



**OAK RIDGE PLANNING & ZONING BOARD MEETING  
AUGUST 27, 2015 – 7:00 P.M.  
OAK RIDGE TOWN HALL**

**MINUTES**

**Members Present**

Doug Nodine, Chair  
Nancy Stoudemire  
Carl Leybourne  
Bobbi Baker  
Larry Stafford  
Tammy Gardner  
Patti Paslaru, Alternate (Sitting)

**Staff Present**

Sandra Smith, Town Clerk  
Bill Bruce, Planning Director

**Members Absent**

Ron Simpson, Vice Chair  
Brian Eichlin, Alternate  
Steve Wilson, Alternate

**1. CALL TO ORDER**

The meeting was called to order by Doug Nodine at 7:00 p.m.

**2. APPROVE AGENDA**

**Doug Nodine** made a **motion** to approve the amended agenda after moving Citizen Comments ahead of New Business. **Bobbi Baker** seconded the motion, and it was approved unanimously (7-0).

**3. APPROVE MINUTES OF THE JULY 23, 2015, MEETING**

**Bobbi Baker** made a **motion** to approve the meeting minutes. **Larry Stafford** seconded the motion, and it was approved unanimously (7-0).

**4. PUBLIC HEARING**

**A. Rezoning Case #RZ-15-04: AG to CU-RPD** (continued from July 23, 2015, meeting). The property is located on the west side of Bridgehead Road, approximately 1,900 feet south of Oak Ridge Road, in Oak Ridge Township. It is comprised of Guilford County Tax Parcels 0167806 and 0167835, consists of approximately 29.3 acres, and is owned by Gregory H. and Mary B. Campbell, and Richard Parker Barrow. The property is located in the Greensboro (GW-III) Watershed and the Oak Ridge Extraterritorial Jurisdiction (ETJ).

Planning Director Bill Bruce stated that the applicant had requested an additional continuance; the applicant was present at the meeting and willing to answer questions.

Anthony Donato, the applicant, said one of the property owners had died recently, which left the property to four heirs. Three of the heirs had signed the required documents, but the fourth was incarcerated, and it was taking a while to work through that issue. Donato said the heirs are working with an attorney. Donato said the heirs' attorney thought a 30-day continuance should suffice, but if not, he could let the Board know prior to the next meeting if an additional continuance was needed.

Board members briefly discussed whether a longer, perhaps 90-day continuance, might be best to allow the applicant to work through all issues and keep the Board from being required to meet only to vote on another continuance.

**Carl Leybourne** made a **motion** to continue the case for 60 days. **Bobbi Baker** seconded the motion, and it was approved unanimously (7-0).

## 5. PUBLIC COMMENTS

- Carolyn Hall said she understood developer Kevan Combs was asking permission to build a swimming and poolhouse at the Knights Landing subdivision, but that since moving earth and blasting had begun in Knights Landing, she had noticed less water in the pond and streams supplying her neighborhood of Linville Oaks. She said the pond is fed by a spring, and she had noticed a drop in the water level within a week of when blasting was done. She said the Linville Oaks pond has a new dam and new pipes, and it is in excellent condition. She said if the spring and creeks dry up or become less active, it could adversely affect the property values and enjoyment of her neighborhood. She said the water levels had never been this low in the 11 years she had lived there, and drilling a well and swimming pool to serve 88 houses would add to the concern if those residents are already seeing less water.

Leybourne said he was curious to understand the relationship between the swimming pool and possible lack of water. Hall responded that it was just another use of water, and that she was already seeing a difference and no wells had even been drilled. She said she was just asking for the Town's help since the Linville Oaks neighborhood is downstream of Knights Landing.

Nodine asked what could be done about the situation by Linville Oaks residents and if this was a common occurrence when construction was underway. Bruce said he believed the neighbors had done everything they should, including contacting the Town, Guilford County Erosion Control, etc.

He said the consensus from Guilford County was that it was dry at this time of year and the situation was not unusual. Nodine asked if the operator of Linville Oaks' community well had said anything about an issue with water flow, and Hall said no.

Leybourne asked Bruce if there was any information that says a swimming pool substantially effects water levels, and Bruce said no and he did not believe that was what Hall was insinuating. He said as part of the process of building a community well, a draw-down test would be done to see if neighbors' wells are affected.

- Annette Walker, who lives in Linville Oaks, said her neighborhood feels very strongly about closing Parkchester Drive, which connects Linville Oaks to Knights Landing; she added that because Knights Landing is on higher ground, it would cause issues with stormwater runoff in Linville Oaks. Although the developer had taken some steps, they were not sufficient, Walker said. She said all the 80 homes in Linville Oaks want the road connecting the neighborhoods closed, and Linville Oaks would work with the Town and the developer to see that the road was closed and water redirected as it should be. Because the pool and poolhouse were being discussed, Walker said Linville Oaks neighbors thought this was an appropriate time to discuss the other issues as well.

Nodine said he understood that at this meeting, the Board was just tasked with reviewing the site plan for the pool. Bruce explained that he had spoken with the Linville Oaks homeowners' association president recently, and sent her information about closing the road and the drawbacks that process could entail. He said he was not sure what the Linville Oaks neighborhood would propose because the road has already been built. He said he understood the developer had put the proper devices in place to reroute water; Bruce said he was not aware of any issues concerning water runoff that had occurred since the road had been paved.

