

**TOWN OF BEECH MOUNTAIN**  
Planning Board Meeting Minutes  
June 30th, 2015  
Beech Mountain Town Hall

**Members Present:**

Board members in attendance included Max Riley, John Hoffman, Pete Chamberlin, and Mike Chase.

**Adoption of Agenda:**

The agenda was adopted as presented at 9:05 AM.

**Amendment to the Sanitation Ordinance:**

The Board discussed an amendment that would give the Town the authority to clean up litter and spilt garbage and bill the property owner responsible for the Town's cost. The Board was agreeable to the straightforward change in the ordinance language proposed to accomplish this, but wanted more clarity on the policies the Town would follow to utilize this authority. It was questioned whether the Town policy should include a phone call paired with a 24 hour window for the responsible owner to clean up messes prior to the Town stepping in. After some discussion, this idea was not supported. Another point of consideration was the amount the Town should bill for cleaning up these messes. It was proposed that perhaps a graduated scale be created in which repeat offenses were charged more. However, it was also discussed that these charges were not intended to be punitive, so increased charges for repeat offenses did not seem appropriate for this ordinance (punitive fines for littering, which would be in addition to these charges when appropriate, should be reviewed and such a graduated system may be a good desirable). It was decided that a fair labor cost of pickup would be around 20 to 30 dollars. It was also decided that Town policy should require some kind of photo and documentation. A list of violations would be provided to the Town Planner so that he could send out a form letter to responsible owners explaining that they would receive a charge on their utility bill. The list would then need to be provided to the Utility Clerk so that the charges could be added to the bills. While a final version of the policies that would accompany this ordinance was yet to be prepared, the Board moved that the amendments to the verbage of the Ordinance be presented to the Town Council for potential adoption.

**Public Art Ordinance:**

Peri Newman, the Town's summer intern, presented on a potential Public Art Ordinance. The purpose of this ordinance was to create guidelines that would govern what types of monuments, murals, sculptures, and other artworks would be appropriate for public properties in Beech Mountain. Such an ordinance would facilitate the Beech Mountain TDA in making decisions during their grant making process. Ms. Newman provided several examples of such ordinances from other jurisdictions, most notably Asheville, NC. In the Asheville ordinance, there was a designated "Public Art Committee" that made recommendations on artworks to the city Council, but the Council retained the ultimate responsibility for approving or denying artworks. It was

questioned whether such a model would be suitable for Beech Mountain; a point of special consideration was who the decision making authority should be in an ordinance for Beech Mountain, and whether the Council should or would delegate that authority to another entity. Pete asked if any controversy has come out of any public art policies in the past, and suggested that we write our ordinance accordingly. Also, Blowing Rock was identified as a city with a potential art committee policy we could work off of. Peri agreed to do more research and report back.

**Buckeye Lake Buffer:**

Lee Spencer, the Town’s Water Quality Consultant, and Four Eggers, the Town Attorney had worked together to propose several amendments to the Town’s “Buckeye Lake Protection Ordinance.” One of the most important changes among these amendments was to determine the reasonable distance for a buffer surrounding Buckeye Lake. In previous discussions, the Planning Board had requested that Jes Scott prepare maps that depicted various buffers proposed by Mr. Spencer so that the Board could determine their impact on adjacent properties. It was noted that even the lesser of the buffers proposed would render at least several lots unbuildable. It was also noted that the runoff from the few houses that would be prevented by these buffers was minimal compared to the contamination coming from Pine Ridge Road, which runs very close to the lake in several areas. The Board felt that they needed more technical information on the buffer distances required to achieve certain levels of water quality. The Board also questioned whether engineered buffers could reduce or supplant the requirement for natural buffers, and whether buffers could be at different distances on different sides of the lake. It was finally decided that Mr. Scott would solicit the participation of Mr. Spencer or Utilities Director Robert Heaton to answer some of these questions at the next meeting.

Mr. Scott noted that in addition to the proposed change to buffer distances, this revision also proposed a change to the size of boats allowed on the lake. The Town had recently acquired paddle boats that were approximately 7’ - 6” long where the ordinance currently had a minimum requirement of 8’ long water craft. He proposed changing the minimum size boat for the lake as 7’. (The purpose of the minimum size requirement was to prohibit types of boats that are likely to overturn and result in bodily contact with the water.)

**Adjournment:**

A motion was made to adjourn the meeting; motion was seconded and carried unanimously.

Respectfully Submitted,

James Scott  
Staff to the Board