



**OAK RIDGE PLANNING & ZONING BOARD MEETING  
NOVEMBER 17, 2016 – 7:00 P.M.  
OAK RIDGE TOWN HALL**

**MINUTES**

**Members Present**

Ron Simpson, Chair  
Bobbi Baker, Vice Chair  
Nancy Stoudemire  
Patti Paslaru  
Larry Stafford  
Tammy Gardner  
Steve Wilson, Alternate (Sitting)  
Ed Treacy, Alternate (Not sitting)

**Staff Present**

Bill Bruce, Planning Director  
Sandra Smith, Town Clerk

**Members Absent**

Carl Leybourne

**1. CALL TO ORDER**

The meeting was called to order by Chair Ron Simpson at 7:00 p.m.

**2. APPROVE AGENDA**

**Patti Paslaru** made a **motion** to approve the meeting agenda. **Bobbi Baker** seconded the motion, and it was passed unanimously (7-0).

**3. APPROVE MINUTES OF THE OCTOBER 27, 2016, MEETING**

**Steve Wilson** made a **motion** to approve the meeting minutes. **Nancy Stoudemire** seconded the motion, and it was passed unanimously (7-0).

**4. OLD BUSINESS**

**Subdivision Case # Sub-16-10. Barrow Meadows.** The property is located on the west side of Bridgehead Road, approximately 1,900 feet south of Oak Ridge Road, in Oak Ridge Township. The applicant seeks approval for a 25-lot subdivision and right-of-way dedication on a total of approximately 27.5 acres. The property is Guilford County Tax Parcels 0167806 and 0167835, and is zoned RS-40, Greensboro (GW-III) Watershed Overlay, Oak Ridge ETJ. The applicant is Anthony Donato, and the surveyor is Triad Land Surveying, P.C. The case was continued from the October 27 P&Z Board meeting.

Planning Director Bill Bruce read the property description into the record and presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He said the plan had been submitted for the last month's

meeting, but staff had some concerns that the applicant wanted to address prior to the Board hearing the case. The original plan called for 25 lots, but that had now been decreased to 17 lots. The location of the stub road was moved, the stream crossing was removed, and the tree preservation area was now moved to the rear of the property, where it was the most heavily wooded and where the stream is located. Bruce said the only question remaining is about how residents of the development will get water, and the developer has requested it come from Forsyth County. If that request is approved, the applicant will submit utility plans to the Town for approval, and construction and maintenance will be the responsibility of the homeowners association. If the request is not approved, Bruce said individual wells would be installed. He said staff recommended approval of the subdivision plan.

Paslaru asked if some of the individual wells, if installed, would be allowed in the tree preservation area. Bruce said yes, but very few trees would need to be removed and he did not think it would impact the tree preservation requirement. Paslaru noted that the septic areas were not designated on the plan. Bruce said they would have to be approved by the health department, but that they could not be located in the tree preservation area. He said although well and septic areas are sometimes shown on subdivision plans, they are not reviewed or approved by the Board.

Baker asked if the lots might change if the health department determines there are not adequate acceptable soils for septic, and Bruce said yes. He said staff could approve minor changes to the plan, but if there were major changes it would need to come back before the Board for review and approval. Baker said she was concerned with the overall effect if a well were dug in the tree preservation area because a way to access it would also have to be installed. Bruce said if installing a well and access to it involved removing many trees, the Town could ask the applicant to revise the plan. Baker asked if the applicant would have to compensate if a significant number of trees in the preservation area were removed or disturbed, and Bruce said yes.

Larry Stafford asked if each lot could have onsite septic; Bruce said that was what the applicant intended.

Stoudemire asked why the wells on lots 13 and 15 could not be located closer to the drainage easement. Bruce said she could ask the designer.

Simpson said he still had concerns about the access to the property, which is in a curve on Bridgehead Road. Bruce said the driveway permit would have to be reviewed and approved by NCDOT.

John Bennett of Triad Land Surveying said it would be no problem to move the location of the wells on lots 13 and 15. Regarding questions on septic, he said a private consultant had been hired and felt confident there were suitable soils, but Guilford County would have the final approval on that. He said no one knew at this point whether individual wells would need to be drilled, but the firm engineer would determine that. Bennett then answered additional questions from the Board, including whether Forsyth County was amenable to supplying the development with water; Bennett said yes.

Stafford asked about interbasin transfer of water. Russell Radford, an engineer with Triad Land Surveying, said that would be approved have to be approved by the state, but he imagined Forsyth County had addressed that issue before agreeing to supply the development with water.

**Tammy Gardner** made a **motion** to approve the subdivision plan. **Steve Wilson** seconded the motion, and it was approved unanimously.

## 5. NEW BUSINESS

**Subdivision Case # Sub-16-17. Zack Road Townes.** The property is located on the north side of Oak Ridge Road, approximately 200 feet west of Zack Road in Oak Ridge Township. The applicant seeks approval for a 25-lot subdivision and common area on a total of approximately 15.9 acres. The property is Guilford County Tax Parcels 0162860, 0163177, and 0163221, and is zoned CU-TC-R, Scenic Corridor Overlay Zone, and Oak Ridge Historic District (part). The applicant is LD Equity, and the designer is Evans Engineering. Cul-de-sac length waiver requested.

