

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**October 4, 2021
6:00 p.m. – Huntersville Recreation Center**

PRE-MEETING

None

**REGULAR MEETING
TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Recreation Center, 11836 Verhoeff Drive, at 6:00 p.m. on October 4, 2021.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Brian Hines, Lance Munger, Stacy Phillips and Nick Walsh.

Mayor Aneralla called the meeting to order.

Mayor Aneralla called for a moment of silence.

Mayor Aneralla led the Pledge of Allegiance.

MAYOR AND COMMISSIONER REPORTS – STAFF QUESTIONS

Mayor Aneralla

- Commissioner Walsh, Commissioner Phillips and myself met with representatives from Mecklenburg County about Age Friendly Meck.

Commissioner Walsh

- Next Parks & Recreation Commission meeting is tomorrow night.
- Next Public Art Commission meeting is October 13.
- Provided update from Visit Lake Norman.

Commissioner Phillips

- Provided update from Rural Hill.
- If you need to register to vote or change your voter registration to vote on election day, you need to do so by October 5.
- If you are homebound and qualify for the COVID booster shot, StarMED Health will come to your home.

Commissioner Munger

- Met with Mecklenburg County Government officials and various other Town officials for a discussion on farmland preservation.
- Next Huntersville Ordinances Advisory Board meeting is October 7.
- Next Centralina Regional Council meeting is October 13.
- Wished his wife happy anniversary.

Commissioner Hines

- Next meeting of Charlotte Regional Transportation Planning Organization is October 20.

Commissioner Boone

- Provided update from the Lake Norman Chamber of Commerce.
- Boy Scout Troop 19 has offered to collect campaign signs following the election as a fundraiser.

Commissioner Bales

- The Lake Norman Economic Development Corporation manufacturing mingle scheduled for this Thursday has been canceled. They will hold that mingle again in the spring.
- Will be meeting with area high schools to continue planning for the speed networking event in November.
- Next meeting of the Municipal Education Advisory Committee is October 20.

Commissioner Boone expressed appreciation to Michael Jaycocks and the Parks & Recreation staff for creating path for residents in the 55 and older community to access North Mecklenburg Park.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Jim Warren, Carolina Raptor Center, provided update on the Carolina Raptor Center and requested the Town consider providing funding. *PowerPoint attached hereto as Exhibit No. 1.*

Mayor Aneralla said are there are raptors in the Quest area and also does it cost anything to go to Quest.

Mr. Warren said the main Quest building is free to the community. The only charge would be if you are entering the raptor trail, which is out the back. We are going to put raptors out there for the short term until we've opened it up completely to visitors. I can't tell you exactly which birds are going because it's going to be an unveiling, but we hope later this fall there are some enclosures already being put in out there so we will have birds out there. That will be free for the time being. Of course, if you came to the current campus, there's a charge. That's one of our ways that we generate income.

Commissioner Phillips said are all of the birds rescued or are any of them purchased.

Mr. Warren said a lot of our birds are rescues, but a lot of them come from other facilities. I wouldn't use the word purchased. A lot of times it's a very regulated trade with US Fish and Wildlife, NC Wildlife Commission, so we get birds from other facilities like us in the United States. We send birds to other facilities. We've got a lot of barred owls in this part of the country and a lot of barred owls in Mecklenburg County. There are no barred owls in the pacific northwest so we've actually had some of our birds that couldn't be released so we've transferred them out there. It's a network of folks. We've got birds now from every continent except for Antarctica.

Commissioner Hines said on Lake Norman there's a lot of fishermen and a lot of waterfowl out there. One time I saw a loon that had a big hook in his mouth and his beak. Is the Raptor Center somebody I would call first to try to rescue a bird like that.

Mr. Warren said yes and no. A loon is not a raptor, but it's a good bird. You'd be surprised the number of hummingbirds and cardinals and other sort of birds we get. We can just care for raptors, so you think eagles, owls, hawks, falcons. That's what we are permitted for now. If a bird comes in to us, we aren't going to turn it away. Our vet would be a good Samaritan. We could get that bird, take care of it and then it would get transferred to Carolina Waterfowl. They are folks that take care of all varieties. We're specifically raptors, but we get all the ospreys that come in from that area. We get the bald eagles.

