

**MINUTES OF THE  
Henderson County Technical Review Committee  
December 7, 2010**

The Henderson County Technical Review Committee met for their regular meeting on December 7, 2010. The meeting took place in the King Street Board Room at 100 N. King Street, Hendersonville, NC. Members present were Anthony Starr, Chair; Toby Linville, Seth Swift, Rocky Hyder, Marcus Jones, and Tom Stauffer. Others present were Parker Sloan, Planner and Kathleen Scanlan, Secretary.

Mr. Starr stated that there will be an adjustment to the agenda. An additional item, Highland Park Major Site Plan will become Item 7, all Committee members voted in favor of the change to the agenda.

Mr. Starr asked for the approval of the November 2, 2010 minutes. Mr. Starr noted a change in wording dealing with Natalie Berry's title and had indicated that he had conferred with the Secretary regarding this change. Mr. Starr made a motion to approve the set of minutes with the change and all members voted in favor.

Major Site Plan Review to Utilize the Property for a County Owned and Operated Solid Waste Facility – Located at 806 Stoney Mountain Road – Presented by Toby Linville. Mr. Linville reviewed the requirements under a solid waste facility operation as follows:

1. Major Site Plan required.
2. Adequate lighting.
3. Dust Reduction.
4. Security fencing
5. 150-foot perimeter setback.
6. A B2 perimeter boundary buffer
7. Sedimentation Control measures.
8. A debris containment on site for chipping and mulching.

Mr. Linville said that this solid waste facility is owned by Henderson County. It is located on 100 acres of land at 806 Stoney Mountain Road. He added that it meets the requirements of the Land Development Code and all the applicable major site plan requirements. He said that there will be two additional drives added a new scale for the haulers and closing the existing drive and adding another drive, north of that site for a new convenience center.

Mr. Jeff Bishop was present detailing the project and the changes that will be taking place. He mentioned that they will be putting in landscape buffers, putting in inbound and outbound scales at the new scale house along the access road; separating commercial waste from residential and gave details on the new access between the bus garage and the animal shelter, as this will be the new entrance for any commercial and residential use coming to the transfer station. He also talked about the new drive for the new convenience center. Mr. Starr stated that this site plan approval is not covering the area where the Trace Barn site, as it already has a conditional zoning approval that includes the site plans. Toby Linville made the motion to approval this major site plan as presented with the condition that the parcels on the project site be recombined. All members present voted in favor.

Major Site Plan Review for Common Area Recreation and Service Facilities – Located at 201 Black Iron Lane in the Blacksmith Run Subdivision. Presentation by Toby Linville. Mr. Linville stated that this major site plan is for a common area recreation and service facility for the Blacksmith Run Subdivision. He reviewed the conditions as follows:

1. Major Site Plan is required.

**MINUTES OF THE  
Henderson County Technical Review Committee  
December 7, 2010**

2. A fence or equal enclosure structure is required for any swimming pool, spa or hot tub on this project site.
3. Any of the operations are for residents and visitors within the complex only.

Mr. Linville stated that this project site is located on 4.9 acres of land at 201 Black Iron Lane in the Blacksmith Run subdivision. He stated that the project meets the requirements of the Land Development Code and all the applicable major site plan requirements.

Mr. Ed Nunez and John Kinnard were present, representing the project. Mr. Kinnard stated that Blacksmith Run Subdivision was originally permitted in 2005 and the erosion and sedimentation control permit was given about the same time. He described the project and what has been done to prepare for this recreational facility at the clubhouse. After some discussion, Toby Linville made a motion to approve the major site plan for Blacksmith Run as presented and in addition, that a fire hydrant be constructed within 400 feet of the project and to verify with the engineering department whether a stormwater permit is required. All members present voted in favor.

Major Site Plan Review for a Funeral Home – Located at 117 W. Blue Ridge Road adjoining the East Flat Rock Post Office. Presentation by Toby Linville. Mr. Linville stated that this major site plan is for a funeral home. It is located on .59 acres of land at 117 W. Blue Ridge Road, adjoining the East Flat Rock Post Office and the proposed project site is located where an existing bank was. Mr. Linville stated that the funeral home or crematorium requirements are as follows:

1. Major Site Plan.
2. Adequate lighting should be placed in areas used for vehicular and pedestrian access.

Mr. Roseboro was present and indicated that most of the requirements dealing with parking and landscaping are already in place. Mr. Swift said that because you are on a septic system, he indicated that normally permits from the State are required for the embalming fluids to go into a holding tank. He said that he would get the paperwork and give more details to Mr. Roseboro. Mr. Roseboro indicated that the majority of the project is for interior improvements.

