

## MINUTES OF THE WHITSETT PLANNING BOARD

April 5, 2022

Whitsett Town Hall

The meeting of the Whitsett Planning Board was held at 6:00 p.m. on Tuesday, April 5, 2022 at the Whitsett Town Hall. Those in attendance were Planning Board Chairman Tyler Harris, Board Vice Chairman Karen Horne, Board members Joe Wheeler, Charles Sedoris, Council Member Liaison Craig York, Interim Town Administrator Gary Deal and the new Town Administrator Elaine Garner.

Planning Board Chairman Tyler Harris called the meeting to order at 6:00, noted that a quorum was present. Chairman Harris asked Interim Town Administrator, Gary Deal to offer the invocation.

Council Member Craig York introduced and welcomed the new Town Administrator, Elaine Garner.

### SPEAKERS FROM THE FLOOR

Planning Board Chairman Tyler Harris introduced the Speaker from the Floor, Chris Newsom who was present at the meeting to petition for conditional use for rezoning for neighborhood business. He and his wife have planted a small lavender field on their 1000-acre property (address 1008 Highway 61) and would like to open a little shop which would sell lavender-based products such as soaps, lotions, and flowers. They want to place a small 10' x 20' prebuilt building in which he gave the members a picture of the idea he is proposing. He and his wife want to open a little retail shop where they can sell her handmade lavender products. He did not anticipate this business generating a lot of traffic as the business would cater to specialized clientele of which they already have some of. Hours would be minimal; they are looking at a seasonal business with limited hours such as Thursday through Saturdays from 12pm to 6pm at this point. They already have a dedicated driveway (separate from the residential driveway) for customers to use who want to come shop.

Interim Town Administrator Gary Deal reviewed with the committee some of the email discussion between himself and Mr. Newsom that there is an issue with the shop being in a residential area and wanting to do retail sales. There are a few options for this to happen. 1) Home Occupation which is business done within the home mostly done on a computer with not a lot of traffic or advertising. No more than 25% of the home can be used for business purposes and the business cannot be visible to the outside of the home. 2) Conditional Use Neighborhood Business where the owner wanting to advertise and expects highway traffic. With this option, the owner is responsible for describing the business in detail. The concern with this option is that 6 months down the road, if the original plan is not working that the owner would decide to start selling something completely different than what they originally proposed. Specific conditions need to be put in to prevent that from happening so there does not have to be another rezoning. 3) Rezoning to Highway Business which would cost the owner \$750 to apply for the rezoning and there would be no guarantee that the rezoning would pass.

Gary suggested doing the Conditional Use option because the shop would be located within the residential section of the town as the business section is typically on Highway 70 and the town has not approved any rezoning that was not on that highway in the past.

Mr. Newsome was asked if they were considering making the business and LLC or branching the sales out into stores; basically asking how large they are hoping the business would become. Mr. Newsome

responded that their plan is for this to simply be a small business for his wife to use her talents in working with making lavender products.

The two major concerns are having a building outside of the home to house the business with customers coming in and out as well as the use of the term “retail sales” to sell their products. Gary Deal explained the process of the decision-making to Mr. Newsome. Chairman Tyler Harris told Mr. Newsome that the board would get back with him with their recommendation once that was made. Gary Deal let the owner know that it would be his responsibility to submit the specific conditions for the business to the board as that is not the responsibility of the town.

Once Mr. Newsome left the meeting the board discussed the options for this business. Any rezoning must go through the Town Council. The Planning Board makes a positive or negative recommendation to the council as to whether this would be a good thing for the town. Because this is a request to have a business in the residential area of Whitsett, the decision of the Planning Board would be setting a precedence for the future. Chairman Tyler Harris recommended we wait to get Mr. Newsome’s email with his further explanation of the business before making any further decisions.

#### REMEMBRANCE OF BOB MACCIA

Chairman Tyler Harris asked the board to have a moment of silence in remembrance of former board member, Bob Macchia. He passed around a sympathy card for the board members to sign to be sent to Mr. Macchia’s family and there was some discussion of what the board could do in his memory.

