

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

December 19, 2013  
Thursday, 5:30 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Planning Board met Thursday, December 19, 2013 at 5:30 p.m. for the Regular Board Meeting. Members present were Chairman Johnny Ransdell, Vice Chair Sarah Ahmad, Ken Bryd, Joe Dannelley, Raymond Lee, and Tim Marcham. Alternates Kelvin Watson and Peter Koch were also in attendance. Others in attendance were Planning Director Pam Graham, Planner Jane Tercheria, Permit Technician Amy Fulp, Russell Walters, and Terry Gaar.

1. Call to Order:

Chairman Ransdell called the meeting to order at 5:33pm.

2. Recognition of outgoing member Joe Dannelley

Chairman Ransdell stated Joe Dannelley was elected to the Aberdeen Town Council and will be leaving the Planning Board. Joe has done an outstanding job with the Aberdeen Planning Board and he will really be missed. Several items such as a magnifying glass, a comb, a picture frame, and a mirror were given to Joe as parting gifts.

3. Swearing in of Kelvin Watson as a regular Planning Board member

Chairman Ransdell stated with Joe Dannelley leaving the Planning Board, the Board of Commissioners has appointed in-town alternate Kelvin Watson to fill the vacant position for the remainder of Joe's term.

Kelvin Watson was sworn in, by Notary Amy Fulp, as a regular member of the Aberdeen Planning Board.

4. Approval of Agenda

Tim Marcham made a motion, seconded by Sarah Ahmad, to approve the agenda of the Regular Meeting for December 19, 2013. Motion unanimously carried.

5. New Business

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

- a. Conditional Use Permit CU #13-02 for Habitat for Humanity of the Sandhills five lot (Major) subdivision near the intersection of Thomas Street and Arnold Avenue.

Planning Director Graham stated we have a five lot subdivision coming before you and anything greater than 3 lots is considered a major subdivision which requires recommendation from the Planning Board and approval by the Board of Commissioners.

Planning Director Graham stated the Town has a history of working with Habitat for Humanity and we have some ongoing projects. Tonight we have two representatives from the local Habitat with us Terri Garr and Russell Walters. Russell Walters works on the construction site end and Terri Garr works with getting the plans laid out and approved and with the families.

Planning Director Graham stated the proposed site is in the R10-10 residential zoning district. The Town has worked with this neighborhood before and Habitat has been looking at it for some time to make improvements.

Planning Director Graham stated the Town has also been working on a Greenway project which will connect the park with the elementary school and ultimately up to Southern Middle School. There are property acquisitions going on where we are working with owners to acquire property or acquire easements on the property so we can work the trail up. The Greenway project will utilize Habitat's required open space and the remainder of unbuildable property belonging to Habitat will be negotiated for the Greenway Project.

Planning Director Graham stated the Planning Board members have a map with an enlargement of how the Greenway Trail is intended to work. They also have information on how Habitat works with their families and some sample drawings of what they expect the homes to look like.

Ms. Gaar stated that this neighborhood seems to have a history and a lot of people are related. There is also other land in this particular community that Habitat is interested in because they could then build additional houses to improve the area and keep the community together.

Planning Director Graham stated the process is the Planning Board will give a recommendation to the Board of Commissioners for approval or denial of this or approval with conditions. All major subdivisions are considered conditional uses by our UDO and that is why they go through the process of Planning Board review and then Board of Commissioners.

Planning Director Graham stated what we typically see on these projects during this phase is they are trying to get the use approved. The general layout is looked at, the number of lots, and does the use of the property meet the UDO requirements.

Planning Director Graham stated the site plan, as it is, is intended to provide enough detail for the Planning Board to make a decision about whether the use is appropriate.

Ken Byrd asked which part of lot 6 goes to the city and which part remains in the wetlands. Planning Director Graham stated it all goes to the Town. Part of it would be donated as open space that is required by the subdivision and the remainder would be in the acquisition process through the Clean Water Management Trust Fund Grant for the Greenway Trail.

Ken Byrd asked with the acquisition process what is the cost to the city to do that. Planning Director Graham stated it is covered in the grant.

Ken Byrd asked what are the liabilities to the Town for the open area such as maintenance, cutting grass, or if someone falls and gets hurt. Planning Director Graham stated this would really be turned over to the Aberdeen Parks and Rec Department at that point, but our Public Works Department does a lot of maintenance on our public facilities and they would continue to do that here. It would carry the same liability that any other Town property does.

Ken Byrd stated he was unclear from the map how the William's, the Rochester's, and the Elliott's get access to their property from Fowler Court. Planning Director Graham stated there is a driveway that gives them access and it has been in place for decades.

Ken Byrd asked about putting a sidewalk in on Thomas Avenue but there was no mention about putting a sidewalk in on Fowler Court. Planning Director Graham stated it is not proposed at this time but it can be a condition of the Planning Board if they so wish.

