



**Town of Weaverville  
Planning and Zoning Board  
Fire Department Training Room  
Tuesday, November 7, 2017, 5:45pm**

**Agenda**

1. Call to Order – Chairman Doug Theroux.
2. Discussion Related to a Final Plat for a Major Subdivision Commonly Known as Greenwood Park Phase One and The Hamlet Phase One a Portion of Reems Creek Village.
3. Consideration of a Motion Establishing a Recommendation to Town Council or Ruling on the Major Subdivision Final Plat for Greenwood Park Phase One.
4. Consideration of a Motion Establishing a Recommendation to Town Council or Ruling on the Major Subdivision Final Plat for The Hamlet Phase One a Portion of Reems Creek Village.
5. Discussion Related to a Proposed Amendment of Code Related to the Requisite Certificate of Ownership and Dedication for the Final Plat of Major Subdivisions.
6. Consideration of a Motion Establishing a Recommendation to Town Council Related to the Aforementioned Proposed Revision of Code.
7. Any Other Business to Come Before the Board.
8. Adjournment.



**Agenda Items 2-4**

**Final Plat Review for Greenwood Park Phase One and  
The Hamlet Phase One a Portion of Reems Creek Village**

- **Attached you will find a Major Subdivision Application Cover Page(s) and a Final Plat for Greenwood Park Phase One and The Hamlet Phase One a Portion of Reems Creek Village.**
- **Additionally you will find a chronology created to better understand some of the evolution of Reems Creek Village and an email correspondence with Mr. Dorf noting items which will be addressed by staff during the meeting.**



I, ROBERT K. BRADY, JR., CERTIFY THAT THIS PLAT SURVEY MADE BY SUBDIVISION FROM AN ACTUAL SURVEY OF THE LAND DESCRIBED HEREIN, IS A TRUE AND CORRECT REPRESENTATION OF THE SAME AS THE SAME WERE SURVEYED AND AS THE SAME WERE MEASURED AND AS THE SAME WERE PLACED ON THE PLAT. I HAVE BEEN ADVISED BY THE PERSONS WHOSE NAMES ARE SET FORTH IN THIS PLAT THAT THEY ARE THE OWNERS OF THE LAND SURVEYED AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SAME AS THE SAME WERE SURVEYED AND AS THE SAME WERE MEASURED AND AS THE SAME WERE PLACED ON THE PLAT.

THE SPLITTING OF A SUBDIVISION OF LAND INTO SMALLER LOTS OR UNITS OF LAND IS AN OBLIGATION THAT REQUIRES THE PREPARATION OF A PLAT BY A LICENSED SURVEYOR AND SEAL THIS DAY OF OCTOBER, A.D. 2017.

I, ROBERT K. BRADY, JR., CERTIFY THAT I AM THE OWNER OF THE PAPERARY RIGHTS AND UNDEVELOPED RESIDUAL INTEREST IN THE SUBDIVISION AND I HAVE THE AUTHORITY TO EXECUTE THIS PLAT OF SUBDIVISION WITH ALL NECESSARY CONSENTS AND APPROVALS. I HEREBY CERTIFY THAT I AM THE OWNER OF THE PAPERARY RIGHTS AND UNDEVELOPED RESIDUAL INTEREST IN THE SUBDIVISION AND I HAVE THE AUTHORITY TO EXECUTE THIS PLAT OF SUBDIVISION WITH ALL NECESSARY CONSENTS AND APPROVALS.

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE SAME AS THE SAME WERE SURVEYED AND AS THE SAME WERE MEASURED AND AS THE SAME WERE PLACED ON THE PLAT. I HAVE BEEN ADVISED BY THE PERSONS WHOSE NAMES ARE SET FORTH IN THIS PLAT THAT THEY ARE THE OWNERS OF THE LAND SURVEYED AND THAT THE PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SAME AS THE SAME WERE SURVEYED AND AS THE SAME WERE MEASURED AND AS THE SAME WERE PLACED ON THE PLAT.

