

Minutes  
The Regular Meeting of the  
Aberdeen Planning Board

May 16, 2013  
Thursday, 6:00 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Planning Board met on Thursday, May 16<sup>th</sup>, 2013 at 6:00 p.m. for the Regular Planning Board Meeting. Members present were Chairman Johnny Ransdell, Vice Chair Sarah Ahmad, Joe Dannelley, Janet Peele, and Raymond Lee. Alternates Tim Marcham and Peter Koch were also in attendance. Planning staff members in attendance were Planning Director Kathy Liles, Senior Planner Pam Graham, and Permit Technician Amy Fulp. Others in attendance were Allen Brooks, Latasha Johnson, and Shane Sanders.

1. Call to Order

Chairman Ransdell called the meeting to order at 6:30 p.m.

2. Approval of Agenda

Raymond Lee made a motion, seconded by Janet Peele, to approve the agenda of the Regular Meeting for May 16, 2013. Motion unanimously carried.

3. Approval of Minutes for the Regular Meeting of March 21, 2013.

Sarah Ahmad commented she found several errors while reading through the submitted minutes and has given her corrections to Amy Fulp, Permit Technician.

Janet Peele made a motion, seconded by Tim Marcham, to approve the minutes of the Regular Meeting of March 21, 2013 with corrections. Motion unanimously carried.

4. New Business

All parties who would like to give evidence or testimony were sworn in before doing so.

a. Special Use Permit SU #13-03 for a roadside produce stand at 13460 US Highway 1.

Planning Director Liles stated the applicants are Pierre and Marcel Goneau. The applicants want the Board to consider their application for

Special Use Permit SU #13-02 for a roadside produce stand to be located on 3.6 acres at 36420 US Hwy 1 in Aberdeen. The structure is to be approximately 16 by 38 feet (approx. 600 sf), and the applicant expects to cut 8 to 10 trees approximately 6 to 8 inches in diameter.

Planning Director Liles stated the property is in the B-3 Neighborhood Transitional Zoning District. Just to the south of the property is Highway Commercial Zoning and to the rear there is low density residential use and farm land.

Planning Director Liles stated the UDO requires that a Special Use Permit be issued for roadside stands if they are within the B-3 District. There are certain supplemental standards that roadside stands must meet.

- No electrical wiring or plumbing for the stand may be installed without a building permit or a certification by the Building Inspector that the proposed work is exempt from the requirements of the North Carolina State Building Code.
- A stand must not obstruct the clear view of intersecting streets, and a stand may not, in itself, be an obstruction to traffic.
- The stand location must not present any significant negative effects upon the surrounding environmental quality or natural resources or encroach upon any public street or right-of-way.
- If the stand operator is someone other than the owner of the land upon which the stand is to be sited, the stand operator must obtain written permission from the property owner to operate the stand.

Planning Director Liles stated in examining the infrastructure that is available, they already have water, sewer, and access is available to the property.

Planning Director Liles stated in terms of accessory buildings, the UDO contains the following relevant requirements for accessory buildings on this property:

- Buildings shall be located at least ten feet from any property line.
- Accessory buildings shall be located to the rear of the principal building.

- Maximum lot coverage shall not exceed 40 percent of the lot.
- Maximum height shall not exceed 25 feet.

Planning Director Liles stated if the Planning Board decides they want to consider approval this project, it would be appropriate to make a special finding to waive placing the building to the side of the house. Planning Director Liles feels that it is appropriate to do this because if you push the building back behind the house it is no longer a roadside stand.

Planning Director Liles stated with the Planning Board must consider the following findings of fact in rendering a decision regarding Special Use Permits.

- Will the activity materially endanger public health or safety?
- Will it substantially injure the value of adjoining or abutting property?
- Will it not be in harmony in the area in which it will be located? A Type C landscape screen is required unless the Planning Board chooses to waive it based on common adjoining ownership.
- Will not be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plan specifically adopted by the Planning Board.