Baker asked if water had only come in via Parkchester Drive or if it had affected residents on the whole north side of Linville Oaks. Walker said it had come in on Parkchester Drive, but had also turned the corner onto Linville Oaks Drive. Baker asked if there had been any problems with runoff before the earth was disturbed, and Walker said not to that extent.

Leybourne said it sounded to him like the Linville Oaks residents were saying the runoff problem was not simply one occurring because of unfinished construction, but they would still have issues with runoff no matter what had been done. Walker said there had been natural barrier before that had slowed the water down, but once the grading had begun, it freely allowed water to flow downhill. She said the previous Town process did not allow Linville Oaks residents to have a voice, and she felt like this was the time to address their concerns because the site plan was being discussed.

- Dawn Treacy, the homeowners' association president for Linville Oaks, said she had spoken with several people at the Town, County and at the Department of Environment and Natural Resources (DENR); although the developer had taken some action, even he was not convinced it would solve the water runoff problems in the future because the topography in Knights Landing is higher than it is in Linville Oaks. She said Bruce had sent her the information on the process for closing the road between the two neighborhoods, but he had strongly discouraged them. She said Knights Landing should never have been connected to an existing development, and they did not understand why they could not get the road closed.

Nodine said when Bruce discouraged the Linville Oaks residents, he was probably trying to explain the negatives.

Leybourne said the Board did not have the authority or discretion to change the Town's ordinances on the fly. Treacy said she understood that, but in the future when residents want to try to change something, the Town Council needs to be aware that they are dealing with citizens, not just an ordinance.

Paslaru said she thought the Linville Oaks residents were trying to come up with a solution, and asked why they were being discouraged if they all agree on what should be done. Bruce said that as a professional, he gives frank advice, and that he had tried to explain that if the DOT abandons maintenance of the road and the Town Council does not close it, the Linville Oaks residents could end up paying to maintain the road. He said he thought the ordinance was clear about connecting developments and he had given Linville Oaks residents a truthful answer about what his recommendation on such a request would be, but that it was ultimately up to the Board and the Town Council to make those decisions.

## 5. NEW BUSINESS

**Site Plan Case #SP-15-02. Knights Landing Amenity Site.** Combs, Inc. requests approval for a swimming pool and poolhouse. The property is located in the Knights Landing Subdivision (under development) at the terminus of the future Hawkwood Court, is Guilford County Tax Parcel 0166301 (part), and is zoned PD-R. The designer is Hugh Creed Associates.

Bruce presented the staff report, which is hereby incorporated by reference and made a part of the minutes. He said the site plan before the Board is for the pool and poolhouse, which would be located at the end of Hawkwood Court. He said this was a technical review to make sure the plan meets the zoning ordinance, and the engineer was present to answer questions. Bruce said the sketch plan had noted a potential amenity center, and the developer would still have to submit a detailed landscaping plan at a later time and an outdoor lighting plan if outdoor lighting is to be included. Bruce said his opinion was that the site plan met the ordinance, and he recommended approval.

Nodine said the slope at the pool looked pretty steep, and asked how it would be stabilized. Norris Clayton of Hugh Creed Associates said the hill would be leveled off for the pool site, and seeding and matting would stabilize the slope.

Baker said there had been problems at the pool in her neighborhood of Riverside, so she questioned whether the vegetation planned would be adequate. Clayton said he thought it was, but if there are problems they will do what is required to stabilize it.

Paslaru said Clayton had heard the concerns of neighbors regarding runoff, and asked if he had any other recommendations. Clayton said the only definite way to stabilize the slope was to install concrete, but that the more ground there was, the better chance that any runoff would be absorbed. He also said that was why ditches had been created in the development – to channel the water properly off the street.

Leybourne said he did not think any decision made by the Board about the pool and poolhouse would change what happened in Linville Oaks, which was ¼- to ½-mile away.

Baker asked if the parking at the facility is adequate for the number of homes, and Bruce said yes, because its use is only intended for use by the development. He said the plan included one parking space per 10 houses, as required.

Leybourne asked what the mail pickup shown on the plan was for. Bruce explained that the post office has a new requirement for developments; instead of delivering mail to each house, it will be delivered to boxes at a mail center.

**Carl Leybourne** made a **motion** to approve the plan for the common area/pool for the development as submitted, contingent upon fulfillment of staff recommendations as outlined in the staff report. **Tammy Gardner** seconded the motion, and it was passed 6-1 (Baker voting against).

## 6. ADDITIONAL PUBLIC COMMENTS

- Steve Holmes said he appreciated the Board, and that they were the only Town Board that listens to residents. He said there is currently only one entrance into Linville Oaks, and that he thought several of the Board members had agreed that the two neighborhoods did not need to be connected. He said he was running for Town Council because members of the Town Council needs to not only listen to the planner, but also see how

their decisions affect people. He said he hoped the Council would continue to look at this issue.

**7. ADJOURNMENT**

**Carl Leybourne** made a **motion** to adjourn the meeting at 8:09 p.m. **Patti Paslaru** seconded the motion, and it was passed unanimously (7-0).

Respectfully Submitted:



Sandra B. Smith, CMC, Town Clerk



Doug Nodine, Chair