Commissioner Bales said I don't get out there as much as I would like. It's a beautiful facility and it's one that I was surprised to hear that 30 percent of your visitors actually are Huntersville residents.

Mr. Warren said Huntersville is literally just out our back door. We are very proud of that. We consider ourselves an asset of the northern part of the county and we want to do more of that. We now have a board member who is from the Mooresville Convention and Visitors Bureau, so we want to have a closer tie to this part of the community.

Commissioner Bales said I for one know the work that you all do in protecting the raptors in the area. It's a special thing and for our community in particular it's nice to know that there's someone you can call when you need help in this regard. I also recognize that 40,000 visitors are coming to your door and that's not just Huntersville. They are coming from all over. Where do you see your visitors coming from.

Mr. Warren said truly all over the state of North Carolina. A lot of school groups. We see more school groups outside Charlotte-Mecklenburg – Wake County, Buncombe County, and particularly now during COVID we are doing a lot of virtual, so we are getting school visits virtually from all over the southeast. Again, we truly are at one of those venues where people come to the community, they want to bring their family members. We had some folks from Texas that brought their family. We see us not as that place where they are going to come and leave, but if we can create that need to have a much bigger experience, particularly when they ask you where you go eat, well there's lots of restaurants in Huntersville. A lot of places we want to send, that's what we really want to do more with the Chamber and Visit Lake Norman is how we become that ancillary piece that the town can use or Lake Norman Chamber could use to actually support what they are doing. Come to the Raptor Center, but then do something else in the community.

Commissioner Bales said from where I sit it's the first time I have seen the Raptor Center ask for help from this community, so I guess one of my questions, does it all have to do with COVID and the impacts that you've been having or would this be a regular occurrence in regards to the ask.

Mr. Warren said I'll come as long as you will have me. I wouldn't be a good non-profit executive if I didn't come up here asking for money every year. My board would fire me. I think COVID had an impact, but with Quest we see the growth potential and to be honest with you I don't have the staff, we don't have some of the infrastructure, we don't have the program materials. When COVID hit we had to revamp and get cameras and monitors and do all of this and now we see more and more people come

into Quest. It's just our ability to be able to expand with the limited resources we currently have. The more resources we have the more impact we can make in the community.

Commissioner Bales said I for one and I don't know where rest of the Board is, but I would be willing to utilize the \$20,000 that we had designated for Latta, to shift over to Quest. That would be my recommendation to the Board.

Mr. Warren said I'll graciously accept that.

Commissioner Bales said I recognize that the tourism dollars we can use for that and it makes sense to shift it over and continue driving tourism, but just driving tourism to Quest.

Commissioner Munger said as I was looking through, your budget was \$1.2 million.

Mr. Warren said pre-covid that's correct.

Commissioner Munger said you were generating essentially \$500,000 in revenue from visitors.

Mr. Warren said visitors, programs – we charge for programs so if a school comes out or if we go do a school program, we usually get pre-covid about \$150,000 in program fees, gift shop sales – people come out and they buy t-shirts and all that. And then about 55 to 60 percent of our budget is donated. We get grants from the state of North Carolina, we get grants hopefully from the Town of Huntersville, other institutions. The majority of our funding is individuals, and we have some very generous individuals in the community that support us.

Commissioner Munger said does Mecklenburg County donate anything to you.

Mr. Warren said we get zero operating support from the county. We are very proud to be in Latta and to receive access to that beautiful facility, but funding for basic operating, we do not.

BeeJay Caldwell, 14521 New Haven Drive, said the group behind me is the Pottstown Preservation Committee for Change and we are requesting a response to the Pottstown Preservation Committee of Change report that was submitted September 16 and we are just going through some of the recommendations and my other friend is going to go through the conclusions. Urgent Recommendations: (1) include Pottstown's history on Huntersville's website; (2) help residents regain access and utilization of the Dellwood Center, a Rosenwald School. From what we understand there was a program that was at the old police station that had an early childhood program that was moved over to the Dellwood Center and it's been quite upsetting for some residents to see white people going into a building that they are not privy to rent. The recommendations: (1) invite a community liaison to be present at a fact finding meeting where residents' input can be heard and shared when important, relevant issues are discussed and deals made that affect our community, not at Board meetings where issues are already resolved and are basically information only; (2) appoint a board member to communicate with the Pottstown Preservation Committee for Change to help us stay abreast of and be informed of policies that affect the Town and Pottstown specifically; (3) initiate and invite Huntersville citizens to a conversation about race issues. One issue in Pottstown is that vehicles do not adhere to the 4-way stop sign at the corner of Holbrooks Road and Central Avenue. Heavy traffic traveling at a high rate of speed flows on the street and has a potential to be a hazard; (4) Initiate a conversation between