Planning Director Liles introduced the applicant Marcel Goneau. Mr. Goneau stated that he is a local Moore County citizen and has lived here his whole life. Mr. Goneau asked if there were any questions related to the property where he wants to build his roadside stand.

Chairman Johnny Ransdell asked if there were any questions from the Board. Joe Dannelley wanted to know about the ingress and egress of the property for those who are exiting off of US 1 and trying to do business at the roadside stand. Mr. Goneau stated the location is on US 1 and they have north and south bound two lanes. Mr. Goneau stated that the entrance is an existing driveway and is right across from one of the crossovers, this makes it very convenient for entering and exiting the property.

Joe Dannelley asked about the permanent structure and what Mr. Goneau intended on building. Mr. Goneau stated he would be designing something very tasteful, a structure that would be around 600 square feet.

Mr. Goneau stated the property currently has several buildings on it, but it is a decent size piece of property.

Janet Peele asked if the structure is going to be an open air structure or a closed and heated structure. Mr. Goneau stated it would be a closed and heated structure, hopefully open year round. They would mainly sell fruits and vegetables.

Sarah Ahmad asked about parking. Mr. Goneau stated they would like to have some flexibility in parking and they would maintain as many trees as they could. Peter Koch asked how many parking spaces they intended to have? Mr. Goneau stated 3 permanent parking spaces, but he hoped to need more.

Janet Peele asked about the trees that would have to be taken down, would they be for parking spaces or for the structure area? Mr. Goneau stated it would be for both, but only a few for where the parking spaces would be. Mr. Goneau stated he would have Pam Graham come out when he decides which trees have to be taken down and get her blessing on it.

Chairman Ransdell asked about a NC DOT driveway permit, he is sure they would need a driveway permit for a commercial operation on a primary road. Mr. Goneau stated that he wanted to get the Planning Board's blessing before he had a conversation with DOT.

Joe Dannelley asked about property values and injuring adjoining property values. He didn't see, on the information he was given, any proof one way or the other. Mr. Goneau stated he thought the structure, which would go on his property, would only enhance the immediate area. Mr. Goneau feels like he would be improving the area from a commercial point of view.

Joe Dannelley asked about the landscaping, what their plans are, and if the Type C landscape screen is required? Planning Director Liles stated that they need to look at the vegetation at the site, but Type C is a broken screen and is not a continuous wall of vegetation. When they get ready to do the building permit, then they will need to go back to the project site and see if they are achieving a Type C screen before anything can be approved.

Janet Peele asked if the commercial building appearance standards apply to this zoning. Planning Director Liles stated under the current standards the structure cannot be a metal building.

Sarah Ahmad stated she is confused, they do not have a drawing of a building, but they are supposed to be approving a building for a Special Use Permit. She has concerns and feels like they don't have all the information needed. Mr. Goneau stated in his thought process he didn't realize a sketch of the building was required.

Joe Dannelley asked if a sketch was required for this package to be complete as submitted. Planning Director Liles stated the Planning Board can require seeing more information or they can make it a condition of approval. The Planning Board has to feel comfortable they can make a decision based on the information they have. If the Planning Board does not feel comfortable in making a decision, they need to figure out the information they need and it can be continued and brought back.

Pam Graham stated to clarify the process, if the Planning Board approves to move forward with this project, Mr. Goneau will be required to get a zoning permit. The zoning permit will require a site plan review; the amount of detail on the review depends on the proposal. During the site plan review the landscaping, exterior building materials, and requirements for the site plan are looked at. So the Planning Board is only approving or denying the Special Use and the site plan review, where you really get into the details, comes later.

Joe Dannelley stated what Mr. Goneau has planned, as far as the zoning in place and the surrounding properties, fits the bill. But he still has concerns that they are approving the project before they have all the details. But in the case of just looking at the zoning, does a roadside produce stand, as a permanent or semi-permanent structure, make sense as a Planning Board to move forward so Mr. Goneau can make some investments in this project. And full well knowing, as a Board, that the Planning Department has to be the gate keeper for making sure all the UDO issues are met. If there is an issue that comes up that can't be resolved then it comes back to the Board, but if all issues are met then the project moves forward. Joe Dannelley feels that the Board is giving it all up and making assumptions.

