



Conditional Zoning District -- New Homes at North Main

Minutes from the June 7th and July 5th meeting of the Planning and Zoning Board



Town of Weaverville
Planning and Zoning Board
Minutes – Tuesday June 7, 2016

The Planning & Zoning Board for the Town of Weaverville met for its regularly scheduled monthly meeting at 5:45pm on Tuesday, June 7, 2016, 2016 in the small conference room at Town Hall at 30 South Main Street, Weaverville.

Those present were: Chairman Doug Theroux, Tycer Lewis, Catherine Cordell, Leslie Osborne, Terry Dawson, Gary Burge, Town Attorney Rebecca Reinhardt, Town Manager/Deputy Town Clerk Selena Coffey, and Planning & Code Enforcement Officer James Eller.

Others in attendance: Marian E. Schleicher, Lynn Staton, Jody Ochs, Jill Totman, Renee Garcia, Warren Sugg, Joe Quinlan, Alan MacDonald, Amanda Soule and James MacDonald. Thomas Veasey entered the meeting at approximately 7:35pm.

1. Call to Order

Chairman Doug Theroux called the meeting to order at 5:45pm.

2. Approval of the Minutes from the May 3, 2016 Meeting of the Board

Chairman Doug Theroux made minor changes to minutes. These will be reflected in final minutes.

Tyker Lewis made a motion to approve the minutes as revised. Catherine Cordell seconded and all voted in favor.

3. Discussion related to a Major Subdivision Application for the Property Commonly known as 212 North Main Street.

Chairman Doug Theroux called for the applicant to speak regarding their proposal. Alan McDonald spoke as the applicant and on behalf of the owner Amanda Gore. Mr. McDonald noted that the subdivision was being done to reduce the amount of land the owner cares for and the opportunity to create home sites similar to those adjacent to the property. Leslie Osborne asked if three of the six lots would connect to North Main and Mr. Styles confirmed.

Town Planner James Eller noted to the Board that the plan presented was done in accordance to and meets the qualifications of the concept plan. Catherine Cordell asked if the required setbacks were met and Mr. Eller confirmed. Chairman Theroux noted to the applicant that this was the concept plan and the next phase of the process would be the preliminary plat review.

4. Consideration of a Motion Approving the Concept Plan for the Aforementioned Major Subdivision and Passing along Same to Town Council in the Form of a Recommendation.

Tyler Lewis made a motion to recommend the proposed concept plan for the property commonly known as 212 North Main Street to Town Council. Gary Burge seconded and all voted in favor.

5. Discussion Related to the Application for a Conditional Zoning District Regarding the Project Commonly Known as the New Homes at North Main.

Chairman Doug Theroux called for the applicant to speak regarding their proposal. Joe Quinlan of Mountain Housing Opportunities introduced himself as the applicant and Warren Sugg of Civil Design Concepts as the project engineer. Mr. Quinlan noted that the proposed project consists of 7.65 acres that would house 46 single family homes and noted the properties location in relation to surrounding uses and roads. Mr. Sugg offered his availability for any questions the Board may have.

Town Planner James Eller noted to the Board that, through no fault of the applicant, there was a conflict of interest due to Town Attorney Reinhardt also representing Mountain Housing Opportunities. Mr. Eller recommended that due to the aforementioned conflict of interest and the volume of information presented that the Board not act upon the application at this meeting but also not waste the opportunity to begin the vetting process. Chairman Theroux agreed on the necessity of legal representation and noted that he had reviewed and made notes on each of the 19 items required of a Conditional Zoning District found within Section 36-84(d).

For the purpose of clarity Chairman Theroux requested that Mr. Eller review each of the aforementioned 19 items required of a petition of request for a Conditional Zoning District. Mr. Eller read each of the following and comments regarding same are as noted.