Town department heads, developers and residents to look and strive to find ways to repair the decades of damage/harm done by disinvestment within our community i.e. no street infrastructure or sidewalks; (5) use transparency when Town government conducts business deals that will impact, positively or negatively, citizens within the black communities; (6) align Town policies that are applied to Pottstown with those that are used in other sections. Show how equity is used when Town policies do not line up from one section or development to another; (7) using Town resources and manpower, create partnerships to help citizens make meaningful improvements and investments to parcels within the community and walk along with residents to create a trail of Pottstown history.

Stephanie Brown, 407 Gibson Park Drive, said we just want to conclude that Pottstown is beaten and almost broken. A site where many battles have taken place. It's a neglected battlefield. A pawn between developers, the demolition landfill, the town and citizens. An intervention is warranted in order to dismantle the systematic racism and inequalities woven in the town's fabric in order to repair the harm done to the community.

Officials may be unclear as to the stance the residents have in regards to community, town issues and public policies. Facts and information kept from public knowledge and view cannot be known to them in order for them to have knowledge or an opinion on things that affect the community. All citizens are not being treated fairly. Officials interact or play favorites to those who are friends or who have voted for them.

Communities need to be made aware of town benchmarks. Working class communities do not have an HOA that could obtain this information. Once in their hands it will be helpful and can provide an opportunity for the reviewing of them. That way residents will be aware of how they are being judged and compared to other communities. For example, a historic rural working class community versus a new neo-urban development.

The Pottstown of 1909, having withstood the test of time as a beacon of light drawing other men with families to this place, is no more. This is why its borders spilled over from original section and extended to them. With the Town's assistance and input from residents, a new vision can be cast if every citizen/resident learns to co-exist with those already living here. Original Pottstown residents sense feelings of indifference towards them of being invisible and abandoned because of their history as descendants of the enslaved. Where do we go from here. Hopefully to a verbal exchange to bring government and people closer together. If a date is ever set, we are willing to meet with you.

Shaun Caldwell invited the candidates running for Board to a candidate forum on October 10.

Jackie Carti, 12207 Commanche Road, said we have a complaint about noise in our neighborhood and it's nothing but Mexican music. Every weekend.....karaoke three and four streets over from where we live. We've called the cops I don't know how many times. It can be anywhere from two to five hours later. It goes into the night to 2:00 or 3:00 in the morning and we're trying to sleep and I don't want to hear the music. You have to turn your TV up. We've got fans running in my house and I still hear the music. Sometimes my grandchild stays with me on the weekends and I don't want her waking up for that. I just wish the cops could get out there quicker. I know Huntersville has a noise ordinance and we just want it peaceful.

Wanda Thorne, 12114 Gibraltar Drive, said years ago it used to be called Wildwood Green neighborhood. I don't know who got it changed or if it was officially changed to Huntington Green.

Every weekend we deal with neighborhood Mexican parties because it is a lower income neighborhood, it's mobile homes, and you will find that there's more Mexicans living in there now than the people that own and so therefore they act like they don't know the rules or the codes or whatever, so I'll call and she'll call and then there's others that will call, but we have had others that say what's the sense in calling because nothing gets done. I've even talked to the police in Huntersville and they say they are just trying to enforce the code enforcements, but they really throw it off on y'all, but it's like you call and I know there's bigger problems that's going on that they can't get out there right then when we call, but we've had them say you go visit the neighbor and talk to them yourself. I don't think that's a good idea for me to go visit somebody when I'm upset to start with because I can hear it in my house, I've got my TV going and so it's like they want to put it back on the residents but they will tell them sometimes well you have until 10 p.m. Well, no you don't have until 10 p.m. The noise ordinance says anytime, any day, it can't be over so much. You know people complain or you are having complaints they have to go out there and deal with it and it just seems like our neighborhood, not just the noise ordinance, but we have chickens that are running around everywhere. Would you see chickens running around in Wynfield all over the place. Would you see chickens running around all over Cedarfield, no. Why can't code enforcement come out there and do something about all these chickens running around our neighborhood. For one, I don't want them in my yard. I think there's a lot that goes on in that neighborhood that we as members that live there because I can't afford to live in Cedarfield. I can't afford to live in some of these high dollar neighborhoods. Why can't our neighborhood be treated just like any other neighborhood.

