

Donovan McLaurin,
Chair
Wade, Falcon & Godwin

Lori Epler,
Vice-Chair
Cumberland County

Garland C. Hostetter,
Town of Spring Lake
Harvey Cain, Jr.,
Town of Stedman
Patricia Hall,
Town of Hope Mills
Charles C. Morris,
Town of Linden



Thomas J. Lloyd,
Director

Cecil P. Combs,
Deputy Director

Walter Clark,
Roy Turner,
Sara E. Piland,
Cumberland County

Benny Pearce,
Town of Eastover

COUNTY of CUMBERLAND

Planning and Inspections Department

MINUTES
October 21, 2008

Members Present

Mr. Donovan McLaurin, Chair
Mrs. Lori Epler, Vice-Chair
Mrs. Sara Piland
Mr. Roy Turner
Mr. Charles Morris
Mr. Benny Pearce
Mr. Garland Hostetter
Mr. Harvey Cain, Jr.
Ms. Patricia Hall

Others Present

Mr. Tom Lloyd, Director
Mrs. Laverne Howard
Ms. Donna McFayden
Mr. Lee Eanes
Mr. Mike Osbourn

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Morris delivered the invocation and led those present in the Pledge of Allegiance.

II. APPROVAL OF/ADJUSTMENTS TO AGENDA

There were no adjustments

Mrs. Piland made a motion to approve the agenda, seconded by Vice-Chair Epler. Unanimous approval

III. PUBLIC HEARING DEFERRAL – STAFF INITIATED

P08-51: REZONING OF 47.70+/- ACRES FROM RR RURAL RESIDENTIAL & CD CONSERVANCY DISTRICT TO R7.5 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE NORTH SIDE OF CAMDEN ROAD AND THE EAST SIDE OF THE HOKE COUNTY LINE, SUBMITTED BY BILLY E. DEES, OWNED BY JOHN D. BEASLEY AND BILLY E. DEES.

Vice-Chair Epler made a motion to accept the deferral, seconded by Mr. Morris. Unanimous approval.

IV. ABSTENTIONS BY BOARD MEMBERS

There were none.

V. POLICY STATEMENT REGARDING PUBLIC HEARING TIME LIMITS

Mr. Lloyd read the policy statement.

VI. APPROVAL OF THE MINUTES OF SEPTEMBER 16, 2008

A correction was made on page 5 of 6 in Case 08-117. The motion was made by Mrs. Piland, not Ms. Hall.

Mrs. Piland made a motion to approve the minutes with the changes, seconded by Ms. Hall. Unanimous approval.

VII. PLAT & PLAN AND REZONING DEADLINE/MEETING SCHEDULE

Mr. Morris made a motion to approve the deadline/meeting schedule as submitted, seconded by Vice-Chair Epler. Unanimous approval.

VIII. PUBLIC HEARING CONSENT ITEMS

REZONING CASE

- A. **P08-50:** A ZONING MAP CORRECTION OF 2.72+/- ACRES TO R30 RESIDENTIAL; LOCATED AT 1956, 1964 & 1976 MIDDLE ROAD; OWNED BY LARRY W. & DIANE W. FUSSELL, WINBURN L. & MARY H. FUSSELL, AND DAVID Q. & DEBORAH W. WILLIAMS; STAFF INITIATED.

This case was initiated by the Planning & Inspections Staff to correct a mapping error. After the initial zoning into the Town of Eastover which was adopted on December 4, 2007, the R30 Residential zoning district previously approved on September 21, 1998 by the County Board of Commissioners for the subject property was omitted on the zoning map. However, the County Planning & Inspections Staff recommends the zoning map be corrected to reflect the approved zoning of R30 Residential district.

There are no other suitable zoning districts to be considered for this location at this time.

A motion was made by Mrs. Piland, seconded by Mr. Hostetter, to follow the staff recommendation and approve case P08-50. Unanimous approval.

- B. **P08-52:** REZONING OF 1.64+/- ACRES FROM A1 AGRICULTURAL TO R15 RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2463 CEDAR CREEK ROAD, SUBMITTED BY BRADY L. RUFENACHT, OWNED BY WATERMARK HOMES INC.