Section 36-84 Conditional Zoning District (d)

Petition of request. Property may be rezoned to a conditional zoning district only in response to and consistence with a petition of the owners, or agents of the owners of all of the property to be included in the district and shall be accompanied by an official petition, a statement analyzing the reasonableness of the proposed rezoning request by the petitioner, the established fee and documentation as required by the following

(1) A petition for a conditional zoning district must include a site plan and supporting information that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to all predetermined ordinance requirements, will govern the development and use of the property;

Mr. Eller noted that the second half of the aforementioned statement (any rules, regulations, and conditions that, in addition to all predetermined ordinance requirements, will govern the development and use of the property) was not addressed in the application. Mr. Eller suggested that a statement from the applicant regarding any additional rules or lack thereof would suffice to address this language.

(2) A boundary survey and vicinity map showing the property's total acreage, current zoning classification(s) general location in relation to major streets, date and north arrow;

Ms. Cordell noted a discrepancy in the acreage stated verbally and listed in writing on the application. Mr. Quinlan noted that he was speaking from memory and that the figure listed on the application is accurate.

(3) Existing topography on the site and within 300 feet of the boundary of the site, and the general nature of the proposed topography at four-foot contours;

Mr. Eller noted that the language of this item had not been satisfied with the map which has been submitted as the topography and contours shown do not leave the boundaries of the property as required. Mr. Sugg noted that due to the size of the project this would be a considerable cost. Chairman Theroux mentioned that he would be willing, if the Board also approved, to allow the applicant to use five foot contours thereby allowing the information contained within the Buncombe County GIS to be utilized. Tycer Lewis made a motion to allow the applicant to use five-foot contours. Terry Dawson seconded and all voted unanimously.

Chairman Theroux noted that the second page of the topography map was missing from the information submitted. Mr. Sugg noted that the second page would be submitted to the Board prior to their next meeting.

(4) All existing easements, reservations, rights-of-way, and any other valid restrictions on the use of the land;

No comments were made.

(5) The number and general location of all proposed structures;

No comments were made.

(6) The proposed use of all land and structures, including the number of residential units or the total square footage of any nonresidential development;

No comments were made.

(7) All yards, buffers, screening, and landscaping required by the town code;

Mr. Eller noted that single family homes are exempt from the landscaping requirements by ordinance but offered that, this being a proposed conditional zoning district, the Board may require landscaping as a condition in their recommendation to Town Council.

Chairman Theroux stated that buffering could be handled in a similar fashion. Ms. Cordell asked if buffering was incorporated in a previous conditional zoning district located at Weaver Village and Chairman Theroux confirmed. Mr. Lewis asked Mr. Eller about the buffering requirements within the Zoning Code. Mr. Eller replied that buffering is required when transitioning between residential and commercial or industrial zones.

(8) All existing and proposed points of access to public streets and the locations of proposed new streets;

Chairman Theroux asked Mr. Eller to address the issue of ingress and egress. Mr. Eller explained to the Board that there existed a discrepancy in the code as to how this issue is to be treated and suggested that it may be practical to have that conversation with legal counsel present.

Mr. Eller noted that with the previous conditional zoning district at Weaver Village a condition placed on the project that also classified it as a unified business/housing development for the purpose of exemption from the subdivision ordinance. However, unified housing developments have access standards which stipulate that any development having over 30 residential units have two points of ingress/egress thus causing a problem with the application for 46 residential units with one point of ingress/egress should it be treated in a similar manner. Chairman Theroux noted that the access standard is derived from the State fire code and that may be referenced as a parameter on the proposed project. Mr. Lewis noted that he would like to receive the opinion of the Fire Marshall on the issue of access to the property.

(9) Delineation of areas within the floodplain;

No comments were made.

(10) Proposed number and location of the signs;

Mr. Eller asked that if the developer would like a subdivision identification its location should be shown on the plan. Mr. Quinlan noted that no sign was desired.

(11) Proposed phasing, if any, and the approximate completion time for the project;

Mr. Theroux noted that a single phase is proposed and that language within the ordinance requires a request for an extension of time for completion of the project. Mr. Quinlan noted that through continuous construction the project should be completed within 36 months.

