



**EDENTON-CHOWAN
PLANNING AND INSPECTIONS DEPARTMENT**
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Chowan County Planning Board

March 21, 2006

Chowan County Courthouse

(Broad Street)

7:00 pm

MINUTES

Ms. Elizabeth Bryant called the meeting to order. She then called the roll, Jack Held, Lia McDaniel, Fred Smith, Jim Leggett, Roger Spivey, Fred Smith, Craig Blanchard and Kathy Williams were all present.

Chairman Spivey noted that the first item on the agenda was **Preliminary-Final Plat for 5 lot subdivision on Chambers Ferry Road** and stated the order of business.

Ms. Bryant introduced Mr. Meekins and his subdivision proposal. She explained to the audience that preliminary and final plat process is available for subdivisions of the size presented (5 lots) she said this process is a review of the preliminary plat and issuance of the final plat approval. So that the applicant can have the plat recorded. She noted the location of the plat and said that all of the lots meet the minimum subdivision requirements in square footage and dimensional requirements.

Mr. Rascoe further clarified to the audience.

Mr. Meekins said he is a land surveyor from Dare County. He said his lots exceed the minimum requirements. He said he wants nice homes on the property. He said there are covenants established that will be enforced for the proposed subdivision.

Chairman Spivey asked the Board for any questions.

Ms. Williams asked if a homeowners association will be set up.

Mr. Meekins said that is set up in the covenants, he said the Board should have a copy of the covenants. He said he feels the covenants are strict to increase the value of the land.

Ms. Bryant said there is no need for a homeowners association, because there is nothing to maintain with this subdivision, she said these lots would be exempt from the County buffer requirements. She said in the covenant document, there are standards for what can be built.

Mr. Held asked what the minimum house square footage will be.

Mr. Meekins said 1800 square feet will be the minimum and the outbuilding must adhere to the same architectural design of the house.

Mr. Leggett complimented the covenants and the requirements.

Mr. Rascoe said the covenants have a 50 foot setback from the front and rear lines and the side setbacks will be 15 feet. He said the covenants prohibit further subdivision of the lots.

Chairman Spivey asked for any further questions from the Board, (being none) he called for public comment.

Royce Coles asked what benefit is for taxpayers because of the reduction of farm land, increased taxes and stated concern with additional commuters in the area.

Mr. Meekins said the benefit is that as a private landowner he has the right to subdivide the tract of land into 25,000 square foot lots. He said he has chosen not to do that. He said that would increase the traffic.

Dossey Prudin commented stating his dislike of the subdivision.

Chairman Spivey called the meeting to order.

Mr. Meekins said that living in Dare County he has seen growth get out of hand. He said he kept that in mind when creating this subdivision.

Chairman Spivey commented on the number of existing homes on Chambers Ferry Road.

Mr. Leggett asked about the curve on Chambers Ferry Road.

Mr. Meekins said the curve is 35-40 mile per hour.

Mr. Coles asked if Mr. Meekins wants to build homes or sell lots.

Mr. Meekins said he will not build the homes.

Ms. McDaniel asked about future subdivision.

Mr. Meekins said there will be no future subdivision.

Ms. Bryant added that the subdivision will use all of the land that Mr. Meekins owns excluding the rear parcel that has been left for farm land and said that if any future owner were to subdivide that rear parcel, they would be required to have a paved road to enter into the back area.

Mr. Pruden commented in favor of low density development.

Commissioner Harry Lee Winslow commented on soil type, size of lot and commented in favor of the subdivision.

Ms. Bryant said that the Health Department has submitted comments on the suitability of the soil for the location. She said the report said there is no problem holding septic tanks on the number and size of lots.

Chairman Spivey called for any further questions or comments (being none) he called for a motion to approve.

Mr. Smith asked if the Planning Department had any comments or concerns on the development.

Ms. Bryant said no.

Mr. Smith moved that the Board recommend approval to the Commissioners.

Mr. Leggett seconded the motion.

The motion carried unanimously (6-0).

Chairman Spivey noted the next item, **Review of Sketch Plan for 14 Lot Subdivision at Gliden Road/ NC 37 and County Line Road.**

Ms. Bryant introduced the second item on the agenda and called on Mr. Bill Brooks, who represented Mary Bigler, owner/developer. Ms. Bryant clarified that the purpose of this item on the agenda, is for review and comment purposes only. She said there are 14 lots proposed, approximately 8 acres for each parcel, a paved public dedicated street and a storm water retention area.