The Planning & Inspections Staff recommends denial of the request for R15 Residential and recommends approval of R20 Residential zoning district based on the following:

1. The recommendation is consistent with the 2010 Land Use Plan, which calls for low density residential at this location;
2. Public utilities are available to the subject property and extension will be required upon development.

The R40 and R30 Residential districts could also be found suitable in this area.

The applicant verbally agreed with the recommendation to R20 Residential.

A motion was made by Mrs. Piland, seconded by Mr. Hostetter, to follow the staff recommendation and approve case P08-52. Unanimous approval.

- C. **P08-53:** REZONING OF .55+/- ACRES FROM M(P) PLANNED INDUSTRIAL/CONDITIONAL USE DISTRICT (TO ALLOW STORAGE OF EXPLOSIVE MATERIALS) AND THE PERMIT TO A1 AGRICULTURAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 315 MAGNOLIA CHURCH ROAD, SUBMITTED AND OWNED BY LARRY W. HALL.

The Planning and Inspections Staff recommends approval of the request for A1 Agricultural based on the following:

1. Although the A1 Agricultural district is not consistent with the Stedman Area Land Use Plan, it is consistent with the lot sizes and land uses within the general area; and
2. The subject lot is a portion of the original tract and rezoning to A1 Agricultural district would allow for the property to be under the same ownership to have the same zoning classification.

There are no other suitable zoning districts to be considered for this location at this time.

A motion was made by Mrs. Piland, seconded by Mr. Hostetter, to follow the staff recommendation and approve case P08-53. Unanimous approval.

- D. **P08-55:** A ZONING MAP CORRECTION OF 2.0 +/- ACRES TO RR RURAL RESIDENTIAL/ CU CONDITIONAL USE OVERLAY DISTRICT AND PERMIT; LOCATED AT 3565 BEARD ROAD; OWNED BY JOHN B. & DELLA W. PATTERSON; STAFF INITIATED.

This case was initiated by the Planning & Inspections Staff to correct a mapping error. This property was rezoned to RR Rural Residential/Conditional Use Overlay (used auto sales and the existing residence) along with the approval of the Permit on February 17, 2003 while still under the jurisdiction of the County. The zoning was inadvertently presented to and adopted by Eastover Town Council as RR Rural Residential (the Overlay and Permit were not included). The County Planning & Inspections Staff recommends the zoning map be corrected to reflect the approved zoning of RR Rural Residential/CUD Conditional Use Overlay District and Permit.

There are no other suitable zoning districts to be considered for this location at this time.

A motion was made by Mrs. Piland, seconded by Mr. Hostetter, to follow the staff recommendation and approve case P08-55. Unanimous approval.

CONDITIONAL USE DISTRICT AND PERMIT

- E. **P08-54:** REZONING OF .52+/- ACRES FROM MXD MIXED USE DEVELOPMENT/CUD CONDITIONAL USE DISTRICT AND PERMIT TO R7.5 RESIDENTIAL AND R10 RESIDENTIAL TO MXD MIXED USE DEVELOPMENT/CUD CONDITIONAL USE DISTRICT AND PERMIT OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED ON THE SOUTH SIDE OF ELK ROAD, WEST OF PINWOOD DRIVE; SUBMITTED BY TRACY POUNDERS; OWNED BY FAYETTEVILLE CHRISTIAN SCHOOLS, INC.

The Planning & Inspections Staff recommends approval of the request for R7.5 Residential and MXD Mixed Use Development/CUD Conditional Use District and Permit based on the following:

1. The request is not consistent with the 2010 Land Use Plan, which calls for low density residential; however the request, if approved, will allow for the protection of wetlands and allow for the same or similar type of development that has previously been approved; and
2. The *Ordinance-Related Conditions* approved by the County will remain in force.

There are no other suitable zoning districts to be considered for this site.

A motion was made by Vice-Chair Epler and seconded by Ms. Hall to approve the Conditional Use Permit as recommended by the staff after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. Unanimous approval.

IX. CONSENT PLATS & PLANS

There were none.