Mayor Aneralla said Chief is over there, you can speak with him.

AGENDA CHANGES

Commissioner Munger made a motion to accept the agenda. Commissioner Boone seconded motion. Motion carried unanimously.

PUBLIC HEARINGS

Petition #R21-10. Mayor Aneralla called to order public hearing on Petition #R21-10, a conditional rezoning request by ADE 883, LLC, to rezone 10401 Hambright Road (Parcel 01740103) from Corporate Business to Corporate Business Conditional District to reduce the planting requirements of the 80' CB buffer.

Commissioner Walsh made a motion to continue the public hearing on Petition #TA21-10 until November 1, 2021.

Commissioner Phillips seconded motion.

Commissioner Boone said I think it's petition #R21-10.

Commissioner Walsh amended his motion to continue the public hearing on Petition #R21-10 until November 1, 2021.

Motion carried unanimously.

Petition #TA21-13. Mayor Aneralla called to order public hearing on Petition #TA21-13, a request by Trinity Capital Advisors to amend the Zoning Ordinance allowing the Board of Commissioners to approve modification of a SWIM buffer in the Mountain Island Lake Overlay zone through a conditional rezoning process in the Corporate Business zoning district.

Jack Simoneau, Planning Director, entered the staff report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 2.*

This is a text amendment to the Mountain Island Lake buffer regulations. The map that you see is Huntersville's jurisdiction and you see the creeks and streams, and we have a number of different regulations that apply to protect the surface water quality. Along those streams, in particular where the streams first start, those are the smaller size streams that will drain less than 50 acres. Two of the rules that we have to protect water quality are SWIM buffers and water quality buffers.

There was Text Amendment #21-09 that allowed an impact to these minor streams draining less than 50 acres (intermittent and perennial streams) through a conditional district rezoning that was approved last month. A third regulation that we have, and that red area is where Trinity Capital Partners are, and it just so happens that they are in that dark blue line. This is the watershed protection area. It's a state mandate and this is the Mountain Island Lake buffer text amendment and the closer you get to Mountain Island Lake, the more restrictive and the furthest you are, the least restrictive.

This is a state mandated requirement to protect that water because we get our water from that, so we have to protect the surface water. That has been something that since 2003 Town of Huntersville and Mecklenburg County has worked on to improve water quality and while we have grown tremendously since 2003, our surface water quality is actually improving because of the things that we have done. I do want to get that on the record that water quality is very important and that this text amendment is involving part of a state watershed protection area.

The request is to impact the PA2 which is Protected Area 2, that is the furthest away from Mountain Island Lake. I will read this into the record and that is that the "Property in the Mountain Island Lake Overlay District Protected Area 2, which is also part of a conditional zoning in the Corporate Business District, may request the Board of Commissioners to approve modification to a perennial or intermittent stream buffer draining under 50 acres without a variance subject to implementing one of the nine mitigation techniques in 8.25.11(b). This provision is applicable only to those streams not indicated on the most recent version of the USGS 1-24,000 scale (7.5 minute) quadrangle topographic maps and therefore do not meet the criteria for state water supply watershed buffer area.

What this text amendment is doing is only affecting that PA2 area. It is giving an option for them to go through conditional district rezoning. This text amendment, since it is in a watershed protection that the state mandates, the Town's attorney provided information to the state and said this is the text amendment we are considering and they have tentatively given the okay, yes this does not violate our rules for protection, it's acceptable to us. If this text amendment is ultimately adopted, then it will be sent to the State for official approval. I just wanted to get that in the record as well.