Sarah Ahmad questioned if this decision, by being a Special Use, would set precedence by allowing the building to be in the front? Planning Director Liles stated that with a Special Use it is focused on a particular piece of property and the conditions apply to that piece of property only.

Chairman Ransdell asked if an argument could be made that this is not an accessory structure but a primary structure. Planning Director Liles stated that there are two primary structures, a residential structure and a commercial structure. With this you can allow two principal uses on the property and not treat it as an accessory use.

Chairman Ransdell asked if there were any other comments or changes. Chairman Ransdell wanted to clarify that the Planning Board was only looking at use and not a specific building.

Planning Director Liles stated that Motion 6 needed to be changed to read, "The requirement for a rear placement of the produce stand as an accessory structure (is or is not) waived based on the fact that it is considered to be a principal use equivalent to the other principal use on the property and not accessory". Planning Director Liles stated that Motion 7 was not needed.

Motion 1, SU #13-03 is or is not complete as submitted. Motion made by Joe Dannelley, seconded by Peter Koch, SU #13-03 is complete as submitted. Motion unanimously carried.

Motion 2, SU #13-03 satisfies or does not satisfy Finding #1: will not endanger public health or safety. Motion made by Sarah Ahmad, seconded by Janet Peele, SU #13-03 satisfies and will not endanger public health or safety. Motion unanimously carried.

Motion 3, SU #13-03 satisfies or does not satisfy Finding #2: will not injure the value of adjoining or abutting property. Motion made by Joe Dannelley, seconded by Peter Koch, SU #13-03 satisfies and will not injure the value of adjoining or abutting property. Motion unanimously carried.

Motion 4, SU #13-03 satisfies or does not satisfy Finding #3: will be in harmony with the area in which it is located. Motion made by Peter Koch, seconded by Janet Peele, SU #13-03 satisfies and will be in harmony with the area in which it is located. Motion unanimously carried.

Motion 5, SU #13-03 satisfies or does not satisfy Finding #4: will be in conformity with the Land-Use Plan, Thoroughfare Plan, or other plan officially adopted by the Town Board. Motion made by Sarah Ahmad, seconded by Raymond Lee, SU #13-03 will be in conformity with the Land-Use Plan and Thoroughfare Plan, but will not satisfy the Pedestrian and Bicycle Plans officially adopted by the Town Board. Motion unanimously carried.

Motion 6, the requirement for rear placement of the produce stand, as an accessory structure, is waived based on the fact that it would not be considered an accessory but a principal use. Motion made by Janet Peele, seconded by Raymond Lee, the requirement for a rear placement of the produce stand, as an accessory structure, is waived based on the fact that it would not be considered an accessory but a principal use. Motion unanimously carried.

Motion 8, Based on the findings of fact and the evidence presented, the Planning Board:

- Recommends denial of SU #13-03 based on the following: \_\_\_\_\_.
- Recommends approval of SU #13-03.
- Recommends approval with conditions of SU #13-03.

Motion made by Raymond Lee, seconded by Janet Peele, based on the findings of fact and the evidence presented, the Planning Board recommends approval with conditions of SU #13-03. Sarah Ahmad asked to go over the changed conditions. Chairman Ransdell stated the conditions as they have been amended:

- Trees to be removed shall be tagged in the field by the applicant and verified by Staff prior to issuance of a building permit.
- The applicant shall seek a building permit for the structure, including electrical and plumbing as appropriate.
- The building shall be at least 10 feet off of the property line. Both the extent of the structure and the property line shall be identified prior to building permit.
- If the building is to be a permanent structure, a minimum of three parking spaces is required one of which must be handicap accessible.

