

**TOWN OF MAGGIE VALLEY  
REGULARLY SCHEDULED PLANNING BOARD MEETING  
JANUARY 3, 2008  
MINUTES**

Members Present: Chairman Billy Brede, Robert Knoedler, Burton Edwards, John Schreiber, Scott Pauley, June Johnson, and Bill Chamberlin  
Staff Present: Manager Tim Barth, Planning Director Nathan Clark, and Town Clerk Vickie Best  
Others Present: Alderman Colin Edwards and Mayor Roger McElroy

**Meeting Called to Order**

Chairman Brede called the meeting to order at 5:40 pm in the Town Hall Boardroom.

**Planning Board New Member Induction**

The Clerk administered the oath of office to Chairman Brede, Mr. Edwards, and Mr. Knoedler.

**Preliminary Plat Approval: Whisper Creek Subdivision, Blue Ridge Enterprises**

As the members began their review, the following discussion evolved.

Town Council did not grant a deviation on road width only on road grade. The roads must be 18 feet paved with a 30-foot right-of-way for the short section of roadway leading into the development where an existing 10-foot paved section exists. That portion will be enlarged to 18- feet of pavement, but the 30-foot right-of-way may not be possible.

The notation that the Town of Maggie Valley will not maintain the roads is included. The statement is also to be included in the covenants.

It is noted that the water will be provided by wells. This topic, as discussed earlier, needs to have wording added to help protect the purchaser. The members feel that anyone purchasing property should have access to water at a reasonable cost. Haywood County Planning Department feels that the property buyer should be responsible for getting water. The deeper the dig, the more reservoir one has.

Mr. Edwards explained that many items must be in place prior to testing for water, an example being septic tanks.

The rights-of –way are shown for utilities.

Once again, the Planning Board members discussed their apprehension about Blossom Trial.

Mr. Edwards stated that he felt Mr. Childers did the best he could with what he had to work with. The job is clean, compaction looks good, and there are no signs of stumps or brush being buried, as often is the case.

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**MR. EDWARDS MADE A MOTION TO ACCEPT THE PRELIMINARY PLAT AS PRESENTED.**

**MR. CHAMBERLIN SECONDED THE MOTION.**

**MR. PAUL AND MS. JOHNSON VOTED NAY.**

**MOTION CARRIED BY MAJORITY.**

A performance bond will be required at 125% of the estimated cost for road completion. The approval of the preliminary plat allows Mr. Childers to begin building infrastructure. After receiving preliminary approval, the developer has one- year to complete the infrastructure.

**Other Business**

► The members felt it advantageous to amend the ordinance to have grade shot every 50-foot rather than the current 150-foot intervals.

► The members discussed how to avoid some of the problems brought about during the Whisper Creek Subdivision approval process. The Board discussed not annexing the property until after preliminary plat approval is granted. The problem with this method is that the Town of Maggie Valley has no jurisdiction until the area is brought into the ETJ or is annexed. The Town must hire professionals to enlarge the ETJ due to having to apply complex formulas as required by the State.

The Planning Board members do not want to be in a dilemma such as this again. The Planning Board disagrees with staff's feeling that the roads should be accepted. The Board of Aldermen, it appeared, more or less, felt their hands were tied.

Manager Barth concurred, the Board of Aldermen will be conducting a goal setting session later this month and one of the topics of discussion will be roads. It may be determined that some parcels be provided sewer, but not necessarily annexed into Town.

► The Planning Board would like to have a joint workshop with the Board of Aldermen. Mr. Clark will schedule a workshop.

► Mr. Chamberlin asked that the Planning Board's involvement in the annexation process be expanded in order to avoid these kinds' of issues. Some facts do not surface until development begins. The members questioned if road grade could be factored in when the Clerk reports the sufficiency to Council. The members found it alarming that Katua Falls Subdivision was within Maggie Valley's ETJ the whole time, but fell through the cracks until the roads were almost complete. Ms. Johnson agreed, adding that we do not want people to see the loophole and purposely go though the "back door". Mr. Pauley's concern was allowing Whisper Creek Subdivision to move forward with the steep road grades and setting precedence for other developments.

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Alderman Edwards stated that the Town could not be so restrictive that people are unable to sell their land when they may not be able to afford to pay the property taxes. Some of this land has been in family land for over 100-years.

Mr. Edwards added that an entire project should not be prevented due to a section of road being out of compliance by a small percentage. Mr. Edwards also stated that the key is communication, visiting the site and making suggestions early- on makes all the difference in the end-result.

**MR. PAULEY MADE A MOTION TO AMEND THE ROAD STANDARDS TO REQUIRE ROAD GRADE TO BE SHOT EVERY 50-FOOT.**

**MR. CHAMBERLIN SECONDED THE MOTION.  
MOTION CARRIED UNANIMOUSLY.**

**MR. CHAMBERLIN MADE A MOTION TO ADJOURN AT 6:45 PM. CHAIRMAN BREDE SECONDED THE MOTION.  
MOTION CARRIED UNANIMOUSLY.**

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Chairman Billy Brede

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Vickie Best, CMC, Town Clerk