



## TOWN OF WAYNESVILLE Planning Board

9 South Main Street

Suite 110

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

Development Services

Director

Elizabeth Teague

Assistant Development

Services Director

Olga Grooman

Susan Teas Smith (Chair)

Ginger Hain (Vice Chair)

Stuart Bass

John Baus

Michael Blackburn

Travis Collins

Jan Grossman

Tommy Thomas

Blake Yoder

### MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD Regular Meeting

Town Hall – 9 South Main St., Waynesville, NC 28786

Monday August 19<sup>th</sup>, 2024, 5:30 p.m.

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THE WAYNESVILLE PLANNING BOARD held a Regular Meeting on Monday, August 19<sup>th</sup>, 2024, at 5:30 p.m. in the board room of the Town Hall at 9 South Main Street, Waynesville, NC 28786.

#### A. CALL TO ORDER

##### 1. Welcome/Calendar/Announcements

The following members were present:

Ginger Hain (Vice Chair)

John Baus

Travis Collins

Jan Grossman

Blake Yoder

The following board members were absent:

Stuart Bass

Michael Blackburn

Susan Teas Smith (Chair)

Tommy Thomas

The following attorney was present:

Ron Sneed, Board Attorney

The following staff members were present:

Elizabeth Teague, Development Service Director

Olga Grooman, Assistant Development Service Director

Alexander Mumby, Land Use Administrator

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Esther Coulter, Administrative Assistant

Vice Chair Ginger Hain welcomed everyone and called the meeting to order at 5:31 p.m.

Ms. Hain asked Development Services Director, Elizabeth Teague, for any announcements. Ms. Teague asked the board to listen to the staff report in its entirety, the applicant's presentation, and public comment. This will ensure that everyone could be heard before the board asks specific questions or shares their opinions.

Ms. Hain asked for a motion to approve the minutes of the July 15, 2024, meeting.

***A motion was made by Board member Jan Grossman and seconded by Board member John Baus to approve the minutes of the July 15, 2024, Planning Board meeting as amended. The motion passed unanimously.***

## **B. Public Comment/Call on Audience**

*Jordan Stepansky*- "My name is Jordan Stepansky, and my wife Casey Bleier and I live on Brown Ave, in the Hazelwood neighborhood and have since April of 2017. Thank you for allowing me just a few moments to speak, as I have concerns with the proposed plans for the subdivision of the adjoining property to mine on Brown Ave. I hope you've received the emails I have sent to Elizabeth Teague outlining our exact concerns since Friday, but I'll start with our main concerns and expand into what I'm asking for as a resolution imposed by this body.

The installation of a driveway inside and through the critical root zone of the six trees on our property will destabilize them to the point of posing a serious risk for loss of life and property. We had a certified arborist out on this past Friday, the 17th, to assess the health of our trees, and help us understand the extent of the impact with the proposed drive. He assured us our trees are healthy with decades of life left, but to develop as the contractor has stated they will, will permanently damage the trees. The concern with damaging the mainly surface root structures, is it takes away up to 50% of the support from the tree. Spruce and maple trees don't have much if any of a "tap root", so having that structural damage to the critical surface roots can have devastating consequences for safety in weather they could normally withstand and have withstood for roughly 80 years.

We are requesting mitigation of the risk that will be posed to our lives and real property, by amending the current proposal from a flag lot to a shared driveway. This will protect the root structure from the damage incurred by installation of the driveway, which will essentially "smother" the roots they do not outright remove during excavation.

From what I understand you've been given the authority by North Carolina General Statute 160D, as well as others, to ensure and enforce the purpose of the Land Development Standards. In closing, the few development standards I am asking you to enforce are as follows -

- Promote the health, safety, good order, general welfare and diversity of the community.(This proposal as it sits will directly effect the safety of the community by destabilizing the trees)
- Prevent the overcrowding of land while discouraging urban sprawl.(The proposed driveway will be within 10 feet of the side of my home.)

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- Conserve the value of buildings and land (As a practicing real estate agent in the area since 2018, having the driveway so close to my home is sure to drop the value of our building and land)
- Preserve the town's unique natural and historic resources and environmental quality of the town. These trees are historic in their own right and add directly to the environmental quality of the town)

Thank you again for allowing me to make my concerns public record”.

Mr. Stepansky sent an email, and he wants the contents entered into the record. They will also be attached to the minutes.

*Dan Stringfield* stated that his grandfather built his house in 1926, and the maple trees in the front of the houses were all planted about 100 years ago. Mr. Stringfield said that maple trees will live 200-300 years if they are not disturbed. Mr. Stringfield said Jorden's house was built by his grandfather in 1936, and the Norway Spruce trees were planted at that time. They also will live 200 years. Mr. Stringfield said he is appalled that they are allowed to build a house on a .25 lot in someone else's backyard.

Ms. Hain asked Attorney Ron Sneed to explain what the board's responsibilities were on this issue.

Mr. Sneed advised contacting the property developer. He explained that there is a standard procedure, or "checklist," for subdivision approvals, which is an administrative process. He noted that the board cannot impose conditions as it can with a special use permit.