TOWN MANAGER, WEAVERVILLE, NORTH CAROLINA  
DATE

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COUNTY OF HANCOCK  
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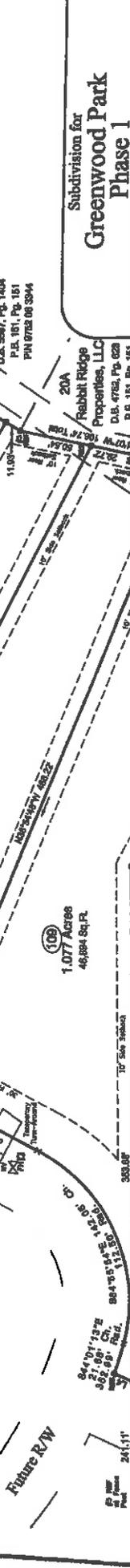
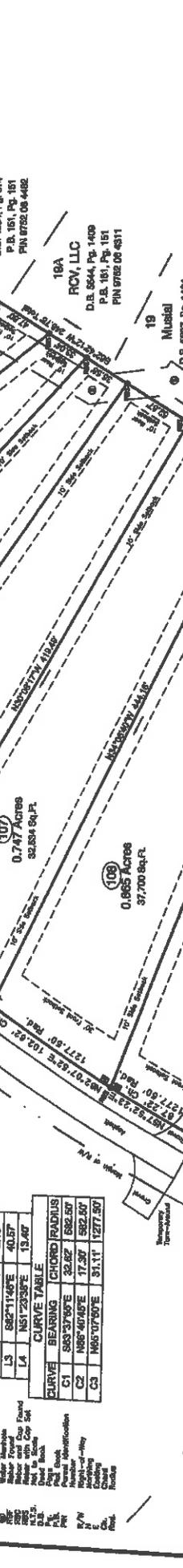
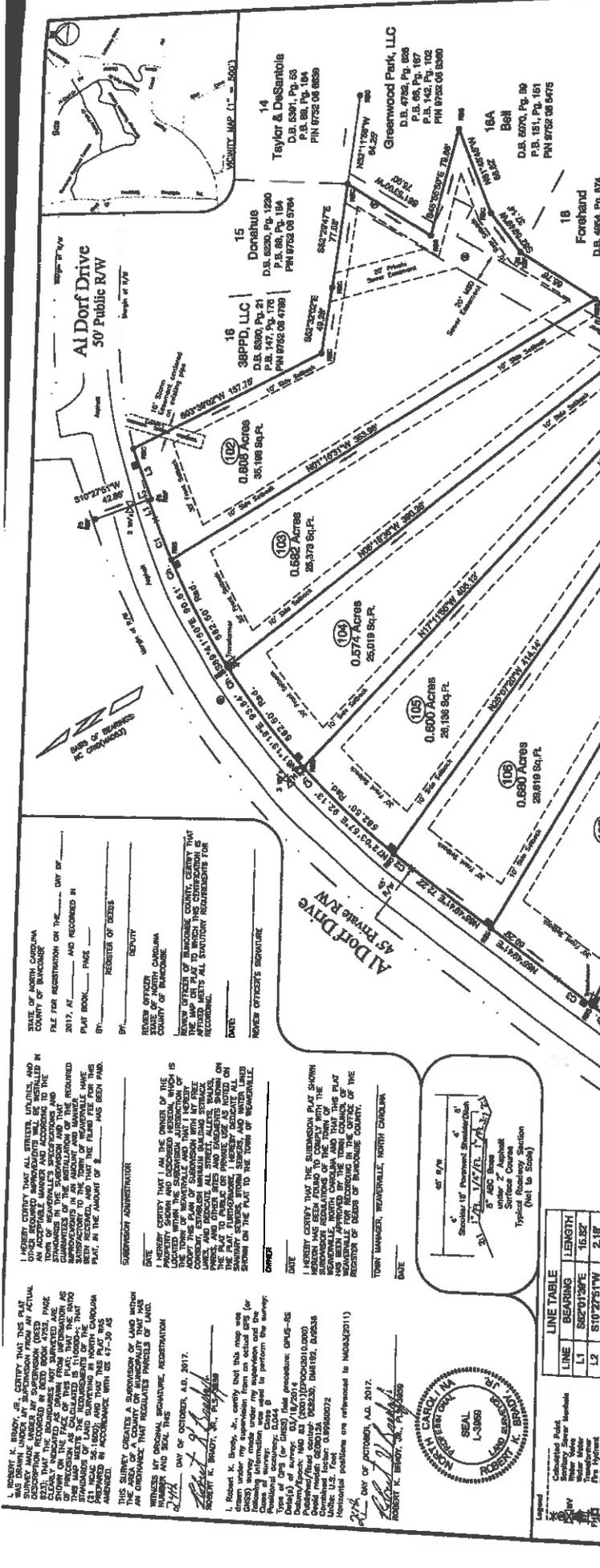
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### Subdivision for Greenwood Park Phase 1