- Any extension of water or sewer to the building must be approved by Public Works.
- The applicant shall verify with the Department of Transportation District Office that the addition of a roadside produce stand does not constitute a change in use requiring a permit. This verification shall be provided to the Planning Department prior to building permit.
- The applicant shall provide verification that the lot coverage of all structures on the property will not exceed 40 percent.

Planning Director Liles added a sentence to the first condition to read, "All trees on the site that can be preserved, without presenting an unreasonable burden to the development, shall be preserved".

Chairman Ransdell stated that a motion had been made and seconded that the Planning Board recommends approval with conditions of SU #13-03 as amended. Motion unanimously carried.

b. Special Use Permit SU #13-02 for a home daycare at 216 Benjamin Street.

Pam Graham stated the applicant is Latasha Johnson, she owns the home on Benjamin Street where she is proposing to open a home daycare. Ms. Johnson is going through the process with DHHS to get her license for a daycare, and before they will do that, she will have to get zoning approval.

Pam Graham stated that DHHS allows a home daycare to provide for five or fewer preschool age children, and an additional three school-age children. The provider's own preschool children must be counted towards this maximum, but her own school-age children are exempt. The Town's Unified Development Ordinance requires a Special Use Permit for all home daycare operations.

Pam Graham stated DHHS requires that no less than 25 square feet of indoor space be provided for each child, and an adequate outdoor play area with adequate fencing protection also be provided. For the eight children permitted at the facility, indoor space of at least 200 square feet would be required. Ms. Johnson's home is 1080 square feet, three bedrooms, two baths, and should not present a problem with the square footage requirements.

Pam Graham stated the above requirements, as well as many others, will be verified by the state. The state will send someone to the home to do inspections to make sure all the requirements have been met. The building inspector and fire marshal will also do inspections to make sure the house is up to code.

Pam Graham stated the driveway access is not very deep but is paved for a portion and then it goes to gravel. The driveway is wide and could possibly hold four vehicles if needed. Ms. Johnson could move her personal vehicles beyond the paved area and make more room for picking up and dropping off children.

Chairman Ransdell asked if they were looking at a use and not specific provisions that will be required by DHHS. Pam Graham stated the Board would have to be comfortable with the use for the location. DHHS would make sure that Ms. Johnson is continuing to meet their requirements.

Sarah Ahmad asked about the Land-Use Plan and how does this fall into this plan? Pam Graham stated this is in a residential district and it is designated for residential uses and the use is not changing. This is a home occupation, which is an accessory use.

Sarah Ahmad asked about the Pedestrian & Bicycle Plans. Pam Graham stated it is a home occupation and it would come under the residential use of that. There are no sidewalks at the home and they were not required at the time the house was built.

Joe Dannelley asked if the finding of facts in the packet become a matter of the record when the Board makes a decision. Pam Graham stated the finding of facts came right out of the UDO, and does become part of the record.

Joe Dannelley asked if DHHS has business hours for a home daycare. Ms. Johnson stated she was not sure but she planned on having hours from 7:00 am to 7:00 pm. Pam Graham stated looking at the General Statutes she didn't see where DHHS restricts hours for a daycare.

Joe Dannelley asked if the daycare business is separate from the private portion of the residence. Will the children have to cross through private areas of the residence to go to the restroom? Pam Graham stated the

UDO does not require keeping it separate, but the children will probably be kept in the front rooms.

Motion #1, SU #13-02 is or is not complete as submitted. Motion made by Sarah Ahmad, seconded by Peter Koch, SU #13-02 is complete as submitted. Motion unanimously carried.

Motion #2, SU #13-02 satisfies or does not satisfy Finding #1: will not endanger public health or safety. Motion made by Janet Peele, seconded by Tim Marcham, SU #13-02 satisfies Finding #1 and will not endanger public health or safety. Motion unanimously carried.

Motion #3, SU #13-02 satisfies or does not satisfy Finding #2: will not injure the value of adjoining or abutting property. Motion made by Joe Dannelley, seconded by Raymond Lee, SU #13-02 satisfies Finding #2 and will not injure the value of adjoining or abutting property. Motion unanimously carried.

