

# TOWN OF BEECH MOUNTAIN

## Planning Board Meeting Minutes

January 21, 2014

### **Call to Order:**

Chairman Andy Porter called the meeting to order at 9:08 AM. Other Board Members present in attendance were Pete Chamberlin and Matt Lavigne, John Hoffman and James True. Fire Chief Bob Pudney was also in the attendance, as well as Town Councilwoman Cindy Keller.

### **Adoption of Agenda:**

The agenda was adopted as presented.

### **Approval of Minutes:**

There was a motion that the minutes be approved. Said motion was seconded and passed with no objection.

### **Public Comment Period:**

There were no public comments.

### **Discuss Burning Ordinance:**

Fire Chief Bob Pudney provided an introduction to this subject. He discussed that the Board had before them some recommended improvements to the Town's ordinances regarding burning. The town already had provisions regarding burning, but those provisions had several problems. One problem, said Chief Pudney, was the fact that whether a fire pit was legal or not under the current ordinances depended on whether it was being used for cooking. The vagueness of the ordinance had put enforcement personnel in a difficult situation when faced with complaints.

Chief Pudney also discussed the fact that the State Fire Code has regulations that apply to these types of fires. In considering improvements to the ordinance, he and Planner Jes Scott had tried to incorporate these standards as much as possible. The intent was to have a reasonable, safe ordinance that was clear to interpret, that ties into the state code to minimize conflicts, and yet allows the type of fire pit that the town wishes to allow in Beech Mountain's recreational atmosphere.

One provision that the Board had questions about dealt with the proposed standard's height limit for burn piles. Chief Pudney explained that there was no state standard that was exactly on point with that standard, but that a closely related standard for the height of recreational fires had a maximum height of 2 ft. Chief Pudney explained that, in a way, this was like trying to fit an apple into an orange's skin- but that it was nevertheless the best related standard they could find. James True questioned whether a height limit for burn pits were really necessary. It was also discussed whether a provision regulating the maximum diameter was necessary. After much discussion and debate, it was decided to remove the 3 feet height maximum, but simply require that the fire pit be enclosed by a non-combustible wall (such as a rock-rimmed pit) with a height of at least 6 inches and that the height of combustible material within the fire pit could be no

higher than the height of the enclosure. It was also decided that the proposed 3 feet maximum diameter be removed as well.

Although the Planning Board was in accordance with the ordinance after making these changes, they decided that they wanted to view the entire ordinance in a final, written form before sending it to Town Council for possible adoption.

**Discuss Amendments to Standards for Smoke Detectors, Carbon Monoxide Alarms, and Fire Extinguishers:**

The Board next turned to consideration of several proposed amendments to the Town's requirements for smoke detectors, carbon monoxide alarms, and fire extinguishers. Chief Pudney explained that the Town sends out affidavits for owners or managers of rental property to sign saying that they have adhered to the Town's ordinances regarding checking and inspection of smoke detectors, fire extinguishers, and carbon monoxide alarms. The problem, he explained, was that the standards the Town has for these items no longer meet minimum requirements of the State of North Carolina. Therefore, these amendments were intended to align the Town's ordinances with State regulations.

Mr. Scott read through all the proposed changes to inform the group. James True moved that the amendments be approved as written. Said motion was seconded by Matt LaVigne and carried with no objection.

James True wished that it be stated for the record that he opposed the requirement for the affidavits of compliance with these provisions to be notarized, as this amounted to an unseen tax. Andy Porter agreed and suggested that instead of a notary requirement, the form could simply be required to be witnessed or attested to. James Scott noted that the ordinance itself had no requirement that the form be notarized, this was merely the current policy.

**Discuss Architectural/ Aesthetic Standards for the CS-1 District:**

Mr. Scott reviewed the letter that he had drafted to stakeholders regarding a meeting about architectural standards for Beech Mountain's commercial district.

Matt LaVigne suggested that the letter be slightly revised such that it focused more on the statistics that indicated support for architectural standards. The Board agreed. This letter will be sent out and a meeting on the topic will be held in the coming months.

Pete Chamberlin highlighted the need to highlight that this project was a step towards achieving the goals set forth in the recently adopted Comprehensive Plan.

Mr. Scott then showed the Board a video on the topic and a draft of a presentation that he was planning to give at the meeting. The Board agreed that this would be an effective meeting format.

**Other Business:**

Councilwoman Cindy Keller commented that she would like the Planning Board to review the Town's standards for subdivisions, particularly the requirement for paved roads. She felt that the

standards were stifling to development and overbearing. The board agreed to take up this topic in future meetings.

**Call to Adjournment:**

A motion to adjourn was made, seconded and carried.

Respectfully Submitted,



James Scott  
Secretary to the Board