



Minutes of the Special Meeting of the
Zoning and Planning Board

Tuesday, May 9, 2017

Lake Lure Municipal Center

ROLL CALL

Present: Thomas M McKay, Chair
Bruce Barrett
Charlie Ellis
Jonathan Hinkle
Norman McGlohon

Absent: Shannon Baldwin, Community Development Director
John Moore, Council Liaison

Also Present: Brad Burton, Code Enforcement Coordinator
Clint Calhoun, Erosion Control Officer
Valerie Hoffman, Communications Coordinator
Michelle Jolley, Recording Secretary
Tony Konsul, Regional Manager for CWS
Bryce Mendenhall, VP of Operations for CWS
Gary Peacock, Area Manager for CWS
Kurt Wright, Professional Engineer with SDG Engineering

The meeting started at 10:03 a.m. Chairman McKay led the pledge of allegiance and Mr. Barrett gave the invocation.

APPROVAL OF THE AGENDA

Mr. Ellis proposed adding an item under 'Old Business' for a request for a permanent sign application for the Town of Lake Lure and to change the time of the meeting on the agenda to 10:00 a.m.

Mr. Ellis made a motion to approve the agenda as amended. Mr. Barrett seconded the motion. All voted in favor.

APPROVAL OF THE MINUTES

Mr. Barrett made a motion to approve the minutes of the January 17, 2017 regular meeting as presented. Mr. Ellis seconded. All voted in favor.

OLD BUSINESS

A. Request from the Town of Lake Lure for a Permanent Sign Application

Ms. Hoffman explained the request is for a new town sign at the Pool Creek Picnic Park, adjacent to the ABC Store. The sign is consistent in design standards with all other town park signs. She mentioned that Melodie, with Public Works, has already put up a new berm and shrubs and the sign is ready to be installed. The sign will not exceed 6'. She presented the Board with a diagram of the proposed sign. The sign will take 7-10 days to fabricate and should be ready for installation in June. Town Council will also review this application at their next meeting on May 16.

Mr. Barrett moved to approve the sign application. Mr. Ellis seconded and all voted in favor.

NEW BUSINESS

A. Review and discussion of application filed by Carolina Water Service Inc. ("CWS") for a Conditional Use Permit (CU-2017002) to expand and operate public utility buildings and facilities on their parcel (Tax PIN 1611495) located at 185 Whitney Blvd, Lake Lure, NC. This site is also referred to by CWS as "Well #8."

Mr. Burton provided the Board with an overview. The memo in the packet read:

The Community Development Director has reviewed the application and 2007-2027 Comprehensive Plan. If the applicant implements the application as proposed, the Community Development Director does not anticipate...

- Any major changes to the current site layout and treatment. However, a storage tank and building over well are being added to the site out of necessity.*
- Any significant departure from existing utility building type design. The structures added are utility designs using earth tone, muted colors.*
- Any major changes in relationship of building and structures to site. A storage tank will be closer than any other structure on site, however it is a necessity.*

Further, the proposed structures and uses will be in harmony with residential character of the neighborhood if developed and used as proposed and permitted by the Board of Adjustment. The location is in general conformity with the residential designation on the future land use map (Figure #8) of the 2007-2027 Comprehensive Plan. However, a few evergreen trees may need to be planted in a few areas around the perimeter to screen existing and proposed structures from view. A decent natural existing buffer already exists, however it may need to be supplemented in a few spots.

Mr. Burton referred to the diagram provided to the Board which showed proposed layout designs. He stated a flood hazard was discovered on this property during a site visit. A professional engineer was hired who conducted a flood study. He stated that staff prefers layout alternate 2, noting that the location of the tank is perpendicular to the road, creating less of an eye catch. However, he added that both designs work and are compliant with the zoning requirements. He stated they have properly advertised and he has received no comments from anyone.

Bryce Mendenhall, Vice President of Carolina Water Systems (CWS), stated they are enhancing the treatment process and the enhanced treatment will not fit into the original facility. This is the reason for the request for a new facility. He explained that well #8 has, at times, shown elevated levels of radium that has caused safety concerns. He pointed out that they perform tests regularly, and elected to do so on a quarterly basis. In February during a regular test, they noticed an increase in the levels of radium, putting them into violation. He stated they have not yet received a violation letter from the State. However, they have now fallen back into compliance but would still like to be proactive and increase the facility for an enhanced treatment process. He stated they are still designing and finalizing the system and plan to be finished by the end of July. He noted that letters have been sent out to the impacted residents. He conveyed that their other wells are functioning properly.

Mr. Mendenhall stated that a public meeting was held, with great turnout. Mr. Barrett asked about the 15,000 gallon storage tank for backwash. The backwash has a greater radium level than treated water. Mr. Mendenhall stated the backwash will be reduced with lower percentages of radium. He explained after conversations with the Town, the Town did not want the backwash going into their waste water treatment plant. The backwash will go into the Bent Creek Waste Water Treatment Plant out of Asheville. He stated that their unit will produce about 3,000 gallons of backwash in a month.

Mr. Ellis requested that they consider extending water service to neighboring properties, outside Rumbling Bald Resort. Mr. Mendenhall did not feel they would be opposed to this as long as it does not impede their abilities to serve those residents inside the Resort. He mentioned that if the Board could provide him with contact information, he could send a notification to the neighboring property owners.

Mr. Calhoun stated his main goal is to make sure that the facility is not built into the non-encroachment area, an area which protects properties from any potential rise of water. The plans presented shows they have moved the facility into an area not in the floodplain. They will still have to comply with regulations on elevations, flood proofing, tank anchoring, etc. In accordance with what was presented, he stated everything looked good and the next step is to apply for a Floodplain Development permit.

Mr. Burton pointed out that everything complies with zoning and flood regulations. The BOA will hold a meeting today on this as well.

There was no further discussion, so Mr. McGlohon made the following motion:

Based on the Planning Board's thorough review of the application, Mr. Ellis moved the Planning Board recommend approval to the Board of Adjustment based on the findings that the location and character of the proposed use and structures will be in harmony with the neighborhood character and in general conformity with the residential designation on the future land use map (Figure #8) of the 2007-2027 Comprehensive Plan, if developed according to the application as submitted. And, satisfactory provision and arrangement has been made for at least the following where applicable: site layout and treatment, building design, relationship to building to site, and harmony of buildings with neighborhood character. Mr. Barrett seconded and all voted in favor.

Upon a motion by Mr. Barrett and seconded by Mr. Ellis, the meeting was adjourned at 10:45 a.m. The next regular meeting is scheduled for Tuesday, June 20, 2017 at 9:30 a.m. at the Lake Lure Municipal Center.

ATTEST



Thomas M McKay, Chair



Michelle Jolley, Recording Secretary