X. PUBLIC HEARING CONTESTED ITEMS

P08-40: REZONING OF 0.81+/- ACRES FROM M(P) PLANNED INDUSTRIAL/CUD CONDITIONAL USE DISTRICT (TO ALLOW THE MANUFACTURING AND SALES OF STORAGE BUILDINGS) AND THE PERMIT TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 5003 MARRACCO DRIVE, SUBMITTED BY MICHAEL N. NELSON & MICHAEL ADAMS, OWNED BY JOHN D. GRAHAM AND COLUMBIA O. BLANKS.

Mr. Lloyd reviewed the site information and stated the staff recommends approval of the request for C(P) Planned Commercial/Conditional Use District for retail and other permitted uses; however, the staff does not recommend approval of all the requested uses; the staff's recommended allowable uses for this district are:

- | | |
|------------------------------|------------------------|
| a. Apparel & Accessory Sales | e. Retail or Servicing |
| b. Locksmith, Gunsmith | f. Office Use |
| c. Photography Studio | g. Restaurant |

d. Repair, Rental & Servicing

h. Variety, Gift & Hobby Supply
Sales

This recommendation is based on the following:

1. Even though the C(P) Planned Commercial district is not consistent with the 2010 Land Use Plan, which calls for medium density residential at this location, the recommendation is reasonable because the area is in transition to non-residential uses; and
2. The recommendation would allow for uses appropriate within an *entrance corridor* to both the County and the Town of Hope Mills.

The C1(P) Planned Local Business and C2(P) Planned Service and Retail districts could also be found suitable at this location.

The Planning & Inspections Staff also recommends approval of the Conditional Use Permit based on the following:

1. The recommended use will not materially endanger the public health and safety if located according to the site plan submitted;
2. The use will meet all required conditions and specifications if constructed according to the site plan, application and conditions – a copy of the *Ordinance-Related Conditions* pertaining to this site is attached; and
3. The location and character of the use, if developed according to the site plan as submitted, will be in harmony with the area in which it is to be located.

Inherent in this recommendation, the Planning & Inspections Staff recommends that the Permit be restricted so that any use allowed cannot generate outside display and/or outside storage at this location.

Vice-Chair Epler asked for clarification purposes, if the requested uses that Mr. Lloyd read were the requested permitted uses, not what the planning staff recommends.

Mr. Lloyd stated that was correct.

Mr. Lloyd stated that the Planning & Inspections staff has no problem with the uses listed in the recommendation, but because this is an entrance corridor and the size and shape of the lot, more specifically the size of the lot, buffering would be virtually non-existent. For that reason we feel that any outside display or storage wouldn't be appropriate at this location.

Mr. Morris stated that this request doesn't comply with any of our existing setbacks. If the site plan is approved will a variance be provided for the setback?

Mr. Lloyd stated no, the site plan as submitted will be approved by the conditional use permit, which essentially grants an alternate yard requirement for the setbacks.

Mr. Morris stated that we're granting a variance to the existing setbacks.

Mr. Lloyd stated in essence that was correct.

Micheal Nelson stated that he would prefer not to be sworn in because he is a pastor. Chair McLaurin had Mr. Nelson affirm to tell the truth.

Chair McLaurin swore in Mr. John Dawson Graham.

Mr. Nelson spoke in favor. Mr. Nelson stated that he is the applicant, and appreciates all the work that has been done on this. This piece of property is totally encompassed by highway. There is Department of Transportation property completely surrounding the subject property. Mr. Nelson stated that he concurs with what was approved, but would like to ask for some other approvals. He was advised that going through the conditional use process he would need any approval for any future uses he may have. Mr. Nelson stated that currently he is a licensed and bonded North Carolina car dealer. The vehicles that he sells are quality merchandise which is kept inside. Mr. Nelson stated that he feels he is being denied usage of some of these items which are already concurrently being used around this piece of property. Mr. Nelson stated that basically he agrees with what has been approved, but would like to also be able to use his motor vehicle dealer's license there. Mr. Nelson stated that he doesn't plan on storing vehicles at this location; a fence has been placed on the property where he may display vehicles if it's ever needed, because there is a theft problem in the area. Mr. Nelson plans to clean the property up, removing and tearing down some unsightly buildings that are on the property. This will improve the tax base and also improve the gateway into Fayetteville. Mr. Nelson stated that he can't see any reason why he can't have some of the requested uses. He has no plans to deface the County; he would just like to improve upon his chances for a successful business.

