mofield stated additional evidence was provided at the 2<sup>nd</sup> public hearing. Commissioner McMurray asked if there was any consideration for building fewer houses than 5, and her main concern is the water. Mr. Casavant stated no, he would not be interested in doing the project if it is less than 5 lots. Mr. Casavant stated the engineers said during the public hearing that the development of these 5 lots will not add to the water issue for this property, but rather this development will help fix the water problem. Commissioner McMurray stated she is not in favor of this development. Mr. Casavant stated whether there are 0 houses in this area, or 5 houses, it will not affect the water situation, since the apartments up the hill are creating the drainage situation. Mr. Casavant stated the neighbors want this subdivision, and want the water problem solved, and the Planning Board recommended approval of this project. Agenda Item scheduled for New Business on 3/11/13.

3. Town Sponsored Rezoning RZ #12-02 as requested by Elise Goodwin and Pat Ann McMurray for property located along Garrett Street from R10-10 to B-1 for the purpose of B-1 infill on Garrett Street.

Planning Director Liles stated this item is ready for New Business on 3/11/13 if there is no discussion. Agenda Item scheduled for New Business on 3/11/13.

4. Proposed Text Amendment to the Unified Development Ordinance UDO #12-09 Regarding Nonconforming Lots to address small lot provisions.

Planner Graham stated the public hearing has been held and this item is ready for New Business on 3/11/13. Agenda Item scheduled for New Business on 3/11/13.

5. CDBG 2nd Public Hearing for Pactiv Project.

Planning Director Liles stated this is the 2<sup>nd</sup> required public hearing for the Pactiv Project, and Bill Lester and Sharon McDuffie will be presenting this item on 3/11/13. Agenda Item scheduled for Public Hearing on 3/11/13.

6. Midway Community Small Area Plan.

Planning Director Liles stated the Midway Community representatives have made apparent certain issues with failures in communication during the grant application process for the 2012 NC Catalyst Grant, and Planning Staff has met with the community's representatives along with two associates from the UNC Center for Civil Rights. Planning Director Liles stated during the meeting it became apparent that the Town was not meeting the desires or needs from the Midway Community, therefore staff has suggested to create a Small Area Plan. Planning Director Liles stated the purpose is to have a plan set in place to identify the needs and address residents' concerns. Any future projects considered for the Midway residents can be vetted to the Small Area Plan that would already be established. Planning Director Liles stated her first question is if the Board is interested in setting up a Midway Community Small Area Plan. Planning Director Liles stated her second question is how would the Board like to set up a committee for this plan, since there would be two options. There could either be an advisory board/committee, or an informal committee.

Maurice Holland, Sr. stated the Midway Community Association Incorporated has been the driving force for 60-70 years to get projects taken care of in the community. Mr. Holland stated his community is appalled at a grant being submitted on behalf of his community that does not represent the needs of the Midway Community. Mr. Holland stated the grant proposal does not include any mention of the Midway Community Association. Mr. Holland stated the Small Area Plan would help address the issues of his community, and address who represents the community. Mr. Holland stated he knew 2 days in advance of a Work Session that the Board had made the decision to substitute Midway in the catalyst grant, instead of Broadway. Planning Director Liles stated there was a breakdown in communication since a third party contractor was used to assist with the grant application. Mayor Mofield stated when the Town goes forward to apply for a grant, the community association is not used to make decisions on the grant, since all

communities are a part of Aberdeen. Mayor Mofield stated this grant opportunity was a way to get some improvements for the Midway Community.

Mr. Holland, Jr. stated Planning Director Liles presented a Small Area Plan to them, and he thinks community members should have some input on what grant opportunities the Town can apply for affecting their community. Mr. Holland stated his community would like to maintain the control of who is going to represent their community, and not have the Town dictate who will speak on behalf of the Midway Community.

Mr. Holland, Sr. stated one of the most frustrating pieces of the NC Catalyst Grant application, was that his community had no knowledge of the public hearing process. And his community has had no participation in a public hearing. Mr. Holland, Sr. stated he had no specifics on the project, until after a public hearing had already been held. Mayor Mofield asked if he would like for the grant application to be withdrawn at this point.

Mr. Holland, Jr. stated there is going to be a lien on the community center if the grant is approved. Mr. Holland stated if the requirements from the state are unattainable, then Midway could decline participation at that point. In essence, he does not want the Town to withdraw the application, he would rather take the wait and see approach.