(12) The location of existing and proposed storm drainage patterns and facilities intended to serve the development;

No comments were made.

(13) Traffic, parking, and circulation plans, showing the proposed location and arrangement of parking spaces and ingress and egress to adjacent streets, existing and proposed;

Mr. Eller noted that due to the access of the property the traffic pattern is evident but that a minimum of two parking places need to be shown for each home. Mr. Sugg asked if a driveway needed to be relocated would that be allowed. Chairman Theroux confirmed provided that the two parking places are still provided.

Ms. Osborn asked about the turnaround areas for emergency vehicles. Mr. Eller replied that there was likely to be a representative from the Fire Department and Public Works at the next meeting of the Board to address this issue and that through a meeting with the Fire Marshall and Public Works Director the project had not caused any concerns for them. Mr. Theroux referenced state fire code standards related to the length of the streets and emergency vehicle turnaround areas.

(14) A list of adjoining properties including county tax parcel numbers and the name and address of each owner, provided in digital form;

Mr. Eller noted that the requisite list has been provided in digital form.

(15) The location of significant trees on the petitioned property;

No comment was made.

(16) The scale of buildings relative to adjoining properties, including sight lines;

(17) Information on the height of all proposed structures;

(18) Exterior features of all of the proposed development;

Mr. Eller asked the Board to confirm that the elevations, depictions of the homes, and photos of surrounding structures provided be sufficient to satisfy the language found in numbers 16, 17 and 18. All consented.

(19) Any supporting text shall constitute part of the petition.

Chairman Theroux suggested that sewer and storm water system layout could be included to satisfy this language.

Chairman Theroux asked if anyone in attendance had any comments on the proposed conditional zoning district. An unidentified member of the audience asked if the public had been notified of the proposal. Chairman Theroux responded that a Public Hearing will be required before Town Council and that the developer is required to hold a public information meeting with neighboring properties as per the qualifications of a conditional zoning district petition.

An unidentified member of the audience asked if traffic issues had been considered. Chairman Theroux and Ms. Cordell noted that a traffic study would not be required.

Mr. Dawson asked is sidewalks and curb and guttering were included in the plan and Mr. Quinlan confirmed. Mr. Dawson asked if street lighting and a playground were incorporated in the plan and Mr. Quinlan denied.

Through comments of various Board members it was determined that the roads were to be made public. Chairman Theroux noted that the roads would then have to be constructed to the Town of Weaverville's standards.

6. Consideration of a Motion Establishing a Statement Analyzing the Reasonableness of the Proposed Rezoning. James Eller reviewed Section 36-84.....

7. Discussion Related to the Requisite Public Involvement Meeting to be Held Prior to a Public Hearing before Town Council on a Conditional Zoning District.

Ms. Cordell made a motion to table items 5, 6 and 7 until the next meeting of the Planning and Zoning Board. Mr. Lewis seconded and all voted unanimously.

8. Discussion Regarding Municipal Parking Requirements in Relation to Similar Municipalities.

Mr. Eller presented the Board with a chart noting the Town's parking requirements for retail establishments in relation to neighboring municipalities and suggested that it is evident that the Town requires more parking than is the norm. Mr. Eller also asked the Board if they would be willing to recommend a change to Town Council regarding the present parking formula based upon considerations related to impervious surfaces leading to storm water and erosion issues, a history of variances being granted from the parking requirements, and removing the onus placed upon the property owner to apply for said variances.

Mr. Lewis asked if it was incumbent upon the property owner to determine the parking that they needed and Mr. Eller confirmed.

Mr. Eller asked if the Board had an opinion on the ratio of parking places needed and Chairmen Theroux responded that he would be comfortable with aligning the Code with the Town of Black Mountain due to the similarities of the two communities. Ms. Cordell noted that shared parking may be problematic for businesses. Mr. Lewis suggested, through his research which extended outside of North Carolina, that a ratio of one space for each 300 square feet of floor space is the most common ratio. Chairman Theroux agreed.

