



## MINUTES

**Pender County Planning Board Meeting**  
**June 2, 2009**  
**7:00 p.m.**

**Pender County Public Meeting Room**  
**805 S. Walker Street, Burgaw, North Carolina**

**Call to Order:** Chairman Reynolds

**Roll Call:** Chairman Reynolds

Pender County Planning Board Members:

Reynolds \_\_\_ Garrett \_\_\_ Boney \_\_\_ Marshburn \_\_\_ Millette \_\_\_ Smith \_\_\_ Williams \_\_\_ Newman \_\_\_

**1. Approval of Minutes: May 5, 2009**

Motion: Burt Millette made the motion to approve the May 5, 2009 Minutes.

Seconded: Christopher Smith seconded the motion to approve.

Vote: The vote was 7-0.

**2. Presentation: Cape Fear Land Trust- Ms. Erin Diener, Managing Director of Cape Fear Land Trust, introduced some of the board members accompanying her, Brian Huff, Lisa Potter, and Angela Keith.**

Housing is expensive and prices are continuing to aciculate. New Hanover County is built out and Brunswick and New Hanover Counties are no longer the working class oasis for affordable housing.

A subsidy is provided to fill the affordability gap. This can be in the form of a grant or a loan and is often recaptured as the homeowner moves on to other housing. This subsidy is spent only on this particular homeowner and does not come back on subsequent homeowners. This is not often a good solution for affordable housing.

Land trust model has been a popular affordable option for over forty years. There are over two hundred land trust models which were begun in the late sixties. One third of the board members are home owners, one-third are community representatives and one-third are public representatives.

Both public and continued education are the key to the model. One of the success stories is Orange Community Housing Land trust located in Chapel Hill. One hundred-thirty homes have been built. Durham County has over one hundred sixty (160) units in their stewardship.

The partnership between Pender County and Cape Fear Housing Land trust is that they can offer to continue to assist Pender County and including a community land trust mechanism in their UDO and Comprehensive Plan. They have started to work on a partnership with the Pender County Housing Authority on some pieces of property owned by the county. They would like to continue to look for land that can be both donated and/or purchased in order to be able to offer affordable housing. Their

goal is to offer quantity as well as quality. There are opportunities for funding for rural counties. Cape Fear is willing to work with the county to find the grants or loans.

There was a lengthy discussion and concerns from the board for Ms Diener to explain in more detail.

The Planning Board was in agreement to pass this on the Board of Commissioners.

### 3. Discussion Items

- **Planning Staff**

- **West Pender Rail Trail**-status update and request for concept approval
  - Benjamin Andrea, Planner, gave a presentation on a potential project that has been targeted for western Pender County. It would be a non-motorized recreation trail possibly serving bicycling, hiking, and aquarian use. The rail road properties have been reverted back to the property owners so this will have to be negotiated. The trail runs from the county line near the commerce park through several small counties to Sampson County. Staff would like to bring the project before the UDO at their next meeting; also get this to the Commissioners for their June 22, 2009 Meeting. The Planning Board was in total agreement to proceed.
- **Pinnacle Ridge**-status update on conditions of approval
  - Director Patrick Davenport brought before the board a status update on Pinnacle Ridge Subdivision. On 9-6-06 and 4-07-09 conditions were placed on Pinnacle Ridge Subdivision Master Plan approved by Planning Board on 9-12-06, recently a request to add seven lots was denied by Planning Board on 12-2-08 and 04-07-09. Staff has been contacted by multiple property owners concerning the emergency access easement off Quarter Horse Lane. Issues with the easement are as follows:
    - a. Does the Planning Board still want this as a requirement as condition of approval
    - b. only could find record of a plat being recorded; no written easement document
    - c. what standard should the easement be constructed to
    - d. need time frame for compliance

There were no detailed standards listed for the gate. Board members reiterated that the gate was for the emergency vehicles and fire trucks only. The condition was for the EMS to use the gate and not for public use.

Chairman Reynolds commented to Charles Newman to let the developer know what EMS and fire trucks need for vehicle turn around.

He stated that one of the problems as far as fire issues the fire code states that the easement has to be a minimum of twenty foot wide. Sloop Point which serves that area cannot make the turn on Quarter Horse Lane.

Chairman Reynolds stated that a gate needs to be put there and locked and the through traffic needs to be stopped. The developer needs to make sure that the fire department has access to open the gate. He addressed Patrick Davenport to leave it up to Staff to make sure the easement is what it is suppose to be. Mr. Hoover will have thirty days to make the correction.

- **Comp Plan and UDO Committees Membership Update**
  - An application from Mr. Steven Donatone for a request to join the DRRC.
  - Attorney Thurman reminded the board that the criteria for being on the Committee was to have two days of mandatory training. The current members have had that training and Mr. Donatone has not. A motion by Hiram Williams to maintain the committees as currently seated seconded by Christopher Smith. The vote was 6-1; with Malcolm Boney voting against.
  
- **Unified Development Ordinance**
  - Review of:
    - (1) development application flow chart
    - (2) draft UDO Articles 2 and 11 continued

There was a lengthy discussion of general information that the board would like to see changed in the Articles.

- **Planning Board Members**

- **Public Comment**

Jim Federamo, Quarter Horse Lane, stated that Millie Phillips is on an easement agreement for Quarter Horse Lane. It is an easement agreement in which one person is not allowed to grant access to a subdivision.

Attorney Thurman stated that the short answer is what Ms. Phillips is granting is access over property that she owns and unless it is an extraordinary easement agreement it would not prevent her (Millie Phillips) from granting access across her own land. The access she granted was for emergency vehicles to get from Pinnacle Parkway to Quarter Horse Lane and vice versa. The developer has been told that he has thirty days to put a gate up, access will be given to the lock to the gate to the fire department. If the citizen feel that their personal rights are being violated then there are legal steps they can take for that.

Ken Crokrum lives on Quarter Horse Lane, asked the Chairman to explain again exactly what the developer is suppose to do.

Chairman Reynolds stated that he (developer) has to record an instrument in writing, not just on the map that requires this easement; (2) put up a gate; (3) he has to bring it up to a minimum standard that the fire truck can access; (4) the gate has to remain locked except for the use of the fire department. The through access will be restricted for emergency vehicles and fire trucks only.

**Adjournment**

**Board Action for June 2, 2009 Minutes:**

Motion: \_\_\_\_\_ Garrett \_\_\_\_\_ Seconded \_\_\_\_\_ Smith \_\_\_\_\_

Approved: \_\_\_\_\_ X \_\_\_\_\_ Denied: \_\_\_\_\_ Unanimous \_\_\_\_\_ X \_\_\_\_\_

Reynolds \_\_\_\_\_ Garrett \_\_\_\_\_ Boney \_\_\_\_\_ Marshburn \_\_\_\_\_ Millette \_\_\_\_\_ Smith \_\_\_\_\_ Williams \_\_\_\_\_