

**Town of Mills River
Minutes of the Planning Board
Tuesday, January 5, 2021**

The Town of Mills River Planning Board met on Tuesday, January 5, 2021, at 6:30 PM in the Mills River Town Hall. Board members present were: Sherri Hill, Jim Foster, Mary Ann Osby , James Cantrell, Cheryl Janoski , Wayne Carland, and Jeff Moore. Ryan Perry attended via “Zoom”. Heath Wiggins (excused) was absent. Staff present were Town Manager Daniel Cobb, Tax Collector/Deputy Town Clerk Aurelie Taylor, and Deputy Town Clerk/Accounting Clerk Patty Brown.

Chairperson Sherri Hill called the meeting to order and led the Pledge of Allegiance.

Adjustments/Additions to Agenda

In compliance with NCGS 160D, an Oath of Office was taken by those Planning Board members present.

Approval of the Minutes

Wayne Carland made a motion to accept the minutes of December 15, 2020 with the correction. Jim Foster seconded the motion and the motion passed by unanimous verbal assent.

Public Comment: One Public Comment email was received prior to the meeting. Tax Collector/Deputy Town Clerk Aurelie Taylor read it. The text appears below:

Dear Planning Board,

As you make your decisions regarding the noise ordinance, I would like to offer this information about a situation which is unique to a rural community like Mills River.

When I contacted the sheriff's department about a noise disturbance on the property behind my house this is what I was told by the deputy who came to my home in Wedgewood subdivision.

When a sheriff's deputy comes to the entrance of a property they first listen for any noise disturbance. If they do not hear anything, they are not allowed to go onto the property. So, depending on how large the property is, the source of the noise could be acres away and depending on how sound travels and the orientation of the surrounding properties, they could possibly never hear what the complainant hears.

So, my solution moving forward is to have them come to my home first and then go to the offending property.

I trust this is helpful for you and other residents of Mills River.

Kind regards,

Bettye Dorn

eytteb@gmail.com

828-606-0015

Melissa Rayfield addressed the Board via Zoom. She expressed her issues with noise, construction trash, and lack of respect for neighbors from the construction at Mills River Crossing and expressed concern about the size of the houses being larger than the approved plans and outdoor amenities to be built also not on the original plans.

Old Business:

A. Comprehensive Plan Review

Town Manager Daniel Cobb thanked the Board for giving feedback on the plan distributed at the last meeting and gave a quick update on progress. The Town Council will receive a copy at next Thursday's meeting; February will be open to all reviews and comments; Alan and Daniel will incorporate any changes and develop a final draft in March; Planning Board will see that final draft at the first meeting in April.

B. 160D Review

Tabled for another meeting.

C. Noise Ordinance

Town Manager Daniel Cobb explained that he had no text to present on either Erosion Control or Food Trucks and would concentrate on a Noise Ordinance and Architectural Standards. He gave a visual presentation of the highlights of the proposal. He then reiterated that agricultural properties were exempt from the ordinance. No action is required tonight. Daniel distributed the entire text of "Chapter 152: Nuisances" with new or changed text highlighted in blue. The presentation sparked discussion of enforcement, especially the decibel meter, training, calibration, and cost, as well as who would answer complaints, record violations, and from what location the sound would be measured. Several other points were discussed, such as the time lag between the complaint and the measurement, permit amounts, noise from firearms, prohibitions for Sundays, but not Saturdays, administration of permits, definition of "temporary", and notification of neighbors of the issuance of a permit.

Daniel will make changes and send them to Planning Board to review before the next meeting.

D. Architectural Standards

Town manager Daniel Cobb asked Planning Board for guidance in how to treat the standards for building facades. Currently, the ordinance reads that a building wall has to comply if it is visible from the street. "Visibility" is changeable and what isn't visible when a building is constructed might, in the future, become visible if, for example, trees are removed. It would be more clear if the ordinance was changed so that the standard was a linear measurement from a street. Daniel will develop maps with different distances for the next meeting.

E. Erosion Control

Tabled due to no draft language preparation.

F. Food Trucks

Tabled due to no draft language preparation.

New Business: No New Business

Additional Items

Town manager Daniel Cobb announced that property taxes were due today; the Park master plan is still in progress, the Town received a Bike/Pedestrian grant (but not the funds) and was waiting on contract documents for the Streambank Restoration Project. The budget workshop for the 2021-2022 fiscal year will be on January 28 and 29.

Permits have been issued for the Circle K, a storage facility on Old Haywood Rd., Hills Equipment, and Mills River Crossing phases 3 and 4. Permitting is up from prior years; 124 permits were issued in 2018, 150 in 2019, and 203 in 2020.

As there was no further business to discuss, Wayne Carland made a motion to adjourn the meeting. James Cantrell seconded the motion and the motion passed by unanimous verbal assent.

Respectfully submitted,

Aurelie Taylor, CTC
Tax Collector/Deputy Town Clerk