Ms. Cordell asked that if the parking requirements were changed, how much further would Ingles be able to expand. Mr. Eller noted that Ingles was the genesis for this conversation and that through a variance granted from the parking requirements he could not permit Ingles to expand their footprint in any way. Additionally, if the Ingles were in the some of the other municipalities noted they would not have to apply for the aforementioned variance.

Chairman Theroux transitioned the conversation to parking requirements for businesses within strips where multitenant development exists. Mr. Eller noted, referencing Weaverville Plaza, Weaverville Commons and Tri-city Plaza, that with the loss of privilege licenses there is no way for staff to tract the change of businesses within these multitenant developments and the parking requirements call for each use within same to be taken into account. Mr. Eller requested that the Board recommend to Town Council that staff be given the ability to take the aggregate square footage for multitenant developments rather than construct a formula based on each individual use.

9. Consideration of a Motion Establishing a Recommendation to Town Council Related to Municipal Parking Requirements.

Mr. Lewis made a motion to recommend to Town Council that the parking requirements for retail establishments be amended to one space per every 300 feet of gross floor area. Mr. Burge seconded and all voted unanimously.

Mr. Lewis made the motion to amend the parking requirements to be based upon aggregate square footage for multi-tenant or multi-use commercial facilities rather than on individual use, which motion is being made due to loss of privilege license limitations in tracking change in tenancy and use. Mr. Burge seconded and all voted unanimously.

10. Discussion Related to Sec. 36-150. – General Provisions (b).

Mr. Eller noted to the Board that the proposed change of language is a result of an Ordinance passed in 2015 which combined the duties and membership of various boards and commissions into one unit thereafter known as the Conservation Board. The language change would provide consistency within the Code.

11. Consideration of a Motion Establishing a Recommendation to Town Council regarding Sec. 36-150. – General Provisions (b).

Ms. Cordell made a motion to clean up language in the Ordinance, Section 36-150 to reflect the Conservation Board, which is consistent with the Comprehensive Plan. Mr. Dawson seconded and all voted unanimously.

12. Any Other Business to Come Before the Board.

Ms. Osborn asked if there had been any further developments regarding the possibility of combining the Planning and Zoning Board and the Zoning Board of Adjustment. Mr. Eller responded that some Towns in North Carolina combine those Board but difficulties may arise due to State Statute requiring different duties, responsibilities and processes of each. A lengthy conversation ensued which discussed the differences of the duties and responsibilities of the Planning and Zoning Board and the Zoning Board of Adjustment during which Thomas Veasey voiced his disagreement with a decision made by the Zoning Board of Adjustment. Town Manager Coffey discouraged the Planning Board from having discussion in this regard. Chairman Theroux stated that further conversation in this regard was prohibited.

13. Adjournment.

Chairman Theroux thanked Town Attorney Reinhardt for her service to the Town of Weaverville as this was the conclusion of her final meeting.

Mr. Eller noted that according to records the entirety of the Planning and Zoning Board's terms, with the exception of Chairman Theroux, expired in September, 2016. Chairman Theroux corrected the record stating a change had been made to Mr. Lewis' term to prevent the entire Board from expiring at the same time.

Ms. Cordell made a motion to adjourn. Mr. Burge seconded and all voted unanimously. The meeting was adjourned at 7:54pm.

**Doug Theroux, Chairman
Planning & Zoning Board**

ATTEST:

**James W. Eller
Town Planner / Deputy Town Clerk**



Town of Weaverville
Planning and Zoning Board
Minutes – Tuesday July 5, 2016

The Planning & Zoning Board for the Town of Weaverville met for its regularly scheduled monthly meeting at 5:45pm on Tuesday, June 7, 2016, 2016 in the Council Chambers at Town Hall at 30 South Main Street, Weaverville.

Those present were: Chairman Doug Theroux, Board Members Catherine Cordell, Terry Dawson, Gary Burge, Town Attorney Jennifer Jackson and Town Planner and Deputy Town Clerk James Eller.