Chair McLaurin stated that when requesting a conditional use you're asking for special consideration and for that consideration you greatly reduce the uses and generally we know exactly what you are going to do. The conditional use was designed for special needs.

Mr. Lloyd stated that in the past, any use that the applicant feels they may want to do in the future has to be considered now.

Mr. Nelson stated that he was advised that he should list any uses that he might use it for. He was told a conditional use would have better success than a total rezoning to C(P). It is at present a more restrictive zoning, in fact it's M(P) Manufacturing with C(P), which already has display on it. I am actually putting it at a better use with what is being recommended.

Chair McLaurin asked if under the present zoning how many uses you have.

Mr. Nelson responded a manufacturing site for storage buildings and sales and other miscellaneous things.

Mr. Lloyd stated that Mr. Graham is the owner and Mr. Nelson is the prospective buyer.

Chair McLaurin stated that generally when a conditional use is granted here we usually know, within reason, what is going to be taking place. You have uses that vary greatly.

Mr. Nelson stated that the only reason he listed those uses was because it was recommended that he do so.

Vice-Chair Epler asked Mr. Nelson about the statement he made about keeping his vehicles inside.

Mr. Nelson responded that presently he keeps all of his vehicles stored indoors in Cumberland County.

Vice-Chair Epler clarified that the vehicles are displayed indoors.

Mr. Nelson responded yes indoors, they are specialty cars, they are not normal cars. But he wants to be able to display the cars outdoors for sale. There is a problem in the area with theft and the plans are to place fencing up.

Vice-Chair Epler asked about Mr. Nelson's statement to enhance the property. Vice-Chair Epler asked if he was going to keep the existing building.

Mr. Nelson stated that he was going to tear down about three structures that are on the property now and remove other debris.

Ms. Hall asked Mr. Nelson about his indication of wanting motor vehicle sales, the question was can he have sales without storage.

Mr. Nelson responded that what he needs is sales. He feels that he should have the capability to conduct sales. Mr. Nelson stated that he was advised that he should list any uses that the property might be used for in ten years, and that's what he did.

Ms. Hall asked if motor vehicle sales covered retail and wholesale.

Mr. Lloyd stated that it does.

Ms. Hall stated that wholesale wouldn't be needed, just sales.

Mr. Graham spoke in favor. Mr. Graham stated that he was present to answer any questions that the Board may have. Mr. Graham stated that it was his understanding that what was on the property now needs to be removed.

Vice-Chair Epler asked Mr. Graham if he lived down the street from the subject property.

Mr. Graham stated that was correct.

Vice-Chair Epler asked if he was aware of the permitted uses that were being asked for and if he would continue to be a neighbor of the property and if there were any uses that he would have a problem with as a neighbor.

Mr. Graham stated no. He stated that he had been in the area for twenty years, and he doesn't believe anyone would oppose.

Public hearing closed.

Mr. Morris stated that it worries him that we would provide all of these variances.

Vice-Chair Epler asked if the landscape requirement could be met with the current site plan.

Mr. Lloyd stated that they should be with the setback waivers.

Vice-Chair Epler stated that in granting the waivers we are not granting a variance to the landscaping ordinance.

Mr. Lloyd stated no.

Mr. Morris asked if a waiver was being created with the parking at four thousand square feet and seventeen parking places.

Mr. Lloyd stated no, the parking, unless specifically listed which is just the dimensional uses, the other requirements can be met, with the waiver on the setbacks.

Mr. Morris asked what the current setbacks are.

Mr. Lloyd stated the setbacks are 50' for the front and 30' for the side and rear.

Mr. Morris stated that his dilemma is if we don't do something with the property it will become a wasteland and will stay that way. The other thing is if we start using site plans to create waivers and variances than we open Pandora's box. We need to be clear on that.

Mr. Turner asked how many residences are around the subject property and were they notified about this case.

