

Town of Seven Devils
Planning Board Minutes
Regular & Organizational Meeting
January 19, 2021 – 5:30pm

The Seven Devils Planning Board on Tuesday, January 19, 2021 at 5:30pm. The format of this meeting was dual format Electronic – Go To Meeting#440589893 and In-Person at Town Hall.

Attendance In-Person included Jack Byrnes & Jim Jones. Members Walt Hogan, Joan Streightiff, Bert Valery, and John Wells IV attended remotely. Member Frank Sell was absent. Also, in attendance was Town Manager-Zoning Administrator Debbie Powers. Town Clerk Hillary Gropp recorded the minutes.

Call to Order

Zoning Administrator Debbie Powers called the meeting to order at 5:30pm.

Oath of Office

Town Clerk Gropp administered the Oath of Office to New/Reappointed members – Joan Streightiff, Bert Valery, Jack Byrnes, Walt Hogan & Jim Jones.

Election of Chair & Vice Chair

Town Manager Powers opened the floor for nominations of Chair of the Planning Board. Member Jones nominated Jack Byrnes as Chair; Member Valery seconded the nomination. There were no other nominations. All members agreed.

The meeting procedures were handed to Chair Byrnes from Town Manager Powers. Chair Byrnes asked for nominations for Vice Chair. Member Valery nominated Walt Hogan as Vice Chair; Member Jones seconded the nomination. There were no other nominations. All members agreed.

Adopt Agenda

Member Jones made a motion to adopt the agenda; Member Streightiff seconded the motion. All members agreed.

Approve Minutes February 18, 2020

Member Jones made a motion to approve the minutes of February 18, 2020; Member Hogan seconded the motion. All members agreed.

Administrative Comments

Town Manager-Zoning Administrator Powers welcomed the Planning Board members. She explained the role of the Planning Board is advisory and to make recommendations to the Town Council. Tonight's meeting will cover Old Business and New Business. Any changes to the Nuisance Ordinance become effective immediately after Town Council approval. Any changes to the UDO will require a future Public Hearing and approval by the Town Council.

Old Business

A) Article 13 – Recreational Vehicles Prohibited – *Addition to the Nuisance Ordinance*

This item was tabled from the February 2020 Planning Board meeting, for revisions to the language.

Due to lack of language in the Nuisance Ordinance, the Town lacks the ability to issue a violation for Recreational Vehicles. The Planning Board members discussed the revised language as presented by Zoning Administrator Powers. They agreed on edits/changes and is now written as below in italics:

Purpose

Due to the limited size and width and grade of the Town roads, all Recreational Vehicles are prohibited in the Town of Seven Devils Town limits.

Definitions

Recreational vehicle means a motorhome, bus, semi-trailers, travel trailer, truck camper, camping trailer, boat trailer, van camper, van conversion, horse trailers, with or without motive power for recreational, emergency or other human occupancy.

Parking Prohibited

It is unlawful for a person to park or leave standing any recreational vehicle on any public street, park, square, avenue, alley or public way in the city, or parked on any vacant lot, or parked in any private yard or driveway.

Exceptions

Commercial work trailers operated by contractors, (i.e., landscapers, tree arborists, handyman, etc.) during normal work hours. Buses or RV's visiting Commercially Zoned (GB Zone) and Recreational Business (RB Zone) businesses during normal business hours.

Violations

Unless otherwise specified, all violations of this chapter shall be an infraction and such persons shall be subject to citation, towing or both. First violation shall be a \$500 fine, and each subsequent day shall be an additional \$500 fine. Violations may be issued by the Town Manager, Zoning Administrator, Police Chief, Police Officer on Duty, or Public Works Director

Member Jones made a motion to approve the Recreational Vehicles Prohibited Nuisance Ordinance; Member Hogan seconded the motion.

Roll call vote of Planning Board– 6 Yeas, 0 Nays, 1 Absent ~CLOSED~

B) Rezoning Application Form – This item was previously approved at the February 2020 Planning Board meeting. Zoning Administrator Powers wanted to remind the members of a required Public Hearing to be scheduled at a later date – TBD – No action needed.

~CLOSED~

New Business

A) Chain Law - Due to lack of language in the existing Nuisance Ordinance discussion occurred about the necessity of a Chain Law for vehicles entering the Town during inclement weather & when the flashing sign is on.

Planning Board members discussed the language as provided by Zoning Administrator Powers. Agreement for the following language in italics:

Chain Law

1. *Whenever the Town Manager, Police Chief, or Public Works Director determines that travel by motor vehicles on Town streets is hazardous due to snow, ice or a combination of both, the traffic-control device (flashing sign) at the entrance of the Town of Seven Devils shall be clearly illuminated, stating that this chain law is in effect, requiring:*
 - A. *Chains*
 - B. *Snow tires*
 - C. *Four-wheel Drive (or AWD)*
 - D. *A combination of the above.*
2. *The Town Manager, Police Chief, or Public Works Director shall determine that travel by motor vehicles on Town streets is hazardous if the following conditions exist:*
 - A. *Town streets are snow-covered.*
 - B. *Town streets are ice-covered.*
 - C. *A combination of the above of the Town streets.*

Proposed Violation amount: \$150.00

Member Jones made a motion to approve the Chain Law Nuisance Ordinance; Member Streightiff seconded the motion.

Roll call vote of Planning Board– 6 Yeas, 0 Nays, 1 Absent ~CLOSED~

B) UDO Transition for 160A to 160D

Zoning Administrator Powers explained the NC General Assembly adopted legislation in 2019 creating Chapter 160D. Chapter 160D consolidates statutes in Chapter 160A into a unified chapter. Many of the updates the Planning Board will review will be administrative, but there are some new additions. The 160D should be adopted by the Town prior to July 1, 2021. Zoning Administrator Powers proceeded to highlight the updates from pages 1-140 with the Planning Board. ~OPEN~

Citizens Comments

Mayor Larry Fontaine was present in the audience and thanked Zoning Administrator Powers for her understanding and work on the Land Use Law changes with 160A to 160D.

Member Comments

Several Planning Board members thanked Zoning Administrator Powers for the preparation in helping make tonight’s meeting easy for them.

Adjourn

Member Jones made the motion to adjourn; Member Hogan seconded the motion. All members agreed. The meeting adjourned at 6:26pm.

Jack Byrnes, Chair

Hillary Gropp, Town Clerk