Motion #4, SU #13-02 satisfies or does not satisfy Finding #3: will be in harmony with the area in which it is located. Motion made by Tim Marcham, seconded by Peter Koch, SU #13-02 satisfies Finding #3 and will be in harmony with the area in which it is located. Motion unanimously carried.

Motion #5, SU #13-02 satisfies or does not satisfy Finding #4: will be in conformity with the Land-Use Plan, Thoroughfare Plan, or other plans officially adopted by the Town Board. Motion made by Sarah Ahmad, seconded by Joe Dannelley, SU #13-02 satisfies Finding #4 and will be in conformity with the Land-Use plan, Thoroughfare plan, but does not satisfy the Pedestrian and Bicycle Plans officially adopted by the Town Board. Motion unanimously carried.

Motion #6, based on the findings of fact and the evidence presented, the Planning Board:

Recommends denial of SU #13-02 based on the following: \_\_\_\_\_.

Recommends approval of SU #13-02.

Recommends approval with conditions of SU #13-02.

Motion made by Raymond Lee, seconded by Peter Koch, based on the findings of fact and the evidence presented, the Planning Board recommends approval with conditions of SU #13-02. Motion unanimously carried.

- c. Conditional Use Permit CU #13-01 for a 152 lot subdivision on property owned by J. Speight Investment, LLC south of Hwy 5.

Planning Director Liles stated the focus of the design work that has been done on this project so far has not been to provide detailed engineering. The objective is to get a concept on the table upon which a preliminary plat, that meets all the site plan requirements, could be drawn.

Planning Director Liles stated J Speight Investments is requesting a Conditional Use Permit for a 152 lot subdivision to be built in 6 phases. The property is identified by Parcel Identification #00047297 (PIN #8550087879 66) and is located approximately 600 feet south of NC Hwy 5 and adjacent to Turning Leaf Way.

Planning Director Liles stated the property is located in the R20-16 zoning district. The property adjacent to NC Hwy 5 within Aberdeen's jurisdiction is zoned HC Highway Commercial. Adjoining property to the east and north of the power line is C-I commercial light industrial; the area south of the power line is R20-16. The applicant proposes larger lot sizes adjacent to the area zoned for C-I use. The majority of the lots adjacent to the power line have also been upsized.

Planning Director Liles stated 30.44 acres are required to meet the 20% open space requirement of the UDO. The applicant will need some level of flexibility on open space to accommodate preliminary and final plat adjustments for lot space needed for septic systems. As they exceed the required open space, Staff recommends that the applicant be provided with an option for offsite septic easements if locations are not available within lots.

Planning Director Liles stated that the Town is receiving a community development block grant. This grant will help in getting the Town's sewer line closer to the 152 lot subdivision. It could be possible before this project moves to build out, sewer could be available.

Planning Director Liles stated the 2030 Land Development Plan identifies this project area as low density residential with environmentally sensitive areas on the property. The environmentally sensitive areas generally conform to the open space proposed. The property is proposed for low density development.

Planning Director Liles stated, as far as transportation, the project proposes two access points: 1) a primary access from NC Hwy 5 through the undeveloped commercial property adjacent to the road, and 2) a secondary access from Turning Leaf.

Planning Director Liles stated for this development approximately 1520 vehicle trips per day would be anticipated which exceeds the 600 trip town requirement for a traffic impact analysis. The purpose of a traffic impact analysis is to assess the impact on the town street system and state road system. New roads are proposed for this project that do not interconnect with existing town streets. The external connections are to two NCDOT streets. NCDOT is not requiring a traffic impact analysis but they are working with the applicant on required improvements.

Sarah Ahmad asked about sidewalks and mulch trails. Planning Director Liles stated mulch trails or sand/clay mix would probably not present a problem. One side of the street could have a sidewalk and the other side have a mulch trail.

Mr. Sanders stated they are trying to work with the ordinance requirements on this project and the low impact development. They are trying to minimize the impact on what they are doing.

