



TOWN OF WAYNESVILLE

Planning Board

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Susan Teas Smith (**Chairman**)
Ginger Hain (**Vice**)
Stuart Bass
John Baus
Michael Blackburn
Jan Grossman
Peggy Hannah
Tommy Thomas
Barbara Thomas

Development Services
Director
Elizabeth Teague

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD

Regular Scheduled Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786
Monday September 18th, 2023, 5:30pm

THE WAYNESVILLE PLANNING BOARD held a Regular Scheduled Meeting September 18th, 2023, at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC. 28786.

A. CALL TO ORDER

1. Welcome/Calendar/Announcements

The following members were present.

Susan Teas Smith (Chairman)
Ginger Hain (Vice Chairman)
Stuart Bass
John Baus
Jan Grossman
Barbara Thomas
Peggy Hannah

The following board member were absent:

Michael Blackburn
Peggy Hannah
Tommy Thomas

The following staff members were present:

Elizabeth Teague, Development Services Director
Olga Grooman, Land Use Administrator
Esther Coulter, Administrative Assistant

The following Attorney was present:

Ron Sneed, Town Attorney

Chairman Susan Teas Smith called the meeting to order at 5:33pm. Mrs. Smith welcomed everyone and asked Development Service Director Elizabeth Teague to read Town Council summery action report, Development Services Director Elizabeth Teague asked the board if they could slim down the report to 6 months. Board Member Jan Grossman suggested reporting June to June for when new members start. Ms. Smith suggested everything that remains open to leave in the report and everything that has passed can be a one-line header.

Chairman Smith asked the Board to consider the minutes form the last meeting.

A motion was made by Board Member Barbara Thomas, seconded by Vice Chairman Ginger Hain, to approve the minutes for the July 17th, 2023, meeting as presented or amended. The motion passed Unanimously.

B. BUSINESS

Chairman Susan Teas Smith read through the procedures for the public hearing.

Chairman Susan Teas Smith opened the public hearing at 5:39pm.

1. Public Hearing on Subdivision Entrance Sign design for Valleywood Farms Subdivision, at Queen Subdivision, Sunnyside (LDS Section 11.7.1).

Land Use Administrator Byron Hickox said the property is located within the Raccoon Creek Neighborhood Residential District, and the proposed sign and accompanying structure is considerably larger than the maximum size for a sign within this district is 16 square feet and 4 feet tall. The proposed sign is 18 square feet and 5 feet tall but would be mounted on a sizable stone and metal structure that is proposed to be 24 feet long and 8 feet tall. The Land Development Standards Section 11.6.2 specifically states that Neighborhood Entrance Signs are “subject to Planning Board design approval.”

Staff recommends that the Planning Board consider the character of the neighborhood as well as the scale of the sign structure in relation to the surrounding area.

Board Member Jan Grossman wanted to confirm the square footage and compare it to LDS Section 11.3.2. Ms. Teague read Section 11.3.2. which states that the height of a sign shall be measured from the highest point of a sign face to the highest adjacent grade at the base of the sign, provided that height of the sign structure shall not exceed the height of the sign face by greater than twenty percent (20%). Ms. Teague stated that 11.3.2 is used for commercial signage. Board Member John Baus asked about other LDS guidance. Ms. Teague read 11.7.1.D Residential Neighborhood and Business District Entrance Signs which states that signs shall be professionally designed and produced using high-quality materials and shall be appropriate in size, number and location for the neighborhood or district being identified as approved by the Planning Board following a public hearing.

The Board asked Mr. Hickox questions, and he referred them to the applicant Paul Adams from Carolina Pools. Mr. Adams stated that cities and counties have these ordinances set up more for

commercial properties such as restaurants or industrial streets. The ordinance does not state any specific guidelines. Mr. Adams explained that the proposed location area is larger than the average neighborhood entrance. He also explained that the customer is hoping to create a monument to be in proportion to the space.

Board members asked detailed questions pertaining to the sign. There was discussion regarding the safety and maintenance of a water feature. Board members raised concerns about winter weather and the probability that the water feature would freeze, and that once the developer is gone, the neighbors would be responsible for fixing it. There was consensus that the water feature could convert to a flower bed if needed.

Chairman Susan Teas Smith asked the public for any comment or concerns.

Karen Kreitzburg
Waynesville

Ms. Kreitzburg stated that if she lived in the house behind the sign she would be concerned about the size of the sign. Ms. Kreitzburg expressed concerns that unsupervised kids will be in the water base pool of the sign since it is so large.

Chairman Susan Teas Smith closed the public hearing at 6:14 PM.

The Board discussed their concerns with the character of the neighborhood and the size of the sign.