In your agenda packet, the Staff Report had a number of 2040 Community Plan recommendations. Police LU-8 is to provide some flexibility to employment centers, which this happens to be. EV-1 is support of balanced economy through job growth and targeted industry sectors and also EOS-1, which is support the preservation and enhancement of the natural environment.

I will mention that if the Town Board approves a conditional district rezoning, then the applicant would have to mitigate. If they impact 1,000 sq. ft., then they would have to mitigate that impact 1,000 sq. ft. through one of nine options that were approved by Mecklenburg County. We feel like all of these 2040 Plan recommendations are supported by the text amendment. This text amendment was run through Mecklenburg County Water Quality, Rusty Rozzelle, who also supports the text amendment.

Commissioner Bales said I see on your slide it says the State is tentatively okay with this.

Mr. Simoneau said correct.

Commissioner Bales said Mecklenburg County, are they as well.

Mr. Simoneau said yes, any text amendments we do that impact water quality we run through Mecklenburg County Water Quality, and Rusty Rozzelle has indicated they are okay with the text amendment as it has been proposed.

Commissioner Bales said there will not be any damage to our drinking water because of this.

Mr. Simoneau said that is correct. It's not just the drinking water, but the surface water that leads to where we get our drinking water as well. If this is approved, this just gives somebody the option to ask for a conditional district rezoning and they will have to mitigate if you approve that conditional district rezoning.

Commissioner Hines said I want to be sure everybody completely understands. This is one building, one site. Without this text amendment, they have to readjust their building so they do not impact that SWIM buffer, is that correct.

Mr. Simoneau said that is correct.

Commissioner Hines said this text amendment allows them, which this is a use by right plan, to come before this Board or the future board, ask for a conditional rezoning so they can mitigate.

Mr. Simoneau said that's correct.

There being no further questions or comments, Mayor Aneralla closed the public hearing.

Petition #TA21-12. Mayor Aneralla called to order public hearing on Petition #TA21-12, a request by the Huntersville Engineering Department to amend Article 14 of the Huntersville Zoning Ordinance regarding traffic impact analysis.

Stephen Trott, Director of Engineering, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 3.*

TIA's can help us find a way to quantify the impacts of traffic for new development and also compare traffic for different development proposals. What are we looking to find with traffic impact analysis – we are looking to see if there are improvements needed at impacted intersections and if that is a yes, then what is needed.

There are two options. One Option 1 is to raise the threshold to require a Town TIA from 100 peak hour or 1,000 daily trips to 150 peak hour or 1,500 daily trips. Additionally, as presented, language was added to provide the Town Engineer the ability to waive a Town TIA if a TIA for the development was being required by the NCDOT. Additional changes are also proposed to raise the thresholds on intersections to be studied when a TIA is required from 30 site trips on an intersection approach or 50 site trips at an intersection to 40 site trips on an intersection approach or 70 site trips at an intersection.

This is a table that has been presented a few times before, but some additional lines have been added to it. The table is a listing of TIAs that have been done for developments in town, so that's the full list. Everything above the blue line would be developments that would now fall below that 150 or 1,500 threshold, so if those developments came through, assuming that got approved, then those developments wouldn't have to do a TIA. If the option is approved where if the state requires a TIA, and the Town doesn't, then the developments that are below the red line would just be ones that the state would likely require a TIA and then the results would come out there. And so it just brings the developments that are between the lines.....the Town would require a TIA for those, again if the thresholds increase, but it's below the state's threshold.

The next table shows a listing of developments that were approved and mitigation was required since 2009. What this table shows is that when a development gets approved, say one got approved a month ago, those improvements don't instantly occur. They probably don't occur until that next year. It takes years for those road improvements to occur, several years based on what the trend in this table shows. What the table shows is that development from 2016 back, most of those improvements have been completed, but everything since then, maybe that phase hasn't occurred of that development or maybe that development hasn't occurred yet, so those improvements have not been constructed.

Option 2 is to repeal Article 14 of the Town Zoning Ordinance in its entirety.

Commissioner Hines said we've talked about this a lot over 4 years. First off, the state, they have 3,000 daily trips. Do they have an a.m. or peak hour requirement as well.

Mr. Trott said the current threshold is 1,000, but the other criteria is up to district engineer's discretion, so if it doesn't meet that standard, they can require a study.