Planning Director Liles stated improvements would be provided for Jones Street and the parking lot for the community center. Mr. Holland, Sr. stated another piece of the application is to replace the gas pack with electric, and the gas pack is only 4 years old. Mayor Mofield stated she understands his concerns, but the Town tried to salvage the grant after receiving rejection from the Broadway Community. Planning Director Liles stated amendments can be made to the grant after awarding of the grant, if awarded. Mr. Holland, Sr. stated the current grant application is unacceptable.

Commissioner Wright asked if other communities should be considered for a Small Area Plan as well. Planning Director Liles stated the Midway Community Small Area Plan can be a great model plan for other communities in the future.

7. A Resolution to Seek the Amendment of North Carolina Session Law 2004-75 Senate Bill 1161 enacted July 8, 2004.

Planning Director Liles stated RLUAC is asking the Town to consider approval of this resolution tonight. A motion was made by Commissioner Thomas, seconded by Commissioner Wright, to approve a Resolution to Seek the Amendment of North Carolina Session Law 2004-75 Senate Bill 1161 enacted July 8, 2004. Motion unanimously carried.

8. CDBG Planning Documents.

Planning Director Liles stated Commerce has requested these plans be in place, and be generic plans, and not project specific. Planning Director Liles stated within the next 30

days, she would like the Talent Enhancement Grant to be closed out, and in order to do that, these plans must be approved.

a. Residential Anti-Displacement & Relocation Assistance Plan.

Planning Director Liles stated this plan is basically the template provided by the Dept. of Commerce that is required.

b. Procurement Plan.

Planner Kim stated any time federal dollars are being used, then a procurement process must be used. Planner Kim stated this is a general procurement plan and includes information on when and how to use this plan. Planning Director Liles stated supplemental information to this plan includes a table listing the types of contracts, detailing the cost ranges with the types of contract provisions necessary in accordance with federal and state regulations.

c. Citizen Participation Plan.

Planning Director Liles stated the focus of this plan is to address all phases of the grant process. Planning Director Liles stated this will ensure that community input is received prior to grant application. Planning Director Liles stated sources of advertisement were included in the plan.

A motion was made by Commissioner Wright, seconded by Commissioner McMurray, to approve the Residential Anti-Displacement & Relocation Assistance Plan, Procurement Plan, and Citizen Participation Plan. Motion unanimously carried.

9. Wellhead Protection Plan.

Planning Director Liles stated this is a voluntary plan, and is not required. Planning Director Liles stated DENR asked communities to determine ways to protect water supplies in their communities. Planning Director Liles stated the critical wellhead protection areas have been identified. Planning Director Liles stated the legal notice will be in The Pilot tomorrow, and 30 days will be provided for citizens to provide input.

10. Girl Scout Week Proclamation Request.

Town Clerk Regina Rosy stated Laura Douglass sent an e-mail requesting the Mayor to proclaim March 10-16, 2013 as Girl Scout Week for the Town of Aberdeen, and a sample proclamation has been provided for the Board's review. Agenda Item scheduled for Informal Discussion & Public Comment on 3/11/13.

11. Other Business.

- a. Manager Zell stated he asked Beth to put together some budget amendments. Manager Zell stated these budget amendments will be presented for approval on 3/11/13. Agenda Item scheduled for New Business on 3/11/13.
  - b. Planning Director Liles stated she wanted to give the Board an update on the CVS project and the ALDI project. Planning Director Liles stated there is a storm-water pipe that needs to go in, and because there was not enough input from the Board, Town Staff approved the input of the storm-water pipe which required 2 trees to come down. Planner Graham stated the engineer is reviewing revisions received from Town staff. Planning Director Liles stated Sanford Contractors were contacted today and told to not exit the property through Poplar Street anymore, since the Board has not approved a construction entrance to the site off of Poplar Street. Instead, Washington Street will be used to access Johnson Street, which will get the trucks and sediment off of Poplar Street.
  - c. Planning Director Liles stated Jenni's last day of work is March 22<sup>nd</sup>. Planning Director Liles stated a replacement has been hired – Amy Fulp.
12. Closed Session pursuant to N.C.G.S. 143-318.11(a) (6) to consider the qualifications, competence, performance, and conditions of appointment of a public officer or employee.

Commissioner Wright suggested doing the closed session at a later meeting since 2 board members are absent. The Board agreed to delay the Closed Session to the Board Meeting on 3/11/13. Agenda Item scheduled for Closed Session on 3/11/13.

13. Adjournment.

A motion was made by Commissioner Wright, seconded by Commissioner Thomas, to adjourn the meeting. Motion unanimously carried.

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Regina M. Rosy, Town Clerk

Minutes were completed in  
Draft form on February 28, 2013

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Elizabeth B. Mofield, Mayor

Minutes were approved  
on March 11, 2013