Board Member John Baus asked to reopen hearing to ask questions.

Chairman Susan Teas Smith opened the public hearing at 6:18pm

Mr. Baus asked Mr. Adams if there was any way to have the owners narrow the pool area down.

Mr. Adams said he and the owners have discussed the size and they feel with the retention pond and this command space the scale would be appropriate. Mr. Adams is willing to work with the owners to redesign or adjust the design.

The board discussed the criteria for the design so that the administration can approve the redesign without returning to the board.

Chairman Susan Teas Smith closed the public hearing at 6:34PM.

Board Member Jan Grossman proposed a scaled down version of the sign to 18'W x 18'L x 6'H, and a reduction of the water feature pool, keeping consistent with height maximum of a neighborhood commercial sign.

A motion was made by Chairman Susan Teas Smith, seconded by Stuart Bass to accept the reduced scale measurements as proposed and to allow the Administration to approve the redesign if it meets scale. The motion passed unanimously.

2. Public hearing on staff-initiated text amendment to add “crypto currency mining / data center” as a definition to the Land Development Standards definitions (LDS Section 17.3)

Chairman Susan Teas Smith opened the public hearing at 6:38PM.

Land Use Administrator Olga Grooman stated Waynesville did not have any inquiries as of today, the Development Services staff recommend action to define the use and prohibit it proactively. Commercial crypto mining consumes a lot of energy (electricity, water) and produces constant noise. The article “Zoning for Data Centers and Crypto Currency Mining” by the Zoning Practice Journal explains that “air conditioner compressors mounted on the roof or on ground near these facilities can generate noise that carries across property lines.”

Ms. Grooman continued that research shows that these facilities require a great deal of continuous power which can also impact local utilities. This use generates very few jobs or local commerce and would have minimal economic development value beyond the initial land sale or construction. The purpose of this amendment is to mitigate the negative effects of crypto currency mining operations by defining and prohibiting this use in all districts. The board members asked questions and made changes to the definition.

Chairman Susan Teas Smith closed the public hearing at 6:44PM.

Chairman Susan Teas Smith asked if any of the public wished to speak.

Karen Kreitzburg
Waynesville

Ms. Kreitzburg stated she just wanted to learn more about Crypto Mining. Ms. Kreitzburg thanked Ms. Grooman for all her research and staff wanting to protect The Town of Waynesville.

A motion was made by Board Member Jan Grossman, seconded by Chairman Susan Teas Smith with meeting Goal 1, Goal 2, Goal 5, to add Crypto Currency, Data Mining, Data Centers definition to the LDS section 17.3. Also add to the Table of permit uses to prohibit them in any districts as presented and amended. The motion passed unanimously.

3. Public hearing on a staff-initiated text amendment to correct items in Zoning Board of Adjustment administration under 160D (LDS Section 14.4).

Chairman Susan Teas Smith opened the public hearing at 6:51PM.

Land Use Administrator Olga Grooman stated in 2021, the Town completed substantial updates to the Land Development Standards to comply with changes in the NC General Statutes guiding

local land use regulations. Staff identified outdated information in the Zoning Board of Adjustment section 14.4.2 and Variances section 15.13 of the LDS. Staff wishes to clarify the quorum and voting requirements for different types of quasi-judicial procedures as specified in the Chapter 160D-406(i)- Quasi-Judicial Procedure and variance criteria per 160D-705(d) Quasi-Judicial Zoning Decisions.

Chairman Susan Teas Smith closed the public hearing at 6:56PM

A motion was made by Chairman Susan Teas Smith, seconded by Vice Chairman Ginger Hain to approve the text amendment that is consistent with meeting Goal 1 and is consistent with North Carolina general Statute 160D-705 and to approve it as an amendment to the 2035 Comprehensive Land Use Plan as presented or amended. The motion passed unanimously.

A motion was made by Board Member Jan Grossman, seconded by Barbara Thomas to recommend the text amendment to Town Council. The motion passed unanimously.

4. Workshop on proposed map amendment boundary of a Railroad Overlay District (LDS Sections 2.6 and 15.14).

Development Service Director Elizabeth Teague suggested to do the workshop after the November Election, other board members agreed.

5. Election of Chair and Vice-Chair.

Board Member John Baus asked the Chairman Susan Teas Smith and Vice Chairman Ginger Hain if they wanted to continue their position on the Planning Board both stated Yes.

A motion was made by John Baus, seconded by Jan Grossman to re-elect by acclamation Chairman Susan Teas Smith and Vice Chairman Ginger Hain. The motion passed unanimously.

C. ADJOURN

Meeting adjourns at 7:08pm.

Susan Teas Smith, Chairman

Esther Coulter, Administrative Assistant