Mr. Brooks spoke on behalf of the developer. He said originally the proposal was for high density and after meeting with staff, the density was too high.

Mr. Rascoe said that staff met with developer and with the owner, and three points were made during that meeting. He said that options were discussed with him; he said one of the options is to divide the track, without regulation into 10 acre parcels and not put a paved road in. He said the other option is to have 8 +/- acres with a paved road going in. He said the two things that keep coming up and that is septic service for the lots and drainage and storm water. He stressed the developer was told at the meeting, at the time of application, and preliminary plat submittal, the County strongly recommended (insisted) that each lot have a completed perk test done at the time of preliminary plat. He said another thing stressed to the owner/developer at the meeting was the initiative requiring certification of an Engineer, aside from the sedimentation and erosion control permit, showing that storm water and drainage would not adversely affect adjacent lots in the subdivision or off the subdivision.

Mr. Brooks said that information will be provided at preliminary plat.

Chairman Spivey then called for any questions or comments from the Board.

Mr. Leggett asked if lots 1-3 and lot 14 had direct County Line Road access.

Mr. Brooks said lots 1, 2, 3 and 14 will be sold first and the monies from that sell will build roads. He said lots 1 and 2 will access Highway 37.

Ms. Bryant said the current regulations will not allow lots 1 and 2 have direct access on Gliden or County Line Roads. She said there may have to be revisions to give access to the interior road.

Mr. Brooks asked if a common driveway would suffice.

Mr. Rascoe said yes, but only off of the proposed public access.

Mr. Held asked about protection against future subdivisions.

Ms. Bryant said that the Board could ask for a covenant to prevent or prohibiting the subdivision of parcels.

Mr. Held said he thinks that would be a good idea.

Mr. Rascoe added that if these were 10 acre parcels, there is nothing the County could do to prevent further subdivisions.

Ms. Williams stated her concern about driveway access for lots 1 and 2.

Ms. Bryant clarified further.

Mr. Blanchard asked about drainage from the access road.

Mr. Brooks said there will be ditches and some piping.

Mr. Rascoe commented on an easement for perpetual maintenance will be required for the ditched at the preliminary plat.

Chairman Spivey asked for any further questions or comments from the Board (being none) he opened the floor to public comment.

Bob Hutchinson asked if covenants would go with the land, and asked if it could include no future subdivisions.

Mr. Rascoe said the developer's representative has indicated that they would include in a declaration to not further subdivide the lots. He said he will review the documents after submittal of preliminary to ensure the developer did add that language.

Mr. Hutchinson asked if this is the last plan they will see.

Ms. Bryant explained the difference between the sketch plan and the preliminary review process. She also explained the approval process from preliminary to final plat.

Mr. Winslow commented on drainage of existing property and stated his concern about future development, soil types and wetlands.

Mr. Brooks said he is aware of the drainage problems on the property.

Kenny Layton an adjoining neighbor asked about purchasing lot 14.

Katrina Rogerson asked about flag lots and commented on drainage.

Ms. Bryant explained what a flag lot is.

Ms. Bryant re-stated the County procedure for drainage issues for development.

Mr. Coles asked if there is a county testing program for septic tank leeching.

Mr. Rascoe said the County relies on the sanitarian, with Albemarle Regional Health Services, to ensure a site can handle septic systems.

Ms. Rogerson asked for clarification on the 10 acre exemption.

Mr. Rascoe said the developer would not have to come before the Planning Board.

Ms. Bryant clarified that is North Carolina General Statute.

There being no further discussion on the above referenced item. The floor was closed for discussion on the sketch plan review.

Ms. Williams asked about potential for a moratorium.

Ms. Bryant said the County has looked at a moratorium at least every two months. She said the issue that the County keeps coming back to, is that there are extensive advertising requirements that are associated in North Carolina General Statutes for Counties declaring moratoriums on subdivisions or building permits. She said that with those advertising requirements, the County feels it gives developers who just want to “get in and get out quick” under the existing regulations, time to file a preliminary plat as fast as they can. She said one the preliminary plat is in; the County has to accept it under the old rules. She said the County can not stall the developers. She said there is potential to get a flood of preliminary plats. She said working through the existing regulations, and requiring as much information as possible, to ensure public health, safety and welfare, upfront that the County can manage the flow of development.

Mr. Rascoe elaborated on Ms. Bryant’s comments.

Mr. Rascoe talked about commercial fox pen/ hunting regulations in Chowan County.

There being no further business before the Board, the meeting was adjourned.