Commissioner Hines said you have discretion if someone falls below one of these numbers to still require a TIA. Is there also an ability where the engineer can waive if it's over 150, let's say it's over 150 but it's our downtown area and we know that we can't improve Gilead and Old Statesville, do you have the ability within the TIA document to also waive that like you do to waive to require a TIA on 150 or 1,500 trips.

Mr. Trott said not in the current ordinance, no. If it's over the threshold, it's automatic. But if it's under the threshold there is a provision in there that could still require a TIA if the Town is near....

Commissioner Hines said has that happened.

Mr. Trott said that hasn't happened that I'm aware of since the ordinance has been around since 2007.

Commissioner Hines said on this third point, can you explain that a little bit more.

Mr. Trott said while these TIA items can be hard to explain and show and that's one maybe a little more detailed, right now the threshold is if your development is projected to have 30 trips on an intersection approach or 50 at an intersection total, so any approach combined total of 50, then you have to study it. It doesn't mean you have to mitigate it, but you have to study it. Over the years we've been noticing those ones that are just at that or barely over that threshold, maybe they have 31 trips on approach or 34 on an approach or say 55 at an intersection.....they've been studied but no mitigation has been indicated or needed at that intersection, so to eliminate those intersections that are being studied but no mitigation is being determined.....raise that threshold so that the intersections that are studied are ones that need mitigation.

Commissioner Hines said so raise them from 30 to 40, that's based off of another chart very similar to what you showed us.

Mr. Trott said it's based on seeing the TIA'S over and seeing that these intersections are being studied but no mitigation has been required for those, they are kind of just right on the edge.

Commissioner Hines said some of the pockets of our community seem to grow at the same time. If there's a TIA that came in last year and they studied one intersection that is called for in the scoping plan, does the same intersection have to be studied again or is that kind of where that possibly could come in to help.

Mr. Trott said I'd say if a development has been studied and then approved, then that doesn't eliminate it from study just a month or a week later because there would be additional development coming, so they have to account for what's already been approved and then add theirs on top of that.

Commissioner Hines said even if it's not there yet. Even though it just got paper approved.

Mr. Trott said that's correct. In the case of Huntersville, there's a lot of development that are paper approved but not built yet, so we've had TIAs that have had 8 to 10 approved developments that have to be accounted for because they are approved and they are vested to go be constructed.

Commissioner Hines said if you are the last one to the area you are probably going to be more penalized than the first one that did a development.

Mr. Trott said that is possible.

Commissioner Bales said would you be willing to give me an example of when you may waive a Town TIA if NCDOT is requiring the Town's portion.

Mr. Trott said if DOT has indicated they would require a TIA then the option is there to waive one. What we have noticed for those developments that are below that red line, so these are the larger developments. These aren't your build 50 homes or 100 home type developments, these are large retail or industrial type developments or very large subdivisions. The state is going to require a TIA and what we've seen is the trend is the improvements that the Town would require, it meets the Town thresholds, those are typically the same improvements that would be required by the state when the TIA is done and so you are checking different measures to see if you require things and what we have

seen is that both typically require a lot of the same things. It's not always the same, but a lot of it is the same.

Commissioner Munger said on the traffic impact analysis, how much time does it typically take for planning staff, how much of your staff time does it take for one traffic impact.

Mr. Trott said that will vary based on the size. The smaller ones, they will take hours to review. They may take three or four hours to review. The larger ones may take eight to ten hours to review a study because it's so much information. They can get rather large pretty quickly for the larger ones. The more intersections you have to study, the longer ones may take eight to ten hours to review a study because it's so much information. They can get rather large pretty quickly for the larger ones. The more intersections you have to study, the longer it takes to review.

Commissioner Munger said how much money would you estimate the developers spend on putting together a traffic impact analysis.

Mr. Trott said I could guess, but they hire their own consultants at their own, whatever their contract is with them as far as providing that service, but I would guess some of the smaller ones may be \$5,000 to \$10,000 and the larger ones could easily go above \$50,000 for a study.

Commissioner Munger said in addition to that money that they spent, they then have to turn around if a traffic improvement is required to go through the effort of purchasing the land and actually putting forth the actual traffic mitigation.