Mr. Sanders stated they have laid out lots that are a minimum of twenty thousand square feet, but they are actually averaging twenty six thousand feet. They are going to try to stay with the 25% open space and don't foresee using any of the open space for septic. Their goal is to try and provide the best usable open space areas and get the lots laid out in a way that everything works with the stormwater, grass swales, and they can take care of any issues on site.

Sarah Ahmad asked who would be responsible for maintaining the roads in the development. Mr. Sanders stated all the roadways, water lines,

and open space will be dedicated to the Town. Sarah Ahmad asked if the Town was okay with that. Planning Director Liles stated the Board of Commissioners would have to make the final call, but Staff would recommend it.

Sarah Ahmad asked if the Town would take over the sidewalks. Planning Director Liles stated yes.

Janet Peele asked about the steep spaces and was concerned about drainage. Mr. Sanders stated in some of the worst cases that only a 6% grade existed, a driveway entrance for fire trucks can be 10%.

Mr. Sanders stated they have not gone into designs yet and drainage would be taken care of in the design phase. They would use stormwater grass lined swales that would have 2% to 3% slopes and would slow the water down. There will be grass lined swales between the lot lines to help with the stormwater runoff.

Raymond Lee asked if the water would be channeled through the homeowner's property. Mr. Sanders stated it would not be through their property but on the lot lines, they will have a drainage easement. Janet Peele asked who would own the easement. Mr. Sanders stated the easements would go along with the roadways to the Town.

Raymond Lee asked about the septic tanks in a Watershed area and what would happen to all the waste. Mr. Sanders stated septic is totally different than Watershed. Watershed is looking at surface water runoff only.

Joe Dannelley asked if there had been any other attempts to develop this property. Planning Director Liles stated there had been some discussion but nothing submitted.

Joe Dannelley asked if it was a benefit in this area to have sidewalks to channel the water or are they for the development and homeowners. Planning Director Liles stated as far as sidewalks they were looking at pedestrian activity, but they could look at it from a drainage standpoint.

Planning Director Liles asked the Planning Board if they were ready to make a decision or did they need more information? One potential condition

could be prior to construction activities commencing, a draining plan shall be brought back to the Planning Board for final review.

Joe Dannelley stated he thought this is an aggressive development using most of the land, and wanted to know if they would consider a smaller development. Mr. Sanders stated they reserved 25% open space and that was higher than what was required. The requirement for the UDO was 20% and they reserved 25% which came out to an additional 9 acres of open space.

Planning Director Liles stated since the Planning Board was having trouble with clustering, she suggested they continue this to the next month and this would give them time to get feedback on clustering provisions in relationship to stormwater runoff.

Mr. Sanders stated he would be more comfortable if the Planning Board would approve with conditions that Environmental Health send a letter stating this is a development that can sustain plots like this with septic, and no lot could be approved unless it met the state's standards. Also get DENR to send a letter saying they are okay with putting 152 lots on 152 acres.

Chairman Ransdell asked where the Planning Board wants to go with this. Joe Dannelley asked for more discussion. He does share concerns about impacts, but he wants to move forward with the planning and let Mr. Sanders show the Planning Department that his project will work within the UDO.

Planning Director Liles asked the Planning Board to look at the preliminary soils analysis. The red area shows soils that would be suitable for development and the patched areas are those that may be unsuitable based on preliminary analysis.

Chairman Ransdell asked if there was a motion for continuance. Planning Director Liles stated she could offer one other option; the Board of Commissioners could have a joint public hearing with the Planning Board. This would give Mr. Sanders more time to answer some questions the Planning Board has. Mr. Sanders stated he would like to know what other questions the Planning Board has so he can have the answers at the joint meeting.

A motion was made by Janet Peele to continue to the joint public hearing, seconded by Peter Koch. Motion unanimously carried.

- d. Continuation of Special Use Permit SU #13-01 for a Daycare Facility at 212 Elm Street.