Reem Creek Township, Buncombe County, North Carolina.

Contract Owner/Client	Paul, LLC
Contract No.	147110
D.S. No.	4703/03
P.L. No.	1317
File No.	08/02/17, 08/02/17, 08/02/17
Surveyor's No.	188
Scale	1" = 30'
Zone	NAD 83
North Arrow	08/10/2017
Drawn by	R.E. Robert K. Brady, Jr.

**GRAPHIC SCALE**

**BLACKROCK SURVEYING & LAND DESIGN, P.C.**  
 Asheville, North Carolina 28814  
 Phone: 828-255-4341  
 Fax: 828-255-4342  
 www.blackrocksurveying.com

Land Surveyor: Robert K. Brady, Jr., P.L.S., R.L.S., R.L.S.  
 Blackrock Surveying and Land Design, P.C.  
 Asheville - PO Box 1000, Asheville, NC 28814  
 Phone - 828-255-4341  
 Fax - 828-255-4342  
 Cell Phone - 828-255-4341  
 Address - 200 Stone Ridge Blvd., Asheville, NC 28814  
 Phone - 828-255-4341

**GENERAL NOTES:**

- Property subject to all easements, rights-of-way and restrictions of record.
- Lines not surveyed are shown as broken lines from information referenced on the face of this plat.
- The area shown hereon was computed using the coordinate computation method.
- Subject property is not located within a flood hazard zone as shown on Federal Emergency Management Agency Flood Hazard Maps of October 1, 2010.
- Location of utility, water, sewer, gas, or other lines shown on this plat is based on information furnished by the owner.
- All distances are horizontal ground measured in feet.
- This plat has been prepared without the benefit of a title search. It is the responsibility of the purchaser to conduct a title search to determine the status of all liens, mortgages, easements, rights-of-way or building restrictions. A North Carolina Licensed Professional Surveyor is not responsible for the accuracy of the title search, and location of easements and other restrictions revealed by the title search.

**MAJOR SUBDIVISION APPLICATION**

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787  
(828) 484-7013— fax (828) 645-4776 — [tgupton@weavervillenc.org](mailto:tgupton@weavervillenc.org)

**Fee: \$300.00 + \$25.00 per lot**

APPLICATION DATE: 10-24-17

OWNER NAME: Rabbit Ridge Properties LLC

SUBDIVISION NAME: The Hamlet Phase 1

PROPERTY ADDRESS: Governor Thomson Terrace

PIN: 9742-96-6439

DEED BOOK/PAGE: Portion of DB 3247 P 144

ORIGINAL TRACT SIZE (acres): 5.863

PROPOSED NUMBER OF LOTS: Phase 1  
3 Lots 201,212,213

SUBDIVISION TYPE:  RESIDENTIAL  COMMERCIAL  INDUSTRIAL

OWNER/AGENT NAME: Amit Dorf  
ADDRESS: 11 Rabbit Ridge Dr Weaverville NC 28787

PHONE NUMBER: 828-712-5566

REGISTERED SURVEYOR: Robert Brady, PLS  
ADDRESS: PO Box 8302 Asheville NC 28814

PHONE NUMBER: 828-225-4341

REGISTERED ENGINEER: Marvin Mercer, P.E.  
ADDRESS: PO Box 1516 Weaverville NC 28787