Mr. Lloyd stated that thirty-five addresses were notified.

Ms. Hall asked Mr. Lloyd if the applicant could, with the C(P)/CUD with limited uses including the motor vehicle sales come back at a later date and request something else.

Mr. Lloyd responded that the applicant could do that.

Mr. Morris asked what the speed limit was in the area.

Chair McLaurin stated it was 45 on Marracco Dr. and 55 on Highway 301.

Vice-Chair Epler stated that she would really like to see this property improve. She doesn't necessarily agree with all of the requested permitted uses, some of those we might be able to include and add to the staff recommendations. I don't have a problem adding motor vehicle sales or trailer rentals. The rest of the requests, even though there is mini-

warehousing and storage facilities in that area, I don't feel the site is large enough to add those. We don't typically see those on a site this small. I'm afraid if that business were tried on this area it might not make it and we would end up with another dark building. I would like to see that property improve and I don't have a problem adding those two uses to the ones that the staff has recommended. I understand his desire to watch out for his future as a business owner and the future of his family that he may leave this to someday, but we also have to see this from the point that you may decide that five years from now this site isn't working for you and your son may decide that he doesn't want to use it either, we have to keep in mind that what we approve here tonight may go to someone that doesn't have quite as noble motives as you do down the road. We really have to watch out for that neighborhood and that corridor into our town and into our County.

A motion was made by Vice-Chair Epler and seconded by Ms. Hall to approve the Conditional Use Permit as recommended by the staff for apparel & accessory sales, locksmith, gunsmith, photography studio, repair, rental & servicing, retail or servicing, office use, restaurant, and variety, gift & hobby supply sales, the Board also recommends approval of the uses of motor vehicle sales and trailer rentals after finding that when completed, the proposal: 1) will not materially endanger the public health and safety; 2) will not substantially injure the value of adjoining or abutting property; 3) will be in harmony with the area in which it is to be located; and 4) will be in conformity with the land use plan, thoroughfare plan or other plan officially adopted by the Board of Commissioners. Unanimous approval.

XI. CONTESTED PLATS & PLANS

- A. **CASE NO. 08-104.** CONSIDERATION OF ROBERT P. HAMMOND PROPERTY, SUBDIVISION REVIEW, REQUEST FOR A WAIVER FROM SECTION 2306.B, COUNTY SUBDIVISION ORDINANCE, REGARDING FIRE HYDRANT INSTALLATION; ZONING: R15; TOTAL ACREAGE: 2.57 +/-; LOCATED AT THE SOUTH END OF WOLFLAIR DRIVE, SOUTH OF SR 2554 (FOXLAIR DRIVE).

The developer is requesting approval of a waiver from Condition No. 14 of the attached conditional approval, regarding the installation of a fire hydrant to serve four proposed lots. The County Subdivision Ordinance requires all newly created lots within a subdivision to be located within 500 feet of a fire hydrant when public water is available. A six inch public water line exists in the right-of-way of Foxlair Drive, approximately 230 feet from the subject property. The closest fire hydrant to the subject property is approximately 1,250 feet away. The County Subdivision Ordinance requires the installation of fire hydrants to the standards of the service provider, which is Harnett County for this development.

The Harnett County Department of Public Utilities (HCDPU) allows fire hydrants to be connected to their water system on six inch water mains and does not object to the required hydrant being installed. In the attached e-mail, Mr. Tim Payseur emphasizes that the "HCDPU is making every effort to enforce the local codes and ordinances as they pertain to the construction of new water line extensions" in Cumberland County. His only concern was whether or not the County would be satisfied with a hydrant connected to a six inch water line. Since his original e-mail, Mr. Payseur has been given a copy of the recent change in the subdivision ordinance provision governing fire hydrants, which now reads: "Each fire hydrant shall have the minimum main supply line as required by the provider to adequately provide the appropriate amount of pressure to the hydrant."

The Westarea Fire Department, Station 10 (Ramsey Street) Fire Chief has reviewed the waiver request and is of the position that a fire hydrant would be desirable at a location in or near the subject property; her position is based on the fact that the closet fire hydrant is located approximately 1,000 feet away from the entrance to the site.