After some further discussion, Toby Linville made a motion to approve the major site plan for the project on W. Blue Ridge Road for a funeral home with the following conditions: (1) health department be contacted for the embalming fluid holding tank for a permit by the State office; (2) a sign permit is required for a new sign; (3) lighting mitigation, if site lighting is added; (4) a remodeling permit for any internal work and (5) a driveway permit from NCDOT. All members present voted in favor of the motion with the conditions.

Major Site Plan Review for a Retail Sales and Service Facility at Dollar General – Located at 25 Westside Village Road (Intersection of Haywood Road and Mountain Road. Presentation by Toby Linville, Code Enforcement. Mr. Linville stated that this project is for a retail sales and service, but is not specifically for Dollar General. Mr. Linville said that this has been previously reviewed, so this is a re-review because of some slight changes, but the overall site is the same. Some of the changes include one of the buildings are larger in size; the position of the buildings are changing and additional property has been acquired. Mr. Linville said that this requires a major site plan, and adequate lighting for vehicular/pedestrian access provision. The project is located on 2.7 acres of land at 25 Westside Village Road at the intersection of Haywood Road and Mountain Road. Mr. Linville stated that it meets the requirements of the Land Development Code and all the applicable major site plan requirements. Representatives of the project that were present was Mark Corn, Associated Land Surveyors; Dennis Dorn, O.K. Beddingfield and Tommy Thompson, partners in Westside Village Properties.

**MINUTES OF THE  
Henderson County Technical Review Committee  
December 7, 2010**

After some discussion, Anthony Starr made a motion to approve the major site plan for this project subject to the following:

- (1) Transportation Impact Study be coordinated with the Department of Transportation and submitted by June 1, 2011, with the understanding that it may require additional changes to the driveway entrances
- (2) Require a High Density Water Supply Watershed and Stormwater permits
- (3) Adequate Lighting be placed in areas used for vehicular/pedestrian access
- (4) Obtain a sign permit with details

All members voted in favor of the motion.

Master Plan for Dodd Meadows Major Subdivision (File # 2010-M03) – Located off Crest Road. Presentation by Parker Sloan, Planner. Representatives for this project was Hoyt Bynum, Jr., Executive Director of Habitat for Humanity and two of his representatives and Tom Jones with Lapsley and Associates. Mr. Sloan stated that Will Buie with William Lapsley and Associates, agent, on behalf of Henderson County Habitat for Humanity, Inc, owner, submitted a Master Plan and major subdivision application for the project. The applicant proposes a total of 88 dwelling units which is located on approximately 22.19 acres of land with 7.7 acres proposed as open space located off Crest Road. He said the project is not located in a watershed; however, it is located within the floodplain. According to County records, the project site does not contain slopes in excess of 60 percent. It is located in the R1 Zoning District with three new roads proposed to access the property. Public water and public sewer are proposed to serve the project site.

Mr. Sloan said that Staff finds that the proposed Master Plan appears to meet the technical standards of the subdivision regulations of Chapter 200A, Henderson County Land Development Code (LDC) except for the comments listed in the Staff Report as follows:

1. Soil Erosion and Sedimentation Control Plan. The Applicant shall submit written notice from the appropriate local agencies verifying that an Erosion and Sedimentation Control Plan has been received or a written notice from a professional land surveyor, engineer, landscape architect, architect, or professional planner certifying that no plan is required.
2. Public Utilities. City of Hendersonville water currently serves Blue Ridge Drive to the west of the project site. City sewer is across the street to the north of the project site, currently serving businesses along Commercial Boulevard. Extensions of public water and public sewer are proposed to serve the project. According to the LDC, the applicant must provide evidence that the water supply plans and sewer capacity have been approved by the appropriate agency. The development plan may be approved contingent on final approval from such agency; however, the final plat shall not be approved until all such final approvals have been obtained. Any subdivision served by a public water system shall meet the respective county or municipality's minimum requirements for fire hydrant installation.
3. Fire Protection Requirements. Any subdivision served by a public water system shall meet the County's standard of one (1) hydrant per 1000 feet of linear road distance.
4. Stub Roads and Future Connections. The submitted Master Plan shows three future connections. Any existing or proposed on site rights-of-way must be built and constructed to the Major Subdivision road standards of LDC. The proposed stub roads must be constructed to the edge of the property line being developed to be considered a future connection.

**MINUTES OF THE  
Henderson County Technical Review Committee  
December 7, 2010**

5. Duplex Units. The applicant is proposing 20 duplex units. The duplex units will require Major Site Plan review in accordance with §200A-299. Where more than one duplex is desired, this shall be considered a multifamily development and shall adhere to the standards outlined in SR 1.6 (Dwelling, Multifamily, Five or more units). Multifamily dwellings shall be required to have pervious pavement for a minimum of 25 percent of all paved surfaces, adhere to the road standards for major subdivisions, and shall be organized for increased mobility, intersecting grid patterns where possible, and without cul-de-sacs.

