

**MINUTES OF THE REGULARLY SCHEDULED MEETING OF:
THE ROCKINGHAM COUNTY PLANNING BOARD**



**BOARD OF COMMISSIONERS CHAMBERS
ROCKINGHAM COUNTY GOVERNMENTAL CENTER
WENTWORTH, NC
May 9, 2022 AT 6:30 PM**

MEMBERS PRESENT: Matt Cardwell
Paul Ksieniewicz, Chairperson
James Fink
Cyndy Hayworth
Cory Scott

STAFF PRESENT: John Morris, County Attorney
Hiram Marziano, Community Development Director
Lynn Cochran, Senior Planner
Ben Curry, Code Enforcement Officer
Bricen Wall, Code Enforcement Officer

I. CALL TO ORDER

Chairperson Ksieniewicz called to order the regularly scheduled meeting of the Rockingham County Board of Adjustment at 6:30 pm.

II. INVOCATION

Mr. Scott conducted the invocation.

III. ADOPTION OF THE AGENDA

Chairperson Ksieniewicz confirmed a quorum for conducting business. Chairperson Ksieniewicz announced that Case 2022-09, which had been scheduled to be heard, had been voluntarily withdrawn. Mr. Fink motioned to adopt the amended agenda. Mrs. Hayworth seconded. The board voted unanimously to adopt the motion (5-0).

IV. APPROVAL OF MINUTES

January 10, 2022 – Mrs. Hayworth motioned to adopt the minutes, Mr. Fink seconded. The board voted unanimously to adopt. (5-0)

V. PROCEDURES FOR LEGISLATIVE HEARINGS

Mr. Ksieniewicz reviewed the procedures for legislative (zoning amendment) hearings.

VI. MATTERS BEFORE THE BOARD

- a. Rezoning Request 2022-08: A request to rezone a parcel of land from Residential Agricultural (RA) to Residential Mixed (RM) for a major subdivision. Tax PIN: 7922-01-48-1476 is located along Newnam Road and US 220 – New Bethel Township.

Chairperson Ksieniewicz recognized staff to present the report. Mr. Cochran presented the application request and packet information to the board, including staff recommendation to approve the request. He

noted that the applicant has requested a non-conditional rezoning. He described the aspects of the G-3 Land Class which support this request. The board posed no questions.

Mr. Ksieniewicz affirmed that the present hearing is to consider the non-conditional rezoning request only. This does not include consideration or approval of a potential subdivision. He asked attendees to coordinate with each other to designate appointed speakers, prioritizing those speakers who live within the mailed notice radius of the parcel. To do this, Mr. Ksieniewicz then called a 10-minute recess at 6:42 pm.

Mr. Ksieniewicz announced resumption of planning board procedures at 6:52 pm.

Matthew Johnson of 1760 Simpson Rd, Stokesdale addressed the board. He noted that he is both a citizen of the county who lives near the subject parcel and an experienced urban planner with more than 20 years of local government experience. He stated that he was primarily concerned about smart growth. He believes "... developers are only interested in Rockingham County because they can get in and get out quick, make quick money." He stated that he believes Rockingham County does not have the planning mechanisms in place to "ask for good growth measures its neighbors in Guilford County." (where the speaker works). He then reviewed his belief that that the county does not have adequate infrastructure to accommodate growth and "good urban design." He expressed his belief that this rezoning would allow "generic, substandard tract housing." He suggested that staff should request that the applicant resubmit the request as a conditional rezoning.

Mr. Eddie Allison of 4115 Kernersville Rd, Winston-Salem NC addressed the board. He stated that he is the owner of a 65-acre tract of land that abuts the subject property. He stated a belief that there is not sufficient infrastructure or county services to support the application request. He believes the housing that may result will be "low-quality" and that this will encourage an increase in crime.

Mr. Ksieniewicz asked that staff identify the speakers parcel in relation to the subject parcel. Mr. Cochran presented the zoning map showing the parcel located immediately north and west of the subject parcel.

Carolyn Rierson of 3749 Vance Street Ext, Reidsville NC addressed the board. She stated that she owns property near the subject parcel. She requested that the board consider the points the previous speakers made and expressed concerns about traffic/road needs. Mr. Ksieniewicz replied that the subject parcel abuts US Highway 220, which is planned to be upgraded to Interstate 73 according to NC DOT. He noted that the county's land use plan identifies this area as the G-3 Land Class, targeted for more rapid and denser mixed development.

Harvey Sharpe of 242 Griffin Rd, Stokesdale NC addressed the board. He stated that the parcel associated with this address is a farm parcel, located just north of the Collybrooke subdivision. He stated that he has had problems with stormwater runoff and sedimentation of his pond because of the subdivision development. He believes there are not "enough rules and regulations in place to handle" the problems he described. He expressed dislike for a lack of buffers between his property and the Collybrooke subdivision.