Simpson asked Bruce to present the staff report and specifically to address the waiver request. Bruce read the property description and presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He said the ordinance allows the maximum length of a cul-de-sac to be 800 feet, but the applicant has requested that Amethyst Court be 1,061 feet. He said the Board has the ability grant a waiver to allow that. He explained that once there are more than about 200 trips per day, a street begins to feel more like a subcollector street. He said cul-de-sacs were designed to be more quiet streets and that the standard of 800 feet in length was adopted by Greensboro and Guilford County. He said while 20-25 houses might be built on an 800-foot road in Greensboro that would not happen in Oak Ridge because of minimum lot sizes. Bruce said he would ask the designer to confirm that there would be a minimum 20-foot separation between the buildings in the development, and some minor shifting around might be required to provide that. He said there was also a requirement that an access easement be provided for the portion of the sidewalk located along N.C. 150.

Paslaru asked why a stub road into the Oak Ridge Military Academy property was not used instead of a cul-de-sac. Bruce said there was the issue of topography on the back side of the property. He said his opinion was that it was not feasible that the ORMA property would be developed, and because this is a private road, the public would not be able to use the road if it stubs to another property unless some arrangement is made with the homeowners association of this property. Stoudemire asked why a public road was not shown on the plan, and Bruce said that was the applicant's choice.

Bob Dischinger of Evans Engineering, who designed the plan, said units 12 and 13 are about 18 feet apart, but there was room to move them a little to take care of the 20-foot minimum distance between buildings that Bruce discussed. Regarding the private drive, Dischinger said most townhome and twin home developments had private drives, and that the intent for the development is that it is that it would be a small, quiet community for active adults. He said public streets have greater setbacks than are required by a private drive, and the estimated trips per day is well

below the 200 trips per day mentioned by Bruce. He said he would love for ORMA to be in existence forever, but that may not happen and due to its location at the intersection of N.C. 68 and N.C. 150, its highest and best use would not be residential. He said changing the cul-de-sac to a public street would destroy the nature and intent of the development.

Gardner asked how having a private street would affect issues such as snow removal, garbage collection and school buses. Dischinger said school buses are not allowed on private streets, and the homeowners association would likely contract with someone for snow removal. He said he understood the garbage truck cannot turn around on Zack Road and it has to stop on N.C. 150 and back down Zack Road. He said the cul-de-sac might help that situation somewhat because it will have a 50-foot outside radius, which would allow the truck to turn around on it; although it would still have to back down Zack Road, the truck would not have to stop and back up on N.C. 150.

Wilson asked if the entrance to the development could be from N.C. 150. Dischinger said he had discussed the issue with Ernie Wilson of NCDOT, who had said NCDOT would like to limit any additional connections on N.C. 150. Wilson said he was also concerned about the community well. Dischinger said he did not think it would harm the wells of the Zack Road property owners and that the health department would do a draw-down test and monitor the wells in the immediate area. Wilson asked if the well location could be moved if there is an adverse effect on neighbors' wells. Dischinger said there were a number of ways to deal with the situation.

Wilson said he understood from the portfolio distributed by Dischinger at the previous meeting that the Oak Ridge Society Foundation, which owns the property, could donate the proceeds from the sale of the property to Oak Ridge Military Academy, but not necessarily that it would. Dischinger said he had a letter from Oak Ridge Society Foundation stating that it planned to donate the money to the academy. Wilson said that the portfolio also said the money would allow the academy to be able to operate another 160 years; Dischinger said it had not said that.

Baker said through the redesign of the project, she had seen some sincere listening on the part of the developer to the Zack Road residents. She said the cul-de-sac and other changes to the plan showed sensitivity to the neighbors. She asked about the topography of the property and if the neighbors would be impacted by septic fields on the property. Dischinger said the property slopes downward in the area Baker pointed out, so sewer would be flowing away from Zack Road properties.

Stafford asked if the homeowners association would be responsible for snow removal as well as maintenance of the road and sidewalk, and Dischinger said yes.

Stoudemire asked how many units would be lost if the cul-de-sac was shortened to 800 feet. Dischinger said probably none, but the driveways would need to be much longer and there would be more built-upon area to the street. She asked if Dischinger was citing physical hardship as the reason for allowing the waiver; Dischinger said yes, because it was a long, skinny tract with a creek in the back and no practical place to stub a road to.

Simpson asked several questions about the community well. Bruce said while they were good discussion points, the Board was simply doing a technical review. He said there was discussion about the impact on neighbors at the rezoning hearing, and the rezoning had been approved by the Town Council. He said there were rigorous standards by several agencies regarding the community well, but he did not believe the Board could turn down the plan because of approval that is required from another agency.

After additional discussion, **Bobbi Baker** made a **motion** to approve the waiver request based on equal or better performance because it would allow for a tighter development and shorter driveways. **Nancy Stoudemire** seconded the motion, and the vote was 6-1 in favor (Steve Wilson voting in opposition).

**Bobbi Baker** made a **motion** to approve the subdivision plan taking into account the staff comments. **Tammy Gardner** seconded the motion, and the vote was 6-1 in favor (Steve Wilson voting in opposition).

## 6. PUBLIC COMMENTS

- None

## 7. ADJOURNMENT

**Patti Paslaru** made a **motion** to adjourn the meeting at 8:06 p.m. **Tammy Gardner** seconded the motion, and it was passed unanimously (7-0).

Respectfully Submitted:



Sandra B. Smith, NCCMC, CMC  
Town Clerk



Ronald D. Simpson  
Chair