Mr. Trott said that's correct and then they have to go through....if mitigation is required and they offer that and move forward with that process then yes they have to spend time and lots of money to develop the plans and then go build it.

Commissioner Munger said the next question is kind of in your opinion. If in the North Carolina General Assembly's infinite wisdom it decided that this is way too difficult on planning staff for town and much a financial burden on the developer's themselves, why don't we just allow an impact fee. Would that simplify things greatly.

Mayor Aneralla said he's the wrong person to ask.

Mr. Trott said if there was an impact fee in lieu of this, it would be a lot simpler. I would think of a process a lot less time consuming to figure out what that end dollar amount....if that's where you are trying to get to I would be.....if there's just a straight rate then you wouldn't have to go through a complicated study to get to that end point.

Commissioner Munger said I would imagine that developers would actually jump at the chance just to be able to write a check and be done with it.

There being no further questions or comments, Mayor Aneralla closed the public hearing.

Petition #TA21-08. Mayor Aneralla called to order public hearing on Petition #TA21-08, a request by the Town of Huntersville Planning Department to amend Article 8.25.4: S.W.I.M Stream Buffers, Buffer Delineation; Articles 8.17.12(a)(2) and 8.17.12(b)(1): Water Quality, Performance Criteria, Performance

Criteria for Low Density Projects, Performance Criteria for High Density Projects; and, Article 12.2.3: Definitions, Watershed Definitions of the Huntersville Zoning Ordinance.

Lauren Speight, Planner II, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 4.*

Currently the Zoning Ordinance requires for delineation of SWIM buffers by Mecklenburg County GIS and this text amendment proposes to more greatly specify the method for delineation for site plans. The changes are primarily for Article 8.25, which is the SWIM buffer section of the Zoning Ordinance, and then the additional changes are for other sections of the Zoning Ordinance that pretty much restate the delineation requirements, so it's just for purposes of consistency.

As mentioned, the Zoning Ordinance already requires that site specific plans for the Board of Commissioners, all construction plans including grading and clearing plans, erosion and sediment control plans, as well as site plans, include all buffers to be shown on the plans and this proposed text amendment just requires that method of delimitation be by an on-site stream delineation prepared by a certified professional using US Army Corps of Engineer and/or North Carolina Division of Water Quality Methodology when being approved by the Town and the rationale is that this helps to more greatly specify the delineation methods that are required, prevent unintended disturbance of the SWIM buffers, and it is more greatly consistent with the buffer implantation guide and several surrounding communities

There being no questions or comments, Mayor Aneralla closed the public hearing.

OTHER BUSINESS

Resolution – 2022 Downtown Plan Steering Committee. Commissioner Bales made a motion to adopt Resolution creating the 2022 Downtown Plan Steering Committee and confirming appointments to the Committee.

Commissioner Walsh seconded motion.

Motion carried unanimously.

Resolution attached hereto as Exhibit No. 5.

Updates to Greenway, Trail and Bikeway Master Plan Map. Current routes on the 2014 GTB Master Plan map have changed or been rerouted. Consider approving the updates listed below, also shown on the map. *Map attached hereto as Exhibit No. 6.*

- The Park - Huntersville (will not go under 77, it will follow Reese Boulevard to Mt. Holly-Huntersville Road)
- Recycling Center off Holbrooks Road (will now run along Holbrooks Road)
- The Stonefly protected area along US 21 (Mecklenburg County)
- Lake Norman Bike Route realignment
- Proposed greenway through North Mecklenburg Park
- Mark as “under construction” (Torrence Trib II/Downtown Greenway)

Commissioner Walsh made a motion to approve the route updates as shown on the master plan map.

Motion carried unanimously.

CONSENT AGENDA

Resolution – Close and Abandon Portion of Patterson Road. Commissioner Hines made a motion to adopt Resolution of Intent to Close and Abandon a portion of Patterson Road. Commissioner Phillips seconded motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 7.

Merit Increase – Town Attorney. Commissioner Hines made a motion to approve a 3 percent merit increase for the Town Attorney. Commissioner Phillips seconded motion. Motion carried unanimously.

CLOSING COMMENTS

None

There being no further business, the meeting was adjourned.

Approved this the 1st day of November 2021.