

MINUTES OF THE RUTHERFORD COUNTY PLANNING COMMISSION
MEETING
Monday, March 21, 2011 – 9:00 AM

Present: Steve Wright, Chairman; Ronnie Harrill, Vice-Chairman; Marshall Atchley; Dwayne Harris; Jimmy Huffstickler; Phillip Miller; Harold Thompson; and Danny Searcy, County Planner.

Call to Order and Welcome by Chairman Wright

Began the meeting with Prayer

Minutes of last meeting are unanimously approved as mailed.

New Business:

The SUMMIT Phase 7: Developer Todd Black of Fall Creek Land Co. is requesting final approval to add 4 new lots totaling 8.79 acres on Old Forge Rd. which is an existing (grandfathered) road that was approved in prior phases. There is a common easement that would be a shared driveway for two lots that would be the best access due to the topography; this shared driveway is installed and ready for access. Also, the roads are paved and completed the utilities are in and everything appears to be in order for final approval and recording the plat. After minor discussion of the points noted above, Ronnie Harrill motioned for final approval; Jimmy Huffstickler seconded the motion and this commission unanimously approved the plat for final approval.

Grandview Peaks: Surveyor Nathan Odom asked the board if they could amend their agenda to advise on possible grandfathered road in Grandview Peaks. The board agreed to hear this business. Fall Creek Land Co. owns the development "Grandview Peaks" which is established in McDowell County, but directly adjacent to Rutherford County. Fall Creek also owns mass acreage accessed from Camp Creek Rd. and connecting to "Grandview Peaks." The developer is interested in extending the development into Rutherford County via the grandfathered road provision and having interconnectivity throughout the development between the two counties. Todd Black stated that Grandview Peaks has the same high quality paved roads comparable to Summit, S. Mtn. Peaks, etc. and that these roads were existing prior to the County's 2006 roads standards amendment. Todd requested clarification from this Commission as to the ability to pursue expanding additional phases into Rutherford County via the grandfathered standard. Motion by Ronnie Harrill to review pending plats of Fall Creek's Grandview Peaks future phases with the grandfathered paved, high-quality road network. Second by Marshall Atchley; unanimous approval.

Old Business: Subdivision Regulations Discussion; Planner pointed out that in the discussion of infrastructure to bond that the power companies (Duke & REMC) no longer provide service to new developments free of charge. The initial cost to service lots is too great, and the often times seasonal occupants do not provide adequate return on investment for the power providers. At this point this board has confirmed that the regulations should include a guarantee for roads, power and an affidavit or provision for public water. Along the issue of bonds, it is also recommended that the County's ordinance dictate the minimum rating (A+, A-, B+, etc.) by a legitimate ratings company such as S&P, Fitch, Moody's, A&M Best, etc. Mr. Thompson initiated some discussion regarding the ordinance language regarding how bonded infrastructure is released. He recommends that partial releases be based upon

full completion of a single infrastructure, for example, not to give 10% release because 10% of road completion in phase 1 is complete. The board agreed with this logic. Mr. Harill suggests that the language spell out that renewal fees for premiums or guarantees be submitted to the planner annually or sooner as applicable). The planner has been doing this as a practice, but this language should be in the ordinance; Chairman Wright noted that the board will need to exercise discretion if ever considering multiple phases of a single development, but that NCDENR limits are more strict than 6 years which will likely result in smaller phases. The board was unanimous that these areas need to be included in the draft revision as this commission continues this effort.

Adjourn – Motion by Marshall Atchley; second by Jimmy Huffstickler, unanimous vote to adjourn.