Absent: Board Member Tycer Lewis Alternate Board Member Leslie Osborne.

Others in attendance: Joe Quinlan, Warren Sugg, Megan Kirby, Scott Dedmon, Sondra Dorn, Jonathan Tetzlaff, Meredith Eudy, Paige Peterson, Katherine Jackson, Dennis Foley and Pam Abernethy.

1. Call to Order

Chairman Doug Theroux called the meeting to order at 5:45pm.

2. Approval of the Minutes from the June 7, 2016 Meeting of the Board

Members of the Board introduced themselves to Town Attorney Jennifer Jackson as this was her first meeting with the Board.

Town Planner James Eller noted to the Board that he had been appointed Deputy Town Clerk by Town Manager Selena Coffey and suggested that he would like the Board's approval to serve as their secretary. Mr. Burge made a motion to have Mr. Eller serve as the secretary for the Planning and Zoning Board. Ms. Cordell seconded and all voted unanimously.

Mr. Dawson and Chairman Theroux suggested a couple minor modifications to the minutes as presented. Mr. Eller noted these changes and they will be reflected in the final version of the minutes. Ms. Cordell made a motion to adopt the minutes incorporating the aforementioned modifications. Mr. Dawson seconded and all voted unanimously.

3. Discussion Related to the Application for a Conditional Zoning District Regarding the Project Commonly Known as the New Homes at North Main.

Chairman Theroux called for the applicant to address the Board regarding their proposal. Joe Quinlan of Mountain Housing Opportunities introduced himself and commented on the advancement of the proposal following the comments and suggestions made by the Board during the previous meeting in June.

Chairman Theroux requested that Mr. Eller review modifications made to any of the 19 items required of a petition of request for a Conditional Zoning District as discussed during the previous meeting and as required by Section 36-84. Mr. Eller addressed each of the following and comments regarding same are as noted.

Section 36-84 Conditional Zoning District (d)

Petition of request. Property may be rezoned to a conditional zoning district only in response to and consistence with a petition of the owners, or agents of the owners of all of the property to be included in the district and shall be accompanied by an official petition, a statement analyzing the reasonableness of the proposed rezoning request by the petitioner, the established fee and documentation as required by the following

(1) A petition for a conditional zoning district must include a site plan and supporting information that specifies the actual use or uses intended for the property and any rules, regulations, and conditions that, in addition to all predetermined ordinance requirements, will govern the development and use of the property;

Mr. Eller noted that a document had been submitted for the Board's consideration which would satisfy this qualification of the ordinance. Chairman Theroux asked if Mr. Quinlan intended to make any additional covenants and restrictions and Mr. Quinlan denied.

(2) A boundary survey and vicinity map showing the property's total acreage, current zoning classification(s) general location in relation to major streets, date and north arrow;

Mr. Eller noted that a missing page in the plans submitted the previous month had been included in the plans now before the Board.

(3) Existing topography on the site and within 300 feet of the boundary of the site, and the general nature of the proposed topography at four-foot contours;

Mr. Eller noted that the previous set of plans did not meet the qualifications of the ordinance as the topography did not leave the boundaries of the subject property as required. Additionally it was stated that the Board decided by motion at the previous meeting that the applicant be able to use five foot contours rather than four to allow the use of information readily obtained from the Buncombe County GIS. This qualification of the ordinance had been met by the plans now before the Board.

(4) All existing easements, reservations, rights-of-way, and any other valid restrictions on the use of the land;

No comments were made.

(5) The number and general location of all proposed structures;

No comments were made.

(6) The proposed use of all land and structures, including the number of residential units or the total square footage of any nonresidential development;

No comments were made.

(7) All yards, buffers, screening, and landscaping required by the town code;

Chairman Theroux noted that there was a lot of natural buffering presently on site and asked if the Board would like to require additional buffering. Mr. Quinlan noted that there was a five foot buffer running the entire perimeter of the property. No further buffering was requested.

(8) All existing and proposed points of access to public streets and the locations of proposed new streets;

No Comment was made.