The proposed open space meets the 20 percent conservation area requirement per the multifamily dwelling supplemental requirement 1.6 (5).

6. Street Tree Requirements. According to the street tree requirements of Chapter 200A (LDC §§200A-145 and 200A-146) the applicant must provide one tree per 50 linear feet of property abutting an internal road. Trees may be placed in groups with a minimum spacing of no less than 15 feet and a maximum spacing of no more than 65 feet. The trees must be placed within the right-of-way or within 20 feet of the edge of the right-of-way. The applicant may use existing trees in accordance with §200A-153 instead of planting new trees. These existing trees must also be located within the right-of-way or 20 feet of the edge of the right-of-way as required by §200A-146.
7. Dedication of Easement for Potential Stream improvements. Bat Fork Creek maintains the eastern boundary of the project site. The Division of Water Quality classifies this stream as impaired (303 D). Staff asks that the property owner provide an easement along Bat Fork Creek within the proposed open space area (see Master Plan). Potential improvements could include grant funds or volunteer groups restoring and/ or improving the riparian zone along Bat Fork Creek.
8. Conservation Subdivision Standards. Of the approximate 21.19 acres within the project site, 34.7% (7.7 acres) is proposed as conservation area. This amount, more than meets the 25% conservation area requirement for the Conservation Subdivision Option in the Land Development Code and could qualify for a 10% housing density increase.
9. Permanent Protection of Open Space and Management of Open Space. The applicant shall submit a management plan for all proposed open space. Requirements for the plan can be found in §200A-86G. Open Space proposed for a conservation subdivision shall be protected in perpetuity by a binding legal document that is recorded with the deed. The document shall be one of the following 3 options: Permanent Conservation Easement, Permanent Restrictive Covenant, or an equivalent legal tool that provides permanent protection. Proof of a recorded legal instrument as well as an Open Space Management Plan must be submitted to the Planning Department before the final plat for the subdivision can be approved. (§200A-86H & §200A-86G)
10. Public Road Standards. All roads proposed for public use shall be annotated "public" on plans and plats and shall be designed and constructed in accordance with the standards necessary to make the roads eligible to be put on the State Highway Maintenance System at a later date. Such standards are contained in a publication of the North Carolina Department of Transportation, Division of Highways, titled "Subdivision Roads – Minimum Construction Standards," a copy of which is available for review in the office of the Subdivision Administrator. Pursuant to NCGS §136-102.6(d) the NCDOT District Engineer's Office must sign a certificate of approval provided on the face of the final plat

**MINUTES OF THE  
Henderson County Technical Review Committee  
December 7, 2010**

for any subdivision where public roads are proposed prior to County approval of the final plat (§200A-81 C).

Mr. Sloan stated that Staff recommends that the northern most road loop back into Volunteer Way and designated a one way road. This will limit road widths and construction costs, as well as, alleviate concerns with dead end roads. In order to avoid traffic problems staff also suggests placing the entrance of any one way road at the primary interior intersection of the development.

11. Drainage. All road or drainage structures shall be constructed in accordance with state roads standards. Road drainage side ditches shall be constructed with sufficient depth and width to carry the expected volume of storm water runoff.

12. Subdivision Signs. All major subdivisions may provide for, at the primary entrance, a community identification/subdivision sign to conform to the sign regulations of Article VII. Such signs should be located in dedicated sign easements, which must be shown on the final plat.

13. Stream Setbacks. All built-upon area shall be at a minimum of 30 feet landward of all perennial and intermittent surface waters.

14. Miscellaneous Advisory Provisions. The Applicant should become familiar with the miscellaneous advisory provisions contained in LDC §200A-81S.

15. Final Plat Requirements. The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs.

After some discussion among Committee members, Mr. Starr made a motion that the Technical Review Committee find and conclude that the Master Plan appears to comply with the subdivision provisions of the LDC and further moves that the Technical Review Committee recommend approval of the Master Plan subject to the conditions reviewed and in Staff's report. In addition, we recommend that a High Density Stormwater Permit be required and that these comments be forwarded to the Planning Board for their consideration. All members voted in favor.

Highland Park Road Major Site Plan.

Mr. Starr stated that at last month's meeting the Committee had tabled Highland Park Road Major Site Plan, pending the revisions to the Plan. He said we need to do one of three things: table the project for next month, if we feel they will bring back the revisions; if they aren't planning on sending any revisions, we should consider the application withdrawn; or deny the Plan. It was agreed that the Plan be denied, as the Plan will be considerably different. He made a motion to deny the Highland Park Road Major Site Plan. All members voted in favor.

**MINUTES OF THE  
Henderson County Technical Review Committee  
December 7, 2010**

Mr. Starr adjourned the meeting at 3:05 p.m.

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Anthony W. Starr, Chairman

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Kathleen Scanlan, Secretary