

TOWN OF WEBSTER

September 5, and September 12, 2018 Town Board Minutes



The Board of Commissioners for the Town of Webster met for a regularly scheduled meeting at Town Hall, 1411 Webster Road. Mayor Tracy Rodes called the meeting to order at 5:15 p.m.

MEMBERS PRESENT: Mayor Tracy Rodes, Vice Mayor Leigh Anne Young, and Commissioners Billie Bryson, Allan Grant, Danell Moses, and Rick Fulton.

MEMBERS ABSENT: None

OTHERS PRESENT: Jay Coward, Coward, Hicks & Siler; Will Morgan, Smith & Morgan Law; Joyce Pope, Town Clerk.

GENERAL MEETING

Approval of Agenda

Mayor Rodes asked to add an agenda item under new business, “appointments to the planning board” as item #3. Rodes requested the deletion of item #1 under old business, “Mobile Traffic Speed Sign,” because the sign is currently in use in front of Town Hall.

MOTION: Commissioner Grant made a motion to approve the agenda as amended. Commissioner Young seconded. Motion carried.

Approval of Minutes

Minutes for the August 1, 2018 Town Council meeting were presented for review.

MOTION: Commissioner Fulton moved to approve the minutes. Commissioner Bryson seconded. Motion carried.

Informal Comments by Public – None

Guest Speaker: Jay Coward, Attorney for Don Barber (Hollywalk developer) on Proposed Zoning Changes

Mr. Coward spoke on behalf of the developer for Hollywalk Residential Subdivision, located off Buchanan Loop in the Town of Webster. In 2005, Hollywalk requested to be voluntarily annexed into the Town of Webster. A tight set of conditions, covenants and restrictions were placed on the property by the “Declarant,” Osceola, LLC in 2005. (Osceola, LLC is comprised of Malcolm MacNeill’s estate, Joan MacNeill, Malcolm MacNeill, Jr., and Jennifer MacNeill VanZandt.) Hollywalk’s Covenants, as well as Webster Zoning Ordinances apply to the property. Coward said that the lay of the land within the subdivision makes it difficult to meet Webster’s current Ordinances (2012), especially concerning setback requirements.

Mr. Coward consulted John Jeleniewski in Jackson County’s planning department about how to handle the request to reduce setbacks. He and Mr. Jeleniewski felt requesting a variance from the Town would not be productive because it involves trying to meet five criteria which are difficult to prove. Mr. Jeleniewski proposed creation of a new residential district called R2. The proposed R2 district and the currently existing R1 district would each have its own ordinances. It is not uncommon for Towns to have more than one district within residential and business zones.

The Town of Webster’s setback requirement is 20 feet between structures and adjacent properties, and Hollywalk is requesting a 10 foot setback to apply to lots within the subdivision. The current 20 foot setback would still apply to adjacent properties outside the boundaries of the subdivision. In addition to the request for a 10 foot reduction in construction setbacks between lots, a request was made to reduce setbacks regarding roads from 40 feet to 15 feet. The current maximum building height requirement is 35 feet. The association is also requesting an increase of 5 feet, to 40 feet in height, and a reduction in the size of construction footprints, due to the steepness of some of the lots.

Mr. Coward distributed information about Hollywalk’s request for designation as R2. Attached to this document were print outs of property owner information for the subdivision. Mr. Coward distributed a document of the proposed changes in the form of new Webster Ordinances, which included changes made in Article 4 (Sections 4.1- Section 5.6). The handout also included a Table of Uses comparing R2 to R1, B1 and G1. Commissioner Grant asked how many acres are in Hollywalk. Coward stated that it includes 32.47 acres, with each lot size set at a minimum of one acre. The major landowner, Joan MacNeill, is also in favor of this new designation as R2. Mr. Barber is the builder, developer, and President of the Hollywalk