Carla Sharpe also of 242 Griffin Rd, Stokesdale NC signed the speakers roster. She yielded her speaking time to the following speaker, BJ Rierson of 568 Carlton Rd, Stokesdale NC, who then addressed the board. She stated that she farms the parcel owned by Mr. Sharpe, the previous speaker and that she opposes the rezoning request, expressing concerns that no one who lives in Stokesdale is represented on

the Planning Board. She also expressed concern for what she believes is a lack of emergency services support for this potential development.

Larry Rierson, also of 586 Carlton Rd, Stokesdale NC addressed the board in opposition to the rezoning and stated agreement with points made by previous speakers.

Tammy Reid of 719 Carlton Rd, Stokesdale NC addressed the board, stating opposition to the request.

Chis Rodenbough of 171 Carefree Ln, Stokesdale NC addressed the board in opposition to the request. He stated that he operates Camp Carefree, located to the west of US 220 and the subject parcel. He asked for clarification of the township the property is located in. Mr. Cochran pointed out that there way a typographical error in the slide presentation - this parcel is not located in the Huntsville Township, but the New Bethel Township.

Rhonda Rodenbough of 171 Carefree Ln, Stokesdale NC addressed the board in opposition to the rezoning. She expressed concerns about traffic and safety.

Cindy Young of 405 Newnam Rd, Stokesdale NC addressed the board in opposition to the request. She stated that she grew up living on Newnam Road, located on the same street as the subject parcel. She expressed concerns about increased traffic and safety. She understands that NC DOT has said it will be 8 to 10 years until upgrades are made to US Highway 220. Mr. Ksieniewicz replied, pointing out that larger scale residential subdivision development also generally requires multiple years to build out.

Sherry Webster of 402 Newnam Rd, Stokesdale NC addressed the board in opposition to the request. She also expressed concerns about increased traffic and safety. She also stated that she opposes the unconditional nature of the zoning request.

Johnny Brown also of 402 Newnam Rd, Stokesdale NC addressed the board in opposition to the request. He expressed agreement with previously expressed concerns.

Anne Tuttle of 609 W Academy, Madison NC addressed the board in opposition to the request, expressing concerns about safety services and infrastructure.

Bill Arndt of Henson Forest Drive, Stokesdale NC addressed the board as the applicant. He expressed appreciation for the comments offered by the audience members and offered that he had taken note of each, which he intends to address. Mr. Ksieniewicz replied, reviewing the steps of rezoning considerations and approvals, Technical Review Committee membership and its review process for major subdivisions and asked that staff explain the difference between non-conditional and conditional zoning application requests.

Mr. Cochran responded, address audience members and reviewed NCGS § 160D guidelines and rules for "straight" vs. conditional zoning amendments and the processed followed by staff, planning boards and governing boards. There was additional discussion between the board chair and attendees. Mr. Marziano interjected, stating that the public comment period is closed and that banter amongst the attendees is not allowed as proper procedure during an open meeting.

Mr. Ksieniewicz opened the floor for board discussion. Mr. Cardwell expressed understanding of the concerns expressed and support for development coordination amongst citizens and county departments. Mrs. Hayworth suggested that the developer may organize a community meeting to speak with citizens. She also expressed concern regarding the non-conditional nature of the rezoning request. Mr. Fink also expressed understanding of the attendees' concerns. Mr. Ksieniewicz expressed concerns about the

intersection of Newnam Rd and US Highway 220 regarding traffic patterns in the area. Mr. Fink asked Mr. Arndt if there is a second means of ingress/egress to the norther portion of the subject parcel, separate from Newnam Rd. Mr. Arndt confirmed that there is direct access to US 200 via a second turning area that accesses the northern portion of the parcel. Mr. Fink asked if Mr. Arndt would be willing to meet with citizens in a community forum to hear concerns. Mr. Arndt agreed that he could conduct a community meeting in the following 30 days.

There was no further discussion. Mr. Ksieniewicz opened the floor for board motions and voting. Mr. Fink motioned to table consideration of the rezoning request for 30 days, until the next regularly scheduled Planning Board meeting. Mrs. Hayworth seconded. The board voted unanimously to recommend tabling the request for 30 days, until the June 11, 2022 Planning Board meeting (5-0).

- b. Rezoning Request 2022-10: A request to rezone three (3) parcels of land from Residential Mixed (RM) and Residential Agricultural (RA) to Residential Protected Conditional District (RP-CD) for a cluster subdivision. Tax PINs: 7941-00-37-4086; 7941-00-37-8675; 7641-00-37-8129, located at and near 251 Bavarian Lane – New Bethel Township.

Mr. Ksieniewicz called upon staff to present report on Case 2022-10. Mr. Cochran presented the application request and packet information to the board, including the requested conditional approvals and staff recommendation to approve the request as reasonable and consistent with adopted plans. The cluster subdivision conditional approval requested comes from the county watershed ordinance. This area is located in the protected Troublesome Creek WS III. Mr. Ksieniewicz asked how many total lots are proposed in the cluster subdivision. Mr. Cochran confirmed forty-five (45), with a density of less than one dwelling unit per acre overall.

The board posed no additional questions.

