

**Approved
Town of Smithfield
Planning Board Minutes
Thursday, April 2, 2020
6:00 P.M., Town Hall, Council Chambers**

Members Present:

Chairman Stephen Upton
Teresa Daughtry
Debbie Howard
Michael Johnson
Doris Wallace

Members Absent:

Vice-Chair Mark Lane
Alisa Bizzell
Ashley Spain

Staff Present:

Stephen Wensman, Planning Director
Julie Edmonds, Administrative Support Specialist

Staff Absent:

Mark Helmer, Senior Planner

CALL TO ORDER

IDENTIFY VOTING MEMBERS

APPROVAL OF AGENDA

Doris Wallace made a motion, seconded by Debbie Howard to approve the agenda. Unanimously approved

APPROVAL OF MINUTES from February 13, 2020

Michael Johnson made a motion, seconded by Debbie Howard to approve the minutes as written. Unanimously approved

Donnie Adams was called by phone to participate in the meeting on behalf of Adam's & Hodge Engineering. Mr. Upton, asked Mr. Adams to please acknowledge for the record that it was his choice to communicate in this meeting by phone.

Mr. Adams stated that he did receive an invitation to attend the meeting but chose to participate by a conference call due to the COVID-19 situation.

NEW BUSINESS

S-18-01 Sam's Branch Development: The applicant is requesting substantial changes to a previously approved subdivision plat of the proposed 298-315 lot residential planned unit development named East River. The subject property is located on the East and West side of Buffalo Road approximately 490 feet North of its intersection with Booker Dairy Road. The property is further identified as Johnston County Tax ID# 14075013.

Mr. Wensman stated that staff has asked the applicant to resubmit their preliminary plat which was approved on December 4th, 2018. Phase 1 of the plat is complete. The developer submitted Phase 2 which showed a significant change in how the stormwater management is going to be addressed; which is considered a major change from the original plan. Preliminary and final plats need to align; therefore, I have asked the applicant to seek reapproval. This property in question is on Buffalo Road, just North of the Credit Union. Originally the applicant was going to use an existing pond in the buffer down by the Neuse River for stormwater. DEQ determined that pond couldn't be used for water quality only for quantity. That presented a problem for the development because they wanted to do both. The original narrative for the project described pocket parks with common open space. These parks would be long green strips between rows of homes with paved trails, landscaping usable for soccer, football, corn hole, horse shoes, fire pits and cookouts. A lot of this space is now being used for a storm pond. The proposed HOA trail in the open space use to run more or less down the center of that open space and because it's now a wetland it's pushed to the edge of that open space.

The original masterplan was approved with conditions. Those conditions were that the applicant would provide overflow parking with each phase of development and the trail would go around the cul-de-sac down by the river, rather than through it. Those are the main conditions that the masterplan in its current form did not address, but they were conditions of approval that we expected to see. The revised plan shows the strips of blue in between the different rows of homes and you can see how the trails have pushed up against the back of some of the property lines. Those are the HOA trails, not the public trails. At the end of those green spaces you'll see roughly three parallel parking stalls each. That is the overflow parking the applicant is talking about. In some cases, that overflow parking is where people will pick up their mail. There is a little conflict between overflow parking spaces and cluster mailbox pickup for those that drive to the mailbox.

Mr. Wensman stated that Mr. Adams received the original report which listed the conditions and they are as follows:

- 1) That the developer obtains a NCDOT Right-of-Way Permit for the street access onto Buffalo Road prior to construction approval.
- 2) That Homeowners Association deed restrictions and covenants will be submitted for Town Attorney review to address among other items, a statement of compliance with state local and federal regulations, and operation and maintenance of shared open space, amenities and stormwater management facilities. These documents will require Town Attorney approval prior to recordation.
- 3) That there be no attached single-family residential units within phases 1 or 2 as identified on the approved master plan phasing plan.
- 4) That a park dedication fee in lieu of parkland be paid prior to recording the final plat approval of each phase of the development consistent with Article 10, Section 10.112.8.
- 5) That the public trail be constructed and easements be dedicated for trails adjacent to

each phase with the final plat of that phase consistent with the preliminary plat.

6) That the public trail in the cul-de-sac of Shore Court be modified such that it is independent of the sanitary sewer pump station access way and shall go around the Shore Court cul-de-sac.

7) The utilities shall be designed such that that extension can be made conveniently and without undue burden or expense to serve future adjacent development.

8) The developer will work with staff to incorporate overflow parking areas into each phase of development.

Mr. Wensman stated that the previous two conditions have been met by the developer and they are as follows:

6) That the public trail in the cul-de-sac of Shore Court be modified such that it is independent of the sanitary sewer pump station access way and shall go around the Shore Court cul-de-sac.

8) The developer will work with staff to incorporate overflow parking areas into each phase of development.

Staff respectfully requests that the Planning Board review the PUD Master Plan/Preliminary Subdivision Plat and make a recommendation to approve, approve with conditions or deny the plat.

Mrs. Howard asked what the red area was on the map.

Mr. Adams stated the red is area that has been identified as wetlands.

Mrs. Daughtry asked if the pond gets inspected every so often.

Mr. Wensman said the developer or the HOA whomever is in charge at that point will have to submit a yearly stamped engineered certification that the pond has been inspected and operated correctly. If there are problems, they must be corrected within 190 days.

Mrs. Daughtry asked if the HOA will have a budget to take care of long-term maintenance and repair of the pond.

Mr. Adams stated he wasn't exactly sure but he knows the model of the HOA being used is one like they've used in other communities and it is maintenance free. He does know there are monthly fees associated but he doesn't know if the organization starts off with a beginning balance. Sometimes they do and are supplemented by the developer. He apologized for not having a better answer.

Mr. Upton requested that the Planning Department staff look into that to finalize the question.

Mr. Wensman stated that could be a recommended condition that there be funds for long-term maintenance. He doesn't know if it can be legally required though. If nothing else the Planning Board can make their concerns known.

Mrs. Howard said once so much of that is built out and sold, the homeowners will have control over the HOA so they can make changes as they would like to budgeting wise.

Mr. Upton requested someone make a motion with the approval of the recommendation by the Planning Department to the Town Council but to also include the recommendation just discussed about the HOA situation.

Mrs. Daughtry made a motion to approve S-18-01 with the recommendation that the Planning Department staff look into the long-term maintenance responsibility of the pond seconded by Debbie Howard. Unanimously approved

Mr. Upton thanked Mr. Adams for participating by phone and told him he would receive the recommendations from the Planning Department.

Old Business

None

Adjournment

Being no further business, Doris Wallace made a motion seconded by Debbie Howard to adjourn the meeting. Unanimously approved

Respectfully Submitted,



Julie Edmonds
Administrative Support Specialist