Subdivision. Will Morgan asked if the subdivision contained any lots that cannot be built on. Coward responded that there were approximately 23 buildable lots on the 32+ acres, with some lots potentially being used for shared septic systems for multiple houses. Coward added that the setback of the most recent home that was built in Hollywalk was questioned by adjoining property owner, Mr. Buchanan. The Jackson County Planning and Zoning Department conducted a land survey which confirmed that the setbacks were in compliance with Webster’s Ordinances after Barber made some adjustments to the site plans of a garage. Mr. Coward asked for confirmation of next steps. Mayor Rodes responded that the Town Board would review the materials, and forward the proposal to the Planning Board for review if the Town Board decides to consider the request. The Planning Board would then review the proposal, and make a recommendation to the Board. If the Planning Board recommends the changes, then the Town Board will vote on the Planning Board’s proposed Ordinance changes. If approved, letters would be sent to adjacent property owners to inform them, public notice would be posted in the form of physical signage, on the Town website, bulletin board, and in the local newspaper. A Public Hearing would be held to receive input and comments. After the public hearing process, the Town Board could then vote to adopt the amended Ordinances.

Mayor Rodes asked if granting this request would open the door to future requests for additional zoning districts, and if there are lots planned for construction that do not meet the county’s steep slope ordinance. Coward said there could be sites in the subdivision that may not meet the county’s ordinance.

Coward directed the Board’s attention to table two where R2 disallows items that are possible in R1. The board discussed the chart and handouts. Young asked if the lots all have access to septic; Mr. Coward stated that not all have access. Rodes asked how many year-round residents are in the subdivision. There are two year-round families at this time. Young asked if they perform road upkeep; Coward responded that they do. The property owner is considering whether to remove the locked gate to the currently gated subdivision.

CONSENT AGENDA

Financial Report

Joyce Pope presented the checking account reconciliation report and the up-to-date budget report as of August 31, 2018:

Beginning town checking account:	\$ 70,594.13
Cleared transactions	5,882.32
Deposits	2,394.83
Macon CD 11-month	25,269.10
Macon CD 48	37,933.66
Ending Town checking account balance:	\$63,771.64
Ending Town fund balance:	\$ 126,974.40

MOTION: Commissioner Grant made a motion to approve the financial reports. Commissioner Fulton seconded. Motion passed.

ADMINISTRATIVE REPORTS

Mayors Rodes’ Report

- **Meetings.** Mayor Rodes attended SCC’s Gala Fundraiser for Scholarships and two TWSA meetings. Rodes has also been appointed to the Board of Directors for Mountain Projects. Her term will begin in October.
- **TWSA Meeting:** TWSA is funding a study to determine the impact of a possible merger with WCU for services. The state of North Carolina has encouraged WCU to divest themselves of those services because they are not part of WCU’s mission. The Whittier Sanitary District is losing money, and the specifics of a merger with TWSA is still under discussion. Rodes suggested that the Town of Webster consider requesting an expansion of water and sewer services from TWSA on Buchanan Loop as part of the future planning process. If the Town decides to proceed, the Town would include it on the annual request from TWSA for capital improvements. Rodes also mentioned the possibility of TWSA requiring mandatory tie-ons for new construction in that area to help offset the associated costs for installation of the additional infrastructure.



- **Annual Community Supper.** Rodes recognized Vice-Mayor Young for the time she put into this event, for developing a questionnaire and online survey, and for designing, printing, and mailing the invitations. Rodes thanked Danell Moses and Joyce Pope for additional assistance.
- **Policy Regarding Prayer at Community Events.** The board agreed that a policy is not needed, and that no benediction is needed for Town events.
- **Apartment Rental.** The new tenant has settled in. The Town Clerk is working on replacement of the sheers. Carpet Cleaning for both floors will be done at a later date.
- **Planning Board.** Mayor Rodes has emailed the Planning Board members and asked them to schedule an Organizational meeting to appoint a Chair, Vice-Chair, and finish Webster's Land Use Guide. Current members are Krissy Mabry, Shawn Paulus, Walter Turner, LeighAnne Young (liaison). Steve Gray and Kirk Stephens have resigned.
- **Town Hall sign.** Mayor Rodes asked for, and received, consensus from the board to get quotes for a new sign for Town Hall.
- **Website Design/Management.** Mayor Rodes presented follow up information on Nathan Thornton, who has completed SWC's website and is willing to come speak to the board and answer questions about the services he provides.

Council Member's Reports

Commissioner Young has a greenway meeting on September 6. She has also signed up for the Jackson County Citizens' Academy. Commissioner Moses reported that the Youth Arts Festival in Dillsboro on September 15th still needs about 800 cereal boxes donated.