Ken Byrd stated his concerns about the public parking on and around lot 5 on Fowler Court to access lot 6. Planning Director Graham stated this development really doesn't make any changes to Fowler Court. Concerning how the trail works and how people will access it, we will get into more detail on this later as a part of the Greenway project. We will look at making it clear where the access points are, where the trail heads are, and where not to park.

Ken Byrd stated this is a very close knit neighborhood with old families and we need to be respectful of what they have if the public will have access to lot 6. We need to find a way to let the public in without impacting the old time residents.

Chairperson Ransdell asked could Ken Byrd deal with this if there were signage stating dead end street, no public access to Greenway. Ken Byrd stated this would be fine or either signage stating access to Greenway found at whatever the street and parking lot names are.

Ken Byrd stated as we get Greenway opened up we need to make sure to look at the implications to the longtime residents, the properties, and how the public gets in and out.

Chairman Ransdell read the suggested conditions.

Suggested Conditions as Amended:

1. Conditional Use Permits (CUP) run with the land and as such this conditional use permit applies to the entirety of the properties reflected in Parcel Identification Numbers #00055364 and #20020613. An amendment to the CUP is needed to remove property from the CUP or to make changes to the CUP. If an activity is a use by right, it is not subject to the CUP.
2. This approval authorizes a maximum creation of five developed lots with open space provided as indicated on the associated preliminary plan drawn by Ryan McBryde and dated December 17, 2013, upon which construction drawings shall be based. Lot "6" is an undevelopable lot and is to be utilized as open space.
3. Open space has been offered at roughly 49% and is to be conveyed as a dedication to the Town at no less than 20% of the total project acreage with the remainder to be acquired by the Town or by other means for uses associated with the proposed Clean Water Management Trust Fund Greenway project. Open space shall generally conform to the acreage and configuration as indicated on the 12/17/2013 associated preliminary plan.
4. The proposed use is authorized by the approved CUP, however engineering drawings shall be submitted and comply with all requirements of the UDO, the Water and Sewer Extension Policy and all other adopted policies of the Town of Aberdeen unless expressly waived as a part of this approval. Drawings will be processed through an interdepartmental plan review and approved prior to the beginning of construction for the project.
5. Tree Harvest and mass re-grading are not authorized as a result of this approval. Tree clearing consistent with a staff approved grading plan may move forward upon final approval by Planning staff.
6. The applicant is required to place sidewalks along Thomas Avenue as indicated on the associated preliminary plan and along Fowler Court along the right of way to the two lots that face Fowler Court.
7. Any and all required permits from other regulatory agencies must be in place as a condition of the final approval of the CUP.

Chairman Ransdell asked how the area stands on water and sewer. Planning Director Graham stated good, there are some water taps already in place there. There is also a sewer easement that runs through much of this and a sewer line already in place there.

Motion 1 made by Ken Byrd, seconded by Raymond Lee, CU #13-02 is complete as submitted and amended. Motion unanimously carried.

Motion 2 made by Ken Byrd, seconded by Tim Marcham, CU #13-02 satisfies Finding #1: will not endanger public health or safety. Motion unanimously carried.

Motion #3 made by Ken Byrd, seconded by Tim Marcham, CU #13-02 satisfies Finding #2: will not injure the value of adjoining or abutting property. Motion unanimously carried.

Motion #4 made by Tim Marcham, seconded by Sarah Ahmad, CU #13-02 satisfies Finding #3: will be in harmony with the area in which it is located. Motion unanimously carried.

Motion #5 made by Raymond Lee, seconded by Tim Marcham, CU #13-02 satisfies Finding #4: will be in conformity with the Land Use Plan, Thoroughfare Plan, or other plan (Hazard Mitigation, Pedestrian and Bicycle Plans) officially adopted by the Town Board. Motion unanimously carried.

Motion #6 made by Ken Byrd, seconded by Tim Marcham, based on the findings of fact and the evidence presented, the Planning Board recommends approval with conditions as amended of CU #13-02. Motion unanimously carried.

6. Old Business

a. General Updates

Sarah Ahmad asked about the 152 lot subdivision and did it pass through the Commissioners. Planning Director Graham stated it did pass just exactly as it was recommend by the Planning Board and Watershed Review Board.

Planning Director Graham stated we expect to see an uptick in residential building permits after the first of the year. We understand a builder has picked up quite a few lots at Legacy Lakes and we expect to see building happening pretty quickly.

Planning Director Graham stated Forest Hills is coming towards an end. They are building in some of the more challenging lots now near the end.

7. Adjourn

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

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Amy Fulp, Permit Technician  
Minutes were completed in  
Draft form on January 10, 2014

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Johnny Ransdell, Chairperson  
Minutes were approved  
on January 16, 2014