

**MINUTES OF THE  
Henderson County Technical Review Committee  
April 3, 2012**

The Henderson County Technical Review Committee met on April 3, 2012 at 2:00 p.m. in the King Street Meeting Room at 100 N. King Street, Hendersonville, NC.

TRC Members Present:

Anthony Starr, AICP, Planning Director  
Toby Linville, CZO, Zoning Administrator  
Tom Staufer, Building Services Director  
Seth Swift, Environmental Health Supervisor  
Wally Hollis, Fire Marshal substituting for Rocky Hyder, Emergency Services Director  
Marcus Jones, P.E., Director of Engineering  
Dennis Frady, Hendersonville Assistant Utilities Director  
Carl Ownbey Transportation Technician, substituting for Steve Cannon, P.E., NCDOT

TRC Members Absent:

Natalie Berry, PE, Assistant County Engineer  
Rocky Hyder, Emergency Services Director

Also Present:

Scott Bolyard, Landscape Architect  
Parker Sloan, Planner  
Autumn Radcliff, Senior Planner  
Sarah Zambon, Deputy County Attorney, Henderson County  
Karen Ann Wall, Secretary

Approval of Meeting Minutes: Mr. Starr asked for the approval of the February 14, 2012 meeting minutes. Mr. Linville made a motion to approve as presented. All members voted in favor.

Major Site Plan Review - Michael and Ernest Williams / Multifamily: - Presenter, Toby Linville, CZO, Zoning Administrator. Mr. Linville said the application proposes four new duplexes and to rebuild an existing single family dwelling. He said there is public water and private septic on the site. After discussion on the matter Mr. Starr asked for a motion to approve the site plan with the following conditions:

*- Resubmit driveway permit to NCDOT. They will require the shared driveway on Sugarloaf Road be at least 100' from the existing duplex driveway. The duplex on Sugarloaf Road will need a driveway that connects at 90 degrees and in must be at least 100' from the single family dwelling driveway. The single family dwelling driveway must be at least 50' from the intersection of Howard Gap Road and Sugarloaf Road.*

*-The plan will need to be revised to include erosion control and stormwater control measures. Natalie Berry (694-6523) can explain those standards.*

*-There must be a planting strip in front of each parking area. See standards below:*

*§200A-173. Planting Strip*

*When no buffer is required along front, side, and rear property lines of a development and parking is proposed within 20 feet of said property lines, a planting strip is required. The planting strip shall be a minimum of ten (10) feet in width and shall contain two (2) small or large deciduous or evergreen trees per 100 linear feet (see Figure 5A). A planting strip design may include small and large deciduous and evergreen trees and shrubs. For the purpose of a planting strip, six (6) shrubs shall be considered equivalent to one small or large deciduous or evergreen tree.*

and to make a recommendation for approval to the Zoning Board of Adjustment with these proposed conditions. Mr. Linville made the motion. All members voted in favor.

Master and Phase I & Phase IA Development Plan for the Boulders of Hendersonville Subdivision (2012-M01) - Presenter, Parker Sloan, Planner. Mr. Sloan stated that the site proposes 59 single family lots and the applicant is proposing a density of 1.4 dwelling units per acre. Phase 1 is proposed to contain 9 of the 59 single family lots on 8.3 acres. Phase 1A is proposed to contain 12 of the 59 single family lots on 6.2 acres. Mr. Sloan also stated the site does contain a protected mountain ridge and slopes in excess of 60 percent. A private on site water system with a public connection and private individual septic systems are proposed to serve the site. After a discussion on the project Mr. Starr asked for a motion that the Technical Review Committee recommend approval of the Master Development Plan to the Planning Board of the presented Master Plan with the conditions noted in the Staff Report:

-Subject to the developer addressing any issues raised by the Technical Review Committee and addressing the comments listed in the Staff Report. All members voted in favor.

The following Master and Development Comments from the Planning Department Staff report should be considered as recommended conditions of approval by the Technical Review Committee.

**Master & Development Plan Comments:**

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 (LDC §200A-113B).
2. **Fire Protection Requirements.** The Henderson County Fire Marshall and Planning Department determined that in-house sprinkler systems for each residential dwelling proposed in the Boulders of Hendersonville project would be acceptable as an adequate fire suppression alternative. Sprinkler systems will be required to be built to the National Fire Protection Association standard 13D for the installation of sprinkler systems in residential occupancies.

Because the applicant is choosing to provide in-house fire sprinklers in lieu of providing fire hydrants within the development, as a condition of approval, the applicant shall enter into a binding agreement in the form of a restrictive covenant between the applicant and the County regarding provision of in-house sprinklers. Such provision shall require constructing each home with a 13D sprinkler system. The Subdivision Administrator shall review and approve the restrictive covenant language prior to recordation by the applicant.

3. **Private Roads.** Phase I and Phase 1A are proposed to include private roads. Private subdivision collector roads include: Boulder Vista Drive. Private subdivision local roads include: Garnet Way and Private Local road A (PH 1A), and Slate Way. Private subdivision limited local roads include: Quartz Trail. In Phase 1 and Phase 1A the applicant is proposing three (3) private driveway easements, shown as “Shared Drive” 1, 2, and 3. The proposed private roads appear to and must, as a condition of approval, meet the standards of LDC §200A-104. The final plat(s) must contain a note stating: *The private roads indicated on this final plat may not meet the requirements of the North Carolina Department of Transportation for acceptance into the state road system.* Planning Staff proposes the following conditions to ensure the private roads meet the standards of the Land Development Code:
  - a. **Road Drainage and Culverts.** 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 (LDC §200A-100).
  - b. **Road Construction.** A professional engineer or professional land surveyor certify on the final plat that no portion of the constructed roads have grades that exceed

maximum allowable grade as defined for each class of road or submit a final as-built graded center line profile showing grade and alignment for all roads (LDC §200A-82).