NEW BUSINESS

1. **Review Resident Survey:** LeighAnne Young emailed the survey to the Town Board. The survey is online through Survey Monkey and will be a valuable tool for determining the future direction and vision of the Town. The results will be particularly helpful in making decisions regarding Land Use.. Young spent time with Mike Poston from the Jackson County Planning Department and received valuable input from him. Young suggested the Town offer the survey to all people who travel through Webster or come into contact with Webster. The survey will be posted on the website of the Southwest Commission and Jackson County. Surveys are anonymous, but results can be filtered by location of respondent. The board suggested adding a question asking respondents for their physical addresses.
2. **Preliminary Discussion on Proposed Zoning Changes:** Mayor Rodes stated that the Town needs to stay current in review of ordinances. Young said that Mike Poston clarified that Webster had adopted Jackson County's Mountain and Hillside Development Ordinances (formerly known as the Steep Slope Ordinances) by entering into the Interlocal Agreement with the County for Planning and Zoning Services in 2010. Poston indicated that the County plans to amend the MHDO ordinance in the near future. Poston said that the Board can create a steering committee comprised of all stakeholders (DOT, TWSA, ETJ, Parks & Rec.) to meet once per month for 18 months to revise the land-use plan. These stakeholders are resources upon which the Town can call. The board discussed Commissioner Young's concern that the Hollywalk subdivision was sited on steep land and now is asking the board to approve changes to accommodate their needs. The board members agreed to continue this discussion in future meetings. Will Morgan has emailed the board with information on short-term rentals such as AirBnB. UNC SOG came out with an article stating that zoning rules must specifically prohibit short term rentals if that is what the Town decides. To date, North Carolina has favored no regulation of private uses within the home. Morgan suggested the Town specifically prohibit short term rentals if that is the intention of the board.
3. **Appointments to the Planning Board:**
MOTION: Commissioner Grant made a motion to appoint Walter Turner, Krissy Mabry, and Kelli Rhoads for three year terms; and Shawn Paulus, and Sara Stahlman for two year terms each to the Planning Board. Young seconded. Motion carried unanimously.

OLD BUSINESS



1. **Welcome Committee (Webster Mugs/Door Hanger):** Mayor Rodes asked the Clerk to order a welcoming door hanger, designed by Moses to be distributed to new property owners.
2. **Webster Community Supper Event September 12, 5:30 pm – 7:30 pm:** The Town Board decided to authorize 75 people for the caterer. Leftovers can be donated to the Community Table. Young volunteered to drive the food over the next day. Rodes will provide decorations for the tables. Young reviewed the tentative schedule of events:
 - a. Continuous slide show of community photos will be shown. Krissy Mabry contributed pictures, local residents contributed, and Young pulled pictures from various sources and Facebook.
 - b. Residents will be handed survey to complete
 - c. Formal welcome at 5:30pm (Mayor): acknowledge local officials and guests
 - d. Buffet opens
 - e. Town of Webster presentation: (Rodes) Town Government Officials, description of the three boards; (Moses) presentation of Webster history; (Pope) where your tax money goes/budget; and (Young) “Webster Now” / purpose of survey.
3. **Institute for Emerging Issues Training:** The board has approved funding for two people to attend (Rodes and Young).

Next Meeting

The next meeting will be a Community Dinner Event (Special Meeting) on September 12, 2018 at The Jackson County Department on Aging from 5:00pm-7:30pm for the purpose of gathering input from the public, and building community involvement.

The next regular Webster Town Council Meeting will take place on Wednesday, October 3, 2018 at 5:15pm.

ADJOURNMENT

MOTION: Commissioner Grant motioned to adjourn. Meeting adjourned at 7:18p.m.



TOWN OF WEBSTER

September 12, 2018 Town Board Special Meeting Minutes:

The Webster Town Board met on Sept 12, 2018 (5:00-7:30 pm) at the Dept on Aging for the purpose of gathering input from the public via a survey, and to build community involvement. No Action Taken.

Meeting was called to order at 5 pm. Danell Moses made a motion to Adjourn. Meeting Adjourned at 7:35.

Tracy Rodes, Mayor

Joyce Pope, Town Clerk