(9) Delineation of areas within the floodplain;

No comments were made.

(10) Proposed number and location of the signs;

Mr. Eller noted that through conversation at the previous meeting it was determined that no signage was desired.

(11) Proposed phasing, if any, and the approximate completion time for the project;

Mr. Eller noted that an estimated project schedule has been provided to the Board. Mr. Theroux noted that as the ordinance is written that the Board may wish to give the applicant an ability to apply for an extension of time should it be needed. Through conversation between Chairman Theroux, Ms. Jackson, Mr. Eller and Mr. Quinlan it was determined that the language related to time limits found within 36-84(e) pertained to the buildout of infrastructure rather the completion of construction at which point all were satisfied with the timeframe presented.

(12) The location of existing and proposed storm drainage patterns and facilities intended to serve the development;

No comments were made.

(13) Traffic, parking, and circulation plans, showing the proposed location and arrangement of parking spaces and ingress and egress to adjacent streets, existing and proposed;

Mr. Eller noted that a driveway for each home had been provided and dimensioned at 20' x 25' which is larger than two parking places at 9' x 18' each required by ordinance. Ms. Cordell asked if on street

parking would be allowed and Mr. Eller replied that once the roads become public, as desired by the applicant, that all municipal codes related to streets, traffic, and parking would be in effect.

(14) A list of adjoining properties including county tax parcel numbers and the name and address of each owner, provided in digital form;

No comment was made.

(15) The location of significant trees on the petitioned property;

No comment was made.

(16) The scale of buildings relative to adjoining properties, including sight lines;

No comment was made.

(17) Information on the height of all proposed structures;

No comment was made.

(18) Exterior features of all of the proposed development;

No comment was made.

(19) Any supporting text shall constitute part of the petition.

No comment was made.

Chairman Theroux asked if anyone on the Board had any comments related to the proposed project. Ms. Cordell noted her concern over the one point of ingress/egress currently proposed to access the site. Mr. Eller noted that the Board may wish to place access standards as a condition on the property but that two points of ingress and egress for developments of 30 residential units or more is not required by ordinance as in a unified housing development. Mr. Quinlan noted that, as an affordable housing project, every effort is made to keep costs down and that if a second point of ingress and egress is required that it would likely kill the project. Mr. Quinlan also noted present subdivisions within the Town's municipal borders which only have one point of access. Chairman Theroux noted that each subdivision mentioned was constructed prior to the language found in present ordinances went into effect. Ms. Cordell noted the presence of a stream running adjacent to Critter Trail which crosses the point of access and mentioned the possibility of a washout cutting off the only ingress and egress to the property. Mr. Quinlan introduced Mr. Sugg of Civil Design Concepts to speak to the concern raised. Mr. Sugg noted that design standards for stormwater management would be accomplished. Chairman Theroux noted that, to his knowledge, the amendments proposed to the fire code related to ingress and egress had not been approved in Raleigh yet. Ms. Jackson and Mr. Eller noted that they would follow up to determine if it had occurred. Having not reached a conclusion on

the ingress and egress issue the determination was made to note the Board's concern for the issue in the recommendation to Council.

Mr. Burge suggested that it may be an appropriate time to hear from members of the audience as the preceding conversation related to ingress and egress was held in order to address a safety concern related to the homes they were there to speak in favor of. Chairman Theroux invited any member of the audience to identify themselves at the podium. Paige Peterson addressed the Board noting that the one point of ingress and egress was not a concern for her as a possible home owner within the proposed project. Sondra Dorn seconded Ms. Peterson's statement on ingress and egress. Pam Abernethy spoke to the Board as a neighboring property owner regarding her support for the proposed project. Dennis Foley spoke to the Board in his professional capacity as a local realtor suggesting that the proposed project would address a much needed area of the affordable housing market.

