

Adopted December 16, 2014

TOWN OF BEECH MOUNTAIN

Planning Board Meeting Minutes

October 28, 2014

Call to Order:

Chairman Andy Porter called the meeting to order at 9:05 AM. Other Board Members present in attendance were Matt LaVigne, and John Hoffman.

Adoption of Agenda:

The agenda was adopted as presented.

Approval of Minutes:

The minutes for the last two meetings were presented (July and August). The minutes were approved.

Public Comment Period:

There were no public comments.

Discuss Architectural/ Aesthetic Requirements for the Commercial Thoroughfare

The Board resumed the discussion of potential Arch/ Aesthetic requirements for the Commercial Thoroughfare by picking up where they had left off previously.

James Scott opened by noting that he felt that the draft ordinance had been discussed and modified to the point that it was likely ready to be submitted to the Town Council. He gave an overview of the ordinance and its major provisions and then invited discussion.

One of the main items discussed was that the provisions relating to maximum setbacks had been removed. While there was some debate that maximum setbacks were an important part of the recommendations of the Comprehensive Plan, it was agreed that even without them the Ordinance furthered many of the plan's goals. It was discussed that this ordinance as it stands does not contradict anything in the Comprehensive Plan.

The Board recognized that some of the questions that might be raised about this ordinance would likely involve whether there was much more commercial land to be developed in Beech Mountain. It was stressed that although there is not much vacant commercial land in Beech Mountain, this ordinance would still have an impact in the long term as redevelopment of existing structures occurs in addition to the several new structures that will eventually come.

It was discussed whether contractors would be dissatisfied with the extra time it would take to obtain permits for construction. The Planning Board discussed that they may possibly be open to "special meetings" if for some reason a contractor could not wait until the next scheduled regular meeting for a project to be reviewed.

It was discussed that regarding pedestrian facilities, this plan referenced that development subject to this ordinance would be required to dedicate easements for walkways where an "officially adopted

pedestrian plan of the Town of Beech Mountain” determined such a walkway was necessary. Such a plan needs to be developed and adopted by the Town Council as a logical next step. It should contain compelling data that illustrates the need for such facilities and how that need is tied to the development project.

After this discussion, the board moved to send the draft ordinance to the Town Council, with the understanding that the Council may have changes that it wishes to see in the document before adoption. The motion was seconded and passed with no objection.

Discuss Electric Fences:

James Scott stated that this item was raised because he had been approached by several property owners with inquiries about whether electric fences were governed by the fence ordinance. He said that the ordinance did not clearly address the issue. With the concern of Beech Mountain citizens for protecting landscaping from deer, he asked the Board for their clarification on this item.

John Hoffman brought up the safety hazards brought about by such fences. The board agreed and felt strongly that these fences should not be allowed. It was mentioned that electric fence above dumpster screening might be the only exception to this sentiment, but dumpster screening is actually exempted by the fence ordinance and is actually a separate matter.

Because of the strong sentiment against electric fences, James Scott asked the board if they wanted to pursue a modification to the fence ordinance that more explicitly stated that electric fences were prohibited. The Board did want to pursue such a measure in the future.

Discuss Zoning at the “Land of Oz”:

James Scott opened by stating that he had been contacted by the owners of the “Land of Oz,” who had concerns regarding zoning restrictions on their property. Their main concerns seemed not to be the regulation of the use of their property so much as it seemed to stem from their desire to maintain and protect their property was being stifled by the tree and the fence ordinance. It was their opinion that these provisions were written with single family homes and small lots in mind—they don’t work for people with the responsibility for maintaining large tracts of land.

The Board was wary of changing the base zoning for the Emerald Mountain property as they considered the potential impacts of commercial or high density development upon the existing single family development in the area. However, they agreed that large tracts of land have different needs with regard to maintaining their property and that the tree ordinance should be reviewed in that light.

Call to Adjournment:

Having no further business, a motion to adjourn was made, seconded and carried.

Respectfully Submitted,

James Scott

Secretary to the Board