PHONE NUMBER: 828-645-7088

Which utilities will serve the proposed development?:

PUBLIC SANITARY SEWER  COMMUNITY SEWER  SEPTIC TANKS ON EACH LOT  
 PUBLIC WATER  COMMUNITY WATER  WELLS ON EACH LOT

**It is the applicant's responsibility to obtain a copy of the Town of Weaverville Subdivision Ordinance and Zoning Ordinance and to be fully aware of the regulations detailed therein.**

**I certify that the above information is accurate and true and that I am the owner or a duly appointed agent of the owner. I understand that a copy of the recorded plat must be submitted to the Zoning Department prior to the issuance of any permits associated with this subdivision.**

  
SIGNATURE OF APPLICANT

10-24-17

DATE

**OFFICE USE ONLY**

FEE: \_\_\_\_\_ DATE PAID: \_\_\_\_\_  CHECK  CASH  
PRELIMINARY PLAT APPROVAL DATE: \_\_\_\_\_ FINAL PLAT APPROVAL DATE: \_\_\_\_\_

APPROVED WITH CONDITIONS:



**SUBDIVISIONS OF REEMS CREEK VILLAGE, THE HAMLET, GREENWOOD PARK  
CHRONOLOGY**

<b>DATE</b>	<b>ACTIVITY/APPROVAL</b>	<b>DEPT/BOARD</b>	<b>SUBDIVISION</b>	<b>PLAN TYPE</b>	<b>PLAN DATE</b>
12/17/14	Application for The Hamlet submitted - as its own separate subdivision	Staff	The Hamlet	Preliminary	12/22/14
1/15/15	Approved Preliminary Plat subject to noted changes being made - <ul style="list-style-type: none"> <li>• Correct ownership certificate to read Greenwood Park</li> <li>• Change plat to reflect that The Hamlet was part of Reems Creek Village</li> <li>• Change note - mark the use for the reserve areas</li> <li>• Correct the encroachment of the cul-de-sac in The Hamlet</li> </ul>	P&Z Board	Greenwood Park	Preliminary	9/24/14
1/15/15	Approved Preliminary Plat subject to noted changes being made - <ul style="list-style-type: none"> <li>• Title block to read - "The Hamlet, Re-Subdivision of Reems Creek Village"</li> <li>• Change note - mark the use for the reserve areas</li> <li>• Correct the encroachment of the cul-de-sac in The Hamlet</li> </ul>	P&Z Board	The Hamlet	Preliminary	9/24/14
1/26/15	Tabled approval of Preliminary Plat for The Hamlet to 2/23/15	Town Council	The Hamlet	Preliminary	
1/26/15	Tabled approval of Preliminary Plat for Greenwood Park to 2/23/15	Town Council	Greenwood Park	Preliminary	
2/23/15	Approval of Preliminary Plat for Greenwood Park Sewer lines not shown DD - "the Town requires the streets, even	Town Council	Greenwood Park	Preliminary	2/9/15