#### OLD BUSINESS

- Chairman Tyler Harris recognized Charles Sedoris as being voted in by the Town Council as the newest member of the Planning Board.
- Adoption of Minutes - Planning Board Chairman Tyler Harris asked for any changes to the minutes from the Planning Board meeting held on Tuesday March 1, 2022. With none made, Chairman Harris asked for a motion to accept the minutes. A motion was made by Board member Charles Sedoris to adopt the minutes as written; motion seconded by Board Vice Chairman Karen Horne. Adoption of the March minutes carried by unanimous vote.
- The board revisited the board’s previous discussion of the Grigg’s property on Highway 61 being turned into an event center for weddings, businesses or corporate events. This venue would be mostly outdoor use for up to 200-300 people. Concerns about bathroom usage, how often the property would have events, the amount of traffic that would occur at these events and noise ordinances were discussed. It was discussed that the neighbors of this address are not in favor of this proposal. The property would most likely have to be rezoned to neighborhood or highway business. The Planning Board would vote that it does not fit within the Residential district and should not be approved for rezoning. It was also discussed that the family would most likely sell the house if they are not allowed to turn it into an event center and what that could possibly look like. Because of the ordinances in place, there should be no problems as far as that issue is concerned. The chairman of this committee suggested we table further discussion until the next meeting.

- The board revisited the subject of the water meter fees with discussion of whether there should be disconnection/connection fees. After some discussion, the motion was made by Karen Horne that there be a \$0 disconnection fee and a \$50 connection fee; it was seconded by Charles Sedoris and the motion was approved unanimously.
- The board revisited the discussion of 613 Mobile Home issue. The owner is wanting to put the same size trailer back on the property. Gary Deal told the board that the ordinance says that he can do that as long as the trailer is no older than 6 years and that there must be underpinning.

### **New BUSINESS**

- Gary Deal asked the board to discuss a request from a Dr. Carr who came into the Town Hall earlier in the day and owns agricultural property on the north side of Highway 70 where Crescent Road comes into 70. Dr. Carr wants to put a 4' x 4' sign on the property that simply identifies the farm as being their family farm. Gary passed around a picture of what the sign would look like. Gary said that based on size, the sign is well within the allowed ordinances. In the development ordinance 7-1-1, no permit is required for Identification signs. Gary will let Dr. Carr know that it is fine to put the sign on his property as long as it's not in the DOT right-of-way.
- The board then discussed the Hudson Way project with Gary Deal reviewing some of the history on this subject and how it has changed over a period of time. It has changed the number of homes it was planning on having from 140 to 116 homes which in fact is 58 duplexes. He stated that ordinance RM12 will have to be reworked and corrected because it is too ambiguous. Several years ago, Keystone brought the Hudson Way proposal to the board for its review then after that the plan went idle for several years. Keystone later brought the project back to the board with some design development, but had not taken the project to Guilford County prior to this for them to do a development/technical review which is required by the town. Guilford County would match their plan against our ordinances to make sure the plans comply and then that report would come back to the planning board for review. The board let Keystone know that the plans had to be reviewed by Guilford County's Technical Review Committee prior to the Planning Board discussing it. The review has now been completed and Gary provided that report to the board. The Review Committee identified water shed issues as well as 17 items in the planning comments that our board needs to review and address. There are two items that are significant. The first addresses the verbiage in RM5 addressing the area of the dwellings and the second addresses the location of sidewalks for the project which are in the proposed public right-of-way. According to our attorney, it needs to say that the sidewalks will be maintained by the HOA and not the town. Gary made the board aware that the engineer had contacted him earlier today with one change that had occurred is that roads must be built by state standards and maintained by the state. The water and sewer lines are also under review.
- Joe asked about the mobile home that the owner had placed on his agricultural property on Whitsett Park Rd. Gary spoke with Mr. Ingle, the owner, who stated that this trailer is supposed to be a part of his barn to store feed in; it is not a dwelling. Once it is complete it will not be visible.

ADJOURNMENT

With no further business to discuss, Charles Sedoris made a motion to adjourn. Karen Horne seconded the motion and it was passed unanimously. The meeting adjourned at approximately 8:10p.m.

The next regular meeting of the Whitsett Planning Board is scheduled for Tuesday May 3<sup>rd</sup>, 2022 at 6:00p.m. at the Whitsett Town Hall Building.

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Chairman Tyler Harris

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Vice Chairwoman Karen Horne