

Town of Seven Devils

Board of Adjustment

Public Hearing – Clevon Woods LLC – Special Use Permit Application Monday – June 21, 2021 1:00pm

The Seven Devils Board of Adjustment held a Public Hearing on Monday, June 21, 2021, with the format of this Public Hearing being dual Electronic – Go To Meeting #685942517 and In-Person at Town Hall. Attendance In-Person included Chair Bob Bridges, Frank Sell, Bobbye Hurlbrink & Faye Brock. Alternate John Wells attended remotely with visible video display and observed. Member Jack Byrnes and Alternate Bert Valery were absent. A quorum was met. The minutes were recorded by Town Manager, Debbie Powers.

Applicant: Charlie Clement, Managing Partner of Clevon Woods Associates, LLC

CALL TO ORDER

Chair Bridges called the Public Hearing to order at 1:00pm.

ROLL CALL

Board of Adjustment members Faye Brock, Bob Bridges, Bobbye Hurlbrink, & Frank Sell stated their name and announced their presence for Roll Call.

OPEN PUBLIC HEARING

Member Sell made a motion to open the Public Hearing; Member Brock seconded the motion. All members agreed.

PUBLIC HEARING NOTIFICATION

Town Manager Debbie Powers reported the methods used for notification of the Public Hearing. These include letters to “those with standing”, signage at Town Hall & Aldridge Road lot, and publication in the Watauga Democrat on Wednesday, June 9, 2021. Documents for verification included in the agenda packet.

PUBLIC HEARING INTRODUCTION

Prior to the Public Comment, Chair Bridges stated the following Public Hearing Introduction Statement.

“I’d like to make a statement as to the purpose of this Public Hearing, to outline what it is, and what it isn’t.”

This hearing is to give the public an opportunity to speak regarding the particular case to be decided. Anyone can attend. It is not to give the public an opportunity to present additional evidence that should be presented at the evidentiary hearing regarding this case, or to cross examine or question any party to this case.

This Board is required to make its decision solely on the testimony and evidence presented at the evidentiary hearing, where “parties with standing”- and others who would incur “special damages” as a result of the Board’s decision - present evidence and testimony. “Special damages” are those distinct from damages to the public at large. Any

“party with standing” who wishes to present evidence here must be sworn in. I will request, however, that such sworn testimony be presented at the continuation of the formal evidentiary hearing scheduled for tomorrow at 5:30 pm in this same room.

Anyone who wishes to speak in person at this hearing must sign in prior to speaking. A sign-up sheet is available at the podium. Those wishing to speak virtually must identify themselves, and we will add those names to the sign-up sheet. If comfortable, please remove masks while speaking for purposes of accurate transcription of your comments, which will be made part of the public record regarding this case.

Each person will be given a maximum time limit of 3 minutes to speak for public comment. The Manager will keep the time. I ask each speaker to restrict their comments to the case being decided. Any person who interrupts, disturbs, or obstructs this hearing will be asked to leave.

At the conclusion of this Public Hearing today, the public will be given a “public comment period” of 24 hours to email their comments regarding this case.

The email address is publiccomments@sevendevils.net

PUBLIC COMMENTS

Andy Hill, 164 Depot: Representing the Watauga River Keepers; has concerns about the placement of the Wastewater Treatment Plant in the floodway, as designed. After reviewing the documents, placement is too close to the river. Urge Board to be good neighbors and good stewards of the environment. Concerns of river discharge levels; the Watauga River is a vital economic resource & drinking water. Not just one bad project, but a collection of all will contribute to the death of the Watauga River. River Keepers perform weekly testing along river for e coli bacteria; This board is responsible for protecting your neighbor.

Ken Townsend, 393 Aldridge Road: Family owns 2 homes on 7 acres on the other side of the river; wind blows from the NW and the scent will be present at my front door. This WWTP will infringe on my rights; there will be discharges into the river; you folks have responsibility to protect our rights; the plant should be located on the 18 acres across Highway 105.

Wayne Catoe, 461 Aldridge Road: Concerns started when this property was annexed into Town limits; the people making these decisions are not affected because they do not live here. Will the discharge be tested on a regular basis? Will the plant be manned? If polluting, will it stop? Or will their hands just be slapped? Unless you live in the community, you have no skin in the game, no impact on your lives.

Andy Hill, 164 Depot: All WWTPs start out with good intentions, but fail at some point, is never 100% dependable. Most are operating beyond capacity and are poorly maintained; must consider 20-30-40 years in the future for development, and plan for the worst.

George Warren, 201 Roseway Bay: Lives in community across the street behind the gas station; speaking for the Property Owners Association who are completely opposed to the WWTP; concerns about the river; this is a bad idea; concerns about closeness to homes.

CHAIR called for any additional Public Comments; hearing none, he reminded that emailed comments will be accepted until 1:30 pm on Tuesday, June 22, 2021.

ADJOURN

Member Brock made a motion to adjourn the Public Hearing; Member Sell seconded the motion. All members agreed. The Public Hearing adjourned at 1:16 pm.



Robert D. Bridges, Chairperson



Debbie Powers, Town Manager