Bill Greco, surveyor with Land Solutions of 200 S. Regional Rd, Greensboro NC addressed the board as applicant. He confirmed that the proposed sketch plan shows a density estimate of less than one unit per acre. Bavarian Lane will be paved and brought to NC minimum standard. Internal subdivision roads will be stubbed to maintain connectivity.

Mr. Marziano added that the subdivision will connect with a currently private road, Wolfsburg Trail, that may require a stub or to be brought up to NC DOT minimum standard. Mr. Cochran and Mr. Greco confirmed that a temporary emergency turnaround is required and is depicted on the plans until final roads are installed.

Christine Patterson of 840 Hudson Rd, Summerfield NC addressed the board in opposition to the request. She expressed concerns regarding stream impacts and potential runoff that may impact the parcel that her family owns just north of the subject parcel. She also expressed concerns about the number of homes planned in the subdivision. She also expressed concerns about traffic, EMS, safety and wildlife. She also stated that there was an error in one of the Tax PINs printed on the mailed notice. Staff confirmed there was one transposed digit, constituting a typographical error. Mr. Marziano offered apology and explained that NCGS § 160D addresses this and does not consider minor typographical errors as failure of proper notice.

Clint Patterson, also of 840 Hudson Rd, Summerfield NC addressed the board in opposition to the request. He expressed concerns about the necessary septic systems for the properties when developed and the location of a nearby stream.

John Knight of 335 Knight Rd, Summerfield NC addressed the board in opposition to the request. He expressed concerns about traffic impacts to Knight Road, which is located near the subject parcel.

Barry Byrd of 201 Knight Rd, Summerfield NC addressed the board. He stated that he was not necessarily directly opposed to this proposal but stated that he has concerns about traffic impacts and congestion.

Mr. Greco returned to the stand to address concerns presented. He noted that all streams on the parcel have been identified and buffered as required. Regarding septic systems, the applicant has engaged the services of a NC licensed soil scientist to complete an evaluation of the entire parcel for wastewater capabilities and approval. He also reviewed his experiences with NC DOT standards for state-maintained roads and requirements for land development that might apply.

Mrs. Patterson returned to the stand to express concerns about traffic, roads, drainage and creeks. Mr. Fink noted that the site plan indicates all roads will be paved and built to NC minimum standard. Mr. Marziano confirmed that all roads must be installed to NC standard and completed prior to approval of a final plat. Mr. Cardwell noted that, according to the site plan, the homes have been situated on uplands and in the best possible location on the parcel. Mr. Marziano confirmed that the proposed density is well less than the maximum density that would otherwise be allowed by the UDO, excepting watershed rules. Mr. Scott added that he has driven this property. He stated that Wolfsburg Trail sits at lower elevation than the adjacent subject property to the south, which suggests drainage issues will need to be taken into consideration during the development process.

There was no further discussion.

Mr. Marziano pointed out to the board revised, draft reasonableness and consistency statements with included draft motions for making decision recommendations regarding zoning amendments. These are shorter and more simplified than previous templates but still meet NCGS § 160D statutory requirements.

Mr. Ksieniewicz opened the floor for board motions and voting. Mr. Scott motioned to recommend approval of the request as reasonable and consistent with the Rockingham County Land Use Plan, future land use map and current land uses in the local area, including the conditional requirements as described in the staff report and drawn from the Rockingham County UDO Watershed Ordinance. Mr. Fink seconded. The board voted 4-1 to recommend approval of the conditional rezoning request to the Board of Commissioners, with Mr. Ksieniewicz dissenting.

VII. OTHER BUSINESS

- a. New Business: Community Development Director Updates. Mr. Marziano introduced Victoria Pedigo who has been hired as a new Planner in the Community Development Director. He also noted that revised, draft updated flood maps should be made available by autumn. Changes are being made to Flood Insurance programs also. Lastly, mid to late summer, draft text amendments including changes to the dimensional standards table and likely, the new cell tower special use permits.
- b. Old Business: None

Mrs. Hayworth asked staff if it would be appropriate to suggest to zoning amendment applicants and developers that they hold community meetings with neighbors. Mr. Marziano replied that staff does often recommend such meetings, especially for larger scale rezonings and developments. He also noted that the county UDO does not *prescribe* such community meetings. Staff had suggested to Mr. Arndt that he consider holding such a meeting. Mr. Fink commented that he thought this to be a good idea. He asked if


this sort of information could be included in the staff report presented to the Planning Board. Mr. Marziano confirmed that it could and that staff will make efforts to do so. Mr. Cochran added that Mr. Arndt had met with some of the occupants of the manufactured home park currently located on the subject parcel. There was brief additional discussion among board members and staff on this topic.

Mr. Marziano relayed to the board that staff is also researching the possibility of a small area plan for the southwest quadrant of the county to better address some of the issues brought up during this evening's hearings.

As there was no additional business, Mr. Fink motioned to adjourn the meeting. Mrs. Hayworth seconded. The board voted unanimously to adjourn at 8:45 pm (5-0).

Minutes Read and Approved,


Respectfully Submitted,



Chairperson

07/11/2022

Date



Planning Staff

7/11/2022

Date