Chairman Theroux addressed Mr. Quinlan regarding the present right-of-way shown at 35 feet and suggested that a right-of-way of 45 feet without and 40 feet with curb and guttering. Mr. Quinlan and Mr. Sugg indicated that the plan would be altered to address Chairman Theroux's concern prior to its presentation to Council in order for the roads to be eligible to become municipal upon completion of the proposed project.

Chairman Theroux noted the need of a Public Involvement Meeting made requisite by Section 36-84(l). Ms. Jackson noted that the aforementioned meeting was not necessary prior to the Planning and Zoning Board's recommendation to Town Council but only prior to the Public Hearing.

A lengthy conversation ensued between the Board and Ms. Jackson related to the crafting a motion encompassing Conditions to be placed on the recommendation to Town Council as a result of conversation had now spanning two meetings of the Board. At the conclusion of same Ms. Jackson suggested the following motion.

4. Consideration of a Motion Establishing a Statement Analyzing the Reasonableness of the Proposed Rezoning.

Motion – That we recommend the approval of the New Homes on North Main CZD application subject to the following:

1. A condition that the right-of-way of all streets in the project be increased to a 40-foot width with curb and gutters and that the streets be constructed to NC minimum construction standards for subdivision roads or Weaverville's street standards, whichever is more stringent.
2. That the on-street parking in the project be consistent with the Town's ordinances governing parking in similar developments if those regulations/standards will preserve safety within the project as determined by the Police Department, Fire Marshal and Public Works Department.
3. It is noted that this project only has one access point and the Planning and Zoning Board recommends that Town Council inquire as to the status of the Building Code Amendment based on the Town's amendment to the Town's Fire Prevention and Protection Code which deleted the two-point access standard. If the Building Code Amendment has not been passed by the Building Code Council, then the project will not in compliance with the State Building Code which requires two points of access for development's with more than 30 dwelling units.

4. The Planning and Zoning Board would also like to express its concern about only one point of access for this project due to limited accessibility during emergencies which could affect the safety of the residents within the development.
5. It is also noted that the community meeting required by Sec. 36-84(1) had not occurred before the Planning and Zoning Board reviewed and discussion of the project but that the development knows that they must hold one prior to the public hearing that will be scheduled and held by Town Council.

Chairman Theroux made the motion. Mr. Burge seconded and all voted unanimously.

Motion – That we find that the New Homes on North Main project is reasonable in light of the Town’s land use regulations including specifically the Town’s Comprehensive Land Use Plan and the stated goals and objections in that Plan including those provisions which encourage a variety of housing opportunities including affordable housing projects, local consistency in street planning and design, and development in the Town’s downtown area.

Chairman Theroux made the motion. Ms. Cordell seconded and all voted unanimously.

5. Discussion Relating to the Multiple Tenant Development Definition Found Within Section 36-5 and its Relation to the Revision of Parking Requirements Sent Forth to Town Council in June.

Mr. Eller noted to the Board the recommended amendment to the municipal parking requirements made at the June meeting of the Board and noted a possible relation to the definition of multiple tenant development. Through conversation between the Board and Mr. Eller it was determined that the word unified should be stricken from the definition in order to not unnecessarily link the definition to unified business developments and to give the definition a broader interpretation.

6. Consideration of a Motion Amending the Definition of Multiple Tenant Development Found Within Section 36-5.

Mr. Burge made a motion to recommend to Town Council that the word unified be stricken from the definition of multiple tenant development. Chairman Theroux seconded and all voted unanimously.

7. Any Other Business to Come Before the Board.

Mr. Eller noted, as previously at the June meeting, that the term limits of each Board Member excepting Chairman Theroux and Mr. Lewis expire in September of 2016. Mr. Eller also noted that he would be out of town on the date of the next regularly scheduled meeting and suggested he would be available the following week should there be matters that require the Board’s attention.

8. Adjournment.

Ms. Cordell made a motion to adjourn. Mr. Burge seconded and all voted unanimously.

**Doug Theroux, Chairman
Planning & Zoning Board**

ATTEST:

**James W. Eller
Town Planner / Deputy Town Clerk**