DATE	ACTIVITY/APPROVAL	DEPT/BOARD	SUBDIVISION	PLAN TYPE	PLAN DATE
	though they are private, to be built to Town standards prior to final approval" DT - agreed with DD and added that road maintenance agt must be approved prior to final approval and lots sold				
2/23/15	Approval of Preliminary Plat for Re-Subdivision of The Hamlet (part of Reems Creek Village) Sewer lines not shown DD - "the Town requires the streets, even though they are private, to be built to Town standards prior to final approval" DT - agreed with DD and added that road maintenance agt must be approved prior to final approval and lots sold	Town Council	The Hamlet	Preliminary	2/2/15
8/17/15	Approval of Preliminary Plat for Greenwood Park Phase I approved	Town Council	Greenwood Park	Preliminary	7/24/15
8/17/15	Preliminary Plat for The Hamlet approved	Town Council	The Hamlet	Preliminary	7/24/15
7/21/15	Application for revision of Phase I of Greenwood Park (Lots 101-109)	Staff	Greenwood Park	Preliminary	7/24/15
7/21/15	Application for revision of Phase I of The Hamlet (Lots 207, 208, 209, 210, 211)	Staff	The Hamlet	Preliminary	7/24/15
8/4/15	Approval of revision of Phase I Greenwood Park revisions (Lots 101-109)	P&Z Board	Greenwood Park	Preliminary	7/24/15
8/4/15	Approval of revision of Phase I of The Hamlet (Lots 207, 208, 209, 210, 211)	P&Z Board	The Hamlet	Preliminary	7/24/15
8/17/15	Approval of the revisions to Phase I of Greenwood Park	Town Council	Greenwood Park	Preliminary	7/24/15
8/17/15	Approval of the revisions to Phase I of The Hamlet	Town Council	The Hamlet	Preliminary	7/24/15
1/5/16	Approved revision to Phase I of Greenwood	P&Z Board	Greenwood Park	Preliminary	

DATE	ACTIVITY/APPROVAL	DEPT/BOARD	SUBDIVISION	PLAN TYPE	PLAN DATE
	Park – remove Lot 101 (to Reems Creek Village)				
1/25/16	Approval of revision to Phase I of Greenwood Park – removal of Lot 101 from Phase I of Greenwood Park to Reems Creek Village	Town Council	Greenwood Park	Preliminary	
10/24/17	Application for Final Plat approval for Greenwood Park Phase I	Staff	Greenwood Park	Final	10/23/17
10/24/17	Application for Final Plat approval for The Hamlet Phase I	Staff	The Hamlet	Final	10/23/17

**NOTES ON FINAL PLATS –**

- Title Block on The Hamlet** should reflect a resubdivision of Reems Creek Village or a note to that effect
- Reminder that **Lot 101** should be put on a Reems Creek Village plat (not park of Greenwood Park) – [TC action 1/25/16]
- Notation on plat** that dedication is subject to acceptance by the Town of Weaverville
- Sewer** – Verification from MSD that sewer taps are available at the lots
- Water** – Waterline Acceptance by Town Council, water plat recordation; easement documents executed and recorded;
- 2 clear water samples (bacteriological testing) prior to turn on
- Improvement Guarantees ?**
- Road Standards** – Construction standards must be verified by PE who tested the soil/pavement compaction and depth or core borings to determine pavement, stone and soil compaction and depth at 100 ft intervals (if things don't test well then 50 ft intervals)
- Temporary T-Turnaround** needs to be paved (per Fire Marshal)
- Road Maintenance Agreement** – new one for Greenwood Park; amendment to add The Hamlet to the existing one?

## James W. Eller

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**From:** James W. Eller  
**Sent:** Thursday, October 26, 2017 1:05 PM  
**To:** 'babaamit@gmail.com'; 'Bill Dorf'  
**Cc:** 'rbrady@blackrocksurveying.com'; 'Marvin Mercer'; Jennifer Jackson; Tony Laughter  
**Subject:** Final Plat Applications for Greenwood Park Phase 1 and the Hamlet of Reems Creek Village Phase 1

Mr. Dorf,

Please accept the following correspondence as it relates to the final plat approval applications for Greenwood Park Phase 1 and The Hamlet of Reems Creek Village Phase 1 submitted to staff on Tuesday, October 24.