- c. **Minimum Curve Radius.** Should the Applicant requests a reduction in centerline radii, that a professional engineer or professional land surveyor certify on the final plat, the existing cross slope of roadway sections where reductions in centerline radii are requested (LDC §200A-106 C) In phase One the applicant is requesting a 4 curve radii reductions along Garnett Way, one with the intersection of Slate Way and Garnett Way. Also requesting three curve radii reductions along Boulder Vista Drive, and two more along the western section of Slate Way. Approval of the Development Plan(s) will approve the requested reductions in minimum curve radius.
  - e. **Dead Ends, Cul-de-sacs and Turnarounds.** The Applicant proposes three (3) branch turnarounds or turnarounds located at the end of local road A, Boulder Vista Drive, and Garnet Way. All turnarounds must meet of the LDC §200A-105 C(8). The reviewing agency may require additional turnarounds at intermediate locations along dead end roads with a centerline length of greater than 2,500 feet (LDC §200A-105D). The applicant should provide revised Phase 1 and Phase 1A Development Plans with showing cross sections of all proposed turnarounds that meet the requirements of the LDC §200A-105 C(8).
4. **Road Access& Second Project Entrance.** As a condition of approval, when the total lot amount within the Boulders of Hendersonville project area reaches 35 lots the applicant/owner will be required to construct the second entrance connecting to Melinda Drive as shown on the Master Plan within Phase 3.
  5. **Site Geological Analysis and Engineering Observations.** As a condition of approval, the applicant shall abide by the recommendations of a licensed professional geotechnical engineer of his choosing. Additionally, after the completion of each phase of the project, the applicant shall provide documentation from said geotechnical engineer certifying that such recommendation(s) have been followed and achieved.
1. **Open Space: Conservation Subdivision Standards.** Of the approximate 41.73 acres within the project site, 25.2% (10.5. acres) is proposed as conservation area. This amount, meets the 25% conservation area requirement for the Conservation Subdivision Option in the Land Development Code.
  2. **Permanent Protection of Open Space and Management of Open Space.** The applicant submitted a management plan for all proposed open space. Requirements for the plan can be found in §200A-88C. 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-88 C & D)
  3. **Street Tree Requirements.** According to the street tree requirements of Chapter 200A (LDC §§200A-176 & 178) 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-178. It appears that the applicant is proposing sixty six (66) trees to satisfy the street tree requirements. A number of these trees are located outside of the right-of-way but within 20 feet of the edge of the right-of-way within proposed lots. The TRC and the applicant should discuss how

these trees will be protected. The TRC may alter street tree requirements for a number of reasons including existing vegetation, provided the plan is equal or superior to normal compliance (LDC §200A-176). All street trees must be properly planted and meet the spacing requirements or the applicant may post an improvement guarantee with the County before the final plat can be approved. Planning Staff recommends that street trees outside the ROW be protected by requiring a platted easement or restriction preventing lot owners from removing trees designated as meeting the street tree requirement.

4. **Shoulder Stabilization.** All areas disturbed by the construction of a private road, including cut and fill slopes, shoulders and ditch banks, shall be seeded to stabilize the soil and prevent erosion. Seeding should be done as soon as feasible after road construction (LDC §200A-97).
5. **Road Name Approval.** Proposed road names for a private and/or public road shall be preapproved by Henderson County in accordance with Chapter 142 of the Henderson County Code, Property Addressing (LDC §200A-98). The applicant lists the proposed road names for most road segments. The names of the shared drives should be confirmed with the development plan approval.
6. **Protected Mountain Ridges.** Planning Staff recommends, as a condition of approval, that the Applicant shall adhere to the Mountain Ridge Protection regulations of the County which state that the provisions of NCGS 113A-209 apply to all mountain ridges whose elevation is 500 feet or more above the adjacent valley floor. Planning staff also recommends that the applicant be required to delineate the protected ridge area on the development plan(s) showing the area within 100 feet below the crest(s).
7. **Subdivision Names.** The final plat shall contain certification that the public records of the County have been searched and the proposed subdivision name meets the standards set forth in this Chapter (LDC §200A-85).
8. **Miscellaneous Advisory Provisions.** The Applicant should become familiar with the Miscellaneous Advisory Provisions of Chapter 200A (LDC §200A-87).
9. **Final Plat Requirements.** The Final Plat(s) must meet the requirements provided by the Planning Department whenever a subdivision of land occurs (LDC §200A-343).
10. **Private Driveway Easements.** Final plats must contain a note conveying maintenance responsibility of the easement to the homeowners' utilizing it to access their property. The note shall state easement(s) must be maintained to allow clear passage for emergency response vehicles. Where private driveway easements are used, the surveyor or engineer shall place and execute the surveyors certificate shown in the LDC §200A-104D.

Adjournment: Mr. Starr adjourned the meeting at 2:42 p.m.

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Anthony W. Starr, Chairman