Mr. Stepansky said he reached out to the developer, and she refused.

Ms. Hain expressed her gratitude for the comment and affirmed that it will be included in the public record.

Mr. Stepansky asked who had jurisdiction over these issues.

Ms. Grooman explained that if the plan meets the ordinances, driveway standards, and the established right-of-way, it is compliant and will be approved by staff on administrative level. She added that the Town Council could change the ordinance in the future, but this subdivision is reviewed at the staff level. However, even if the ordinance is changed, the developer would have the right to choose the ordinance they applied under, based on the permit choice provision.

Ms. Hain said that the issue was really a private matter between neighbors. Ms. Hain apologized then wished them luck.

Vice Chairman Ginger Hain read through the process and procedures for the text amendment, a legislative public hearing.

Vice Chairman Ms. Hain opened the public hearing at 5:50 p.m.

## B. BUSINESS

### 1. Public Hearing to consider text amendments related to accessory structures and manufactured housing, Land Development sections 3.2.1, 3.2.6, 4.5, and 17.3.

Assistant Development Service Director Olga Grooman presented the staff report for the proposed text amendments. She explained that the Development Services Department had encountered multiple situations where zoning regulations prevented families from accommodating relatives in accessory dwellings, even though such units did not increase density, violate setbacks, or change permitted housing types for the district. There is a need for attainable housing and more flexibility in number, type, and placement of accessory dwelling units on single-family lots.

Ms. Grooman also explained that the current definition considers two or more manufactured homes on a single lot as a park. This has led to confusion in applying the LDS standards related to manufactured housing design guidelines.

Ms. Grooman submits that the proposed text amendments to the LDS are consistent with the following 2035 Comprehensive Plan goals:

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Encourage infill, mixed-use and context-sensitive development.

Goal 2: Create a range of housing opportunities and choices.

- Encourage new housing inside Waynesville's city limits and Extraterritorial Jurisdiction. (ETJ)
- Promote a diverse housing stock including market rate, workforce housing and affordable options that appeal to a variety of households.

### Public Comment

*John Mason* said that affordable housing is a big issue in Waynesville. He stated that we needed affordable housing for local people and their families, explaining that a shortage of available housing leads to a cycle where prices decline, locals move away, and it becomes necessary to offer higher wages to entice them back to the community. Mr. Mason said we can solve this in three different ways:

1. The town must increase density.
2. Expand the range of housing types permitted.
3. The town must ban all STRs.

*Juana Cooley* proposes rezoning to allow Manufactured homes. Prices on houses have skyrocketed. Rent is unbelievable.

*Chris Hill* said he wants to show his support for the rezoning to allow manufactured homes in the Town of Waynesville. Mr. Hill said all the houses in Waynesville are unaffordable, and the rent is

extremely high. People have to worry about their paychecks to be able to live here. He said this rezoning would allow people to have more affordable options.

*Lisa Fish* was in support of the rezoning to allow multiple manufactured homes on family land.

*Domenick Pucci* said he had purchased 17.5 acres in Waynesville a year ago. Mr. Pucci had a home built and wanted to put his mother and mother-in-law's manufactured homes on the property. The town told him he would need to subdivide the property because manufactured homes are not allowed as accessory dwellings. It would be \$250,000 to build a stick-built home.

Vice Chairman Ms. Hain closed the public hearing at 6:16 p.m.

Vice Chairman Ms. Hain opened the public hearing at 6:17 p.m.

*Kae Livsey* said she teaches future nurses and is echoing the need for affordable housing in Waynesville. She is supportive of the rezoning. Ms. Livsey stated that the table outlining lot sizes and number of ADU's is great. Ms. Livsey said she is concerned about going from 2 to 4 manufactured homes to be considered a park, without considering the lot size. She suggested that when it comes to EV chargers, it might be helpful to include language regarding minimum space for kilowatt capacity, as well as clarification on who will assess the character of the neighborhood and how that determination will be made.

Vice Chairman Ms. Hain closed the public hearing at 6:20 p.m.

The board deliberated extensively.

***A motion was made by Board member Travis Collins , seconded by Vice Chair Ginger Hain to find the recommended text amendment as attached as being consistent with the 2035 Land Use Plan and reasonable and in the public interest and to exclude manufactured homes as ADUs in mixed-use overlay districts. The motion failed, with 2 members voting for and 3 against.***

***A motion was made by Board member John Baus, seconded by Board member Jan Grossman to keep the consistency statement and all the amendments as proposed in all respects, except to amend the text in Table of Standards for Accessory Structures and Dwellings. The motion passed, with 4 members voting for and 1 against.***

***A motion was made by Board member John Bauss, seconded by Board member Blake Yoder to recommend the text amendment to Town Council. The motion passed 4 for and 1 against.***

## **C. ADJOURN**

***The meeting was adjourned by Board member Travis Collins, seconded by Blake Yoder at 7:37 p.m.***

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Ginger Hain, Vice Chairman

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Esther Coulter, Administrative Assistant

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