- Title block of the final plat for The Hamlet should reflect that the Hamlet is a part of the Reems Creek Village subdivision as per Town Councils approval of the preliminary plat for same on Monday, February 23, 2015.
- The road maintenance agreement for Greenwood park should be crafted should one not presently exist.
- The road maintenance agreement for Reems Creek Village should be amended to include the lots created by the Hamlet portion of Reems Creek Village.
- The temporary t-turnaround shown on the proposed final plat for Greenwood park should be paved as per the Fire Marshal and shown as same on the final plat.
- Due to the road construction occurring outside the requisite supervision of the Town's Public Works Department, in order to ensure that the portion of Al Dorf Drive which extends into Greenwood Park phase 1 has been built to the Town's standards, the construction standards will need to be verified by a professional engineer who oversaw the construction and performed testing. In the alternative an engineer must test the soil and pavement compaction and depth by taking core borings to determine pavement, stone and soil compaction and depth at 100 foot intervals or 50 foot intervals should the test not reveal proper construction, with a report of same being presented to the Town.
- A verification from MSD will need to be submitted ensuring that individual sewer taps are available to each lot shown on each plat.
- The water line extending into Greenwood Park phase one has not been accepted by Town Council and is therefore not eligible to be utilized. Waterline easement documents should be executed and recorded in conjunction with Town Council's acceptance of the line into the municipal water system. Jennifer Jackson, the Town Attorney, who is copied on this email, will need to be involved in the preparation of these documents. Additionally, at the direction of the Public Works Director, two clear water samples (bacteriological testing) will be required prior to the activation of the line in order to ensure that bacteria regrowth has not occurred.
- A notation should be made on both plats that dedications to the Town are subject to the acceptance of Town Council.
- A reminder that on January 25, 2016, Town Council required lot 101 to be removed from Greenwood Park (which has been done on the plat you presented) and added to Reems Creek Village. The plat to accomplish this has been completed, see attached. It just needs to be re-labeled as a final plat and I am prepared to obtain Town signatures quickly so that you can get it recorded. Please let me know how I can help move this along.

Due to the structure of the Subdivision Ordinance of the Town, this should not serve as a rejection from staff related to the final plats submitted. However, staff does intend to discuss each of the aforementioned variables with the Planning and Zoning Board for their consideration. The Planning and Zoning Board will have the authority to recommend approval to Town Council, to recommend conditional approval to Town Council or to disapprove the final plat and instruct the applicant concerning revision, resubmittal and reconsideration.

Please feel free to contact me directly should you require additional information or assistance.

James W. Eller  
Planning Director  
Town of Weaverville



### **Agenda Items 5 & 6**

#### **Proposed Revision of Code Related to the Certificate of Ownership and Dedication For the Final Plat of a Major Subdivision**

- **Attached you will find a Section 25-83(c)(1) in which the language, both current and proposed, is required by ordinance to be placed on the final plat of major subdivisions.**
- **The genesis for this proposed revision is related to the dedication of all sanitary sewers, storm sewers, and water lines. The Town does not accept sanitary sewers as this is a function of MSD, the Town does not accept storm sewers located along private roads and water lines are subject to acceptance by action of Town Council and cannot simply be dedicated.**

**Current**

Sec. 25-83. - Plat requirements for major subdivisions.

(c) Signed certificates, substantially in the forms provided for in subsections (1), (2) and (3), below shall appear on all copies of the final plat:

(1) "Certificate of Ownership and Dedication

I hereby certify that I am the owner of the property shown and described hereon, which is located within the subdivision jurisdiction of the Town of Weaverville and that I hereby adopt this plan of subdivision with my free consent, establish minimum building setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements shown on the plat to public or private use as noted on the plat. Furthermore, I hereby dedicate all sanitary sewers, storm sewers, and water lines shown on the plat to the Town of Weaverville.

Owner: \_\_\_\_\_

Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ "

**Proposed**

Sec. 25-83. - Plat requirements for major subdivisions.

(c) Signed certificates, substantially in the forms provided for in subsections (1), (2) and (3), below shall appear on all copies of the final plat:

(1) "Certificate of Ownership ~~and Dedication~~

I hereby certify that I am the owner of the property shown and described hereon, which is located within the subdivision jurisdiction of the Town of Weaverville and that I hereby adopt this plan of subdivision with my free consent, establish minimum building setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements shown on the plat to public or private use as noted on the plat. ~~Furthermore, I hereby dedicate all sanitary sewers, storm sewers, and water lines shown on the plat to the Town of Weaverville.~~

Owner: \_\_\_\_\_

Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ "