

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY, OCTOBER 5, 2023, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present:

Farrah Newman, Mick McCue, Ron Jackson, Ray Daly, Tucker McKenzie, Guy McGraw

Board Members Absent:

Joe Garrison (Chairman), John McLaughlin, David McLean

Staff Present:

Debra Ensminger, Planning Director; Stephanie Cormack, Admin Officer; Ruth Pedersen, Senior Planner; Danielle Orloff, Senior Planner; Stephan Lapping, Associate County Attorney

CALL TO ORDER

Per Roberts Rules of Orders in the absence of the Chair and Vice-chair, Planning Board Secretary Stephanie Cormack called the meeting to order at 6:00 pm. Secretary Cormack explain to the board in order to conduct the meeting the board would need to elect a “Chair Pro Tem” to preside during this meeting only and that with the specification that the “Chair Pro Tem” is terminated at the end of the meeting.

Board member Mick McCue made a motion to elect Tucker McKenzie as “Chair Pro Tem, to preside during this meeting only and that with the specification that the “Chair Pro Tem” is terminated at the end of the meeting. Motion was seconded by Board member Ron Jackson; the motion passed 6-0.

INVOCATION

Chair Pro Tem McKenize offered the invocation.

PLEDGE OF ALLEGIANCE

Chair Pro Tem McKenize led the pledge of allegiance.

MISSION STATEMENT

Board member Ray Daly read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

The following signed up to speak during the public comment.

- Thomas Virgilio: 145 Far View Ct., West End, NC to speak during the public hearing once it has been opened
- Keith Duever: 100 Fogleman Ct., West End, NC asked the board to consider tabling the rezoning request on Grant Rd.

CONSIDERATION OF ABSTENTIONS

There were no abstentions

APPROVAL OF THE CONSENT AGENDA

Secretary Cormack explained approval of minutes of the August 3, 2023, regular meeting would need to be re-approved due to an administrative action.

- A. Approval of Minutes of August 3, 2023, Regular Meeting
- B. Approval of Minutes of the September 7, 2023, Regular Meeting

Chair Pro Tem McKenize made a motion for approval of the consent agenda. Board member Ron Jackson seconded the motion and the motion passed unanimously 6-0

PUBLIC HEARING

Public Hearing #1 – A request to amend Chapter 19 of the Moore County Unified Development Ordinance as follows, which will potentially affect all properties in Moore County as follows:

1. Amend Chapter 19 (Subdivisions), Section 19.7.G (Drainage) to update the requirements for stormwater management plans for major subdivisions to be consistent with current NCDEQ policies.
 2. Amend Chapter 19 (Subdivisions), Section 19.8.L (Fire Service) to remove the requirement for primary and secondary fire and rescue responders to be shown on major subdivision preliminary plats.
- **Ruth Pedersen**

Mrs. Pedersen went over the items within the packet, explaining the language modification to stormwater management is to bring the Ordinance in compliance with current NCDEQ policies and clarifying the storm water areas in the county. The language modification request to remove primary and secondary fire and rescue responders is to mirror a previous modification to the Ordinance that did not get addressed in this section.

With no further questions from the board, Chair Pro Tem McKenzie opened the public hearing.

Board member Jackson inquired on the history of Chapter 19, Section 19.8.L.2 and how it came about.

Ms. Ensminger offered to provide Mr. Jackson with the background via email.

With no further questions from the board, Chair Pro Tem McKenzie opened the public hearing.

With no further discussion on public comment, Chair Pro Tem McKenzie closed the public hearing.

With no further discussion from the board, Board member Mick McCue made a motion to adopt the attached Planning Board Land Use Plan Consistency Statement and authorize the Chair Pro Tem to execute the document as required by North Carolina General Statute 160D-604. The motion was seconded by Ray Daly; the motion passed 6-0.

Board member Mick McCue made a motion to recommend Approval to the Moore County Board of Commissioners of the proposed amendments to Chapter 19 of the Moore County Unified Development Ordinance. The motion was seconded by Board member Ray Daly; the motion passed 6-0.

Public Hearing #2 – A request for a Conventional Rezoning of three adjacent parcels of approximately 1.39 acres from Village Business (VB) to Neighborhood Business (B-1). The parcels are owned by JDAD Enterprises, LLC., located between Grant St. and McDonald St. in the Seven Lakes Business District and further described as Par ID 00014672, 00016586, and 00024151.

Mrs. Pedersen went over the item within the packet explaining to the board when you have a conventional rezoning come before the board you must look at all potential uses allowed and cannot place conditions on the specific use.

With no further questions from the board, Chair Pro Tem McKenzie opened the public hearing.

The following spoke in opposition to the rezoning request.

- Thomas Virgilio: 145 Far View Ct., West End, NC
- Keith Duever: 100 Fogleman Ct., West End, NC
- Richard Diehl: 105 Shagbark Ct., West End, NC
- Michael Yannone: 107 Shagbark Ct., West End, NC
- Ami Diehl: 105 Shagbark Ct., West End, NC
- Gayle Mace: 360 Grant St. West End, NC
- Judy McNeill: 102 Devonshire Ave. E., West End, NC
- Jean Ward: 120 Callis Circle, West End, NC
- Margaret Pierce: 124 Callis Circle, West End, NC
- Gary Livingston: 109 Shagbark Ct., West End, NC
- Mark Piemonte: 126 Shenandoah Rd. E., West End, NC
- Julie Gustafson: 121 Lawrence Overlook, West End, NC
- Tim Read: 105 Thomas Point, West End. NC

With no further discussion or public comment Chair Pro Tem McKenzie closed the public hearing.

Board member Jackson asked if the applicant was in attendance.

Mrs. Pederson explained the applicant was present and reminded the board they would need to consider this rezoning as a whole and not just the individual use.

With no further discussion from the board, Board member Mick McCue made a motion that the requested is inconsistent with the Moore County Planning Board Land Use Plan Consistency Statement as it creates an area of spot zoning and authorize the chair to execute the document as required by North Carolina General Statute 160D-604. The motion was seconded by Board member Ray Daly; the motion passed 6-0.

Board member Mick McCue made a motion to recommend Denial to the Moore County Board of Commissioners of the proposed Conventional Rezoning of three adjacent parcels of approximately 1.39 acres from Village Business (VB) to Neighborhood Business (B-1). The parcels are owned by JDAD Enterprises, LLC., located between Grant St. and McDonald St. in the Seven Lakes Business District and further described as Par ID 00014672, 00016586, and 00024151. The motion was seconded by Board member Ray Daly; the motion passed 6-0.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger mentioned the items heard during this meeting will be brought before the Board of Commissioners for a public hearing during the second meeting in November. Ms. Ensminger introduced Danielle Orloff; County Senior Planner.

BOARD COMMENT PERIOD

No comments from the board.

ADJOURNMENT

With no further comments Board member Mick McCue made a motion to adjourn the meeting. The motion was seconded by Board member Guy McGraw, the motion passed unanimously 6-0. The meeting was adjourned at 7:45 p.m.

Respectfully submitted by,

Stephanie Cormack