Pam Graham stated there was an outstanding issue regarding US Hwy 1 entrance and the need to insure that DOT would be on board with it. Mr. Brooks contacted DOT and filled out and paid for a permit application.

Kevin Reddinger with DOT stated in a letter, "They have determined the "employee entrance" off of US 1 will require no improvements and therefore requires no permit". Pam Graham stated Mr. Reddinger felt like the road was existing and as long as it is going to be used solely for employee use, and not a drop-off or pick-up for children, he would not require a permit.

Pam Graham stated among the recommended conditions for approval, of the Special Use Permit, is a requirement that signage be installed designating parking for staff and for visitors.

Raymond Lee asked about signage and where the parking would be for staff and where the parking would be for visitors. Pam Graham stated signage would be for both entrances. The entrance off of US 1 would be for staff and the entrance off of Elm Street would be for visitors, and they would not be able to come in one entrance and try to go out of the other.

Motion 1, SU #13-01 is or is not complete as submitted. Motion made by Raymond Lee, seconded by Joe Dannelley, SU #13-01 is complete as submitted. Motion unanimously carried.

Motion 2, SU #13-01 satisfies or does not satisfy Finding #1: will not endanger public health or safety. Motion made by Tim Marcham, seconded by Peter Koch, SU #13-01 satisfies Finding #1 and will not endanger public health or safety. Motion unanimously carried.

Motion 3, SU #13-01 satisfies or does not satisfy Finding #2: will not injure the value of adjoining or abutting property. Motion made by Janet Peele, seconded by Peter Koch, SU #13-01 satisfies Finding #2 and will not injure the value of adjoining or abutting property. Motion unanimously carried.

Motion 4, SU #13-01 satisfies or does not satisfy Finding #3: will be in harmony with the area in which it is located. Motion made by Joe Dannelley, seconded by Peter Koch, SU #13-01 satisfies Finding #3 and will be in harmony with the area in which it is located. Motion unanimously carried.

Motion 5, SU #13-01 satisfies or does not satisfy Finding #4: will be in conformity with the Land-Use Plan, Thoroughfare Plan, or other plan officially adopted by the Town Board. Motion made by Tim Marcham, seconded by Janet Peele, SU #13-01 satisfies Finding #4 and will be in conformity with the Land-Use Plan, Thoroughfare Plan, or other plans officially adopted by the Town Board. Motion unanimously carried.

Motion 6, based on the findings of fact and the evidence presented, the Planning Board:

- Recommends denial of SU #13-01 based on the following: \_\_\_\_\_.
- Recommends approval of SU #13-01.
- Recommends approval with conditions of SU #13-01.

Chairman Ransdell read the suggested conditions:

1. Any and all required permits from other regulatory agencies must be in place as a condition of approval.
2. Signage shall be required indicating designated parking areas for staff and visitors. The driveway access from US 1 shall be limited to staff parking and shall be marked accordingly.
3. ADA requirements must be met and will be confirmed by the Town Building Inspector.
4. Facility shall be limited to a maximum of twenty children and must meet all other requirements of the North Carolina Department of Health and Human Services (DHHS).
5. A copy of the DHHS license shall be provided to the Aberdeen Planning Department prior to initial operation of the daycare facility.
6. A Town of Aberdeen business license will be required for the day-care and all related processes, including building and fire inspections must be complete prior to operation of the daycare.

Motion made by Peter Koch, seconded by Janet Peele, based on the findings of fact and the evidence submitted, the Planning Board recommends approval with conditions of SU #13-01. Motion unanimously carried.

5. Other Business

- a. Planning Director Liles updated the Planning Board with activities and new developments with the Town.

6. Adjournment

A motion was made by Peter Koch, seconded by Raymond Lee, to adjourn the meeting. Motion unanimously carried.

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Amy Fulp, Permit Technician  
Minutes were completed in  
Draft form on June 28, 2013

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Johnny Ransdell, Chairperson  
Minutes were approved  
on September 19, 2013