The developer is requesting to be allowed develop the four lots without having to provide a fire hydrant and to serve the lots with a two inch water main. The four lots are bordered to the north and west by existing residential lots and a pond to the south. The remaining portion of the 92.81+/- acre tract has direct access to SR 1607 (Elliot Bridge) and public water will be required to be extended from the existing eight inch main to serve any development of this portion of the tract and fire hydrants will also be required.

The Planning and Inspections Staff recommends denial of the waiver request based on the following:

- a. Installation of the fire hydrant will not cause a special hardship to the property owner and be inequitable since hydrant installation is a common standard for new developments and the developer does not necessarily have to extend a six inch water line to the subject property but could install the hydrant at the intersection of Wolflair Drive and Foxlair Drive, then extend a two inch line to serve the proposed lots;
- b. The public purposes of the Subdivision Ordinance and Zoning Ordinance will not be served to an equal or greater degree if the developer's request is granted, in that the single primary purpose of the ordinances is for the protection of the public health, safety and welfare and the provision of a fire hydrant within a reasonable distance to the proposed lots would afford the responding fire department better capability for fire suppression not only for the proposed lots but will aid in protecting the existing lots in the immediate surrounding area; and
- c. The property owner would be afforded a special privilege denied to others if this request is approved since fire hydrant installation is a basic necessary improvement required in all developments when public water is available.

Mr. Lloyd stated that the applicant was not present for the meeting, but was advised that he only has to provide a two inch line from the hydrant which should be located at the intersection of Foxlair Drive and Wolflair Drive. It doesn't have to be a six inch line, which was agreed upon by the Chief Engineering Technician of Harnett County.

Mr. Morris made a motion, seconded by Mrs. Piland to follow the staff recommendation and deny the request to waive the requirement of fire hydrant installation. Unanimous denial.

- B. **CASE NO. 08-136.** CONSIDERATION OF SOUTHVIEW SECTION NINE, ZERO LOT LINE SUBDIVISION REVIEW, A REQUEST FOR A WAIVER FROM SECTION 2302.A MUNICIPAL INFULENCE COMPLIANCE (HOPE MILLS MIA), COUNTY SUBDIVISION ORDINANCE; REGARDING SIDEWALKS AND CONCRETE CURBS & GUTTERS; ZONING: R10; TOTAL ACREAGE: 7.18+/-; LOCATED AT THE NORTHEAST END OF CREPE MYRTLE DRIVE, SOUTHEAST OF SR 1392 (CANADY STREET).

The developer of the above referenced case has requested a waiver from Section 2302.A Municipal Influence Area (MIA), County Subdivision Ordinance, regarding conditions numbered 17 and 20 of the attached condition sheet. The conditions of approval noted above are based on the requirement that the County Subdivision Ordinance mandates that developments located within a Town's MIA to meet the development standards of that town. The Hope Mills Subdivision Regulations require sidewalks on both sides of all streets and street construction with concrete curbs and gutters.

The proposed subdivision is a zero lot line development for 21 lots and is the last phase of a previously approved and developed subdivision of which the proposed development was part of the original approval. The entire area surrounding this development has been developed without sidewalks and concrete curbs and gutters. The developer's waiver application with the justification for the request is attached to this memorandum.

The Hope Mills Board of Commissioners voted on October 6, 2008 to recommend denial of the waiver request for sidewalks as submitted and to follow the Hope Mills Plan Review Committee and Planning Staff recommendation to allow sidewalks along one side of all streets. This recommendation is based on the following:

1. The Town Board has required sidewalk construction along at least one side of all streets for developments with a similar set of facts and circumstances, including the topography of this site, and requiring the sidewalks only on one side of all streets in an effort to cause less impervious surface area within the development;
2. This development is likely to be annexed into the Town limits within a relatively short period of time and all new subdivisions should reflect the development standards enforced within the Town when proposed within the Town's MIA; and
3. Providing sidewalks on one side of all streets will help ensure safe pedestrian access.

The Hope Mills Board of Commissioners also voted to recommend denial of the concrete curbs and gutters waiver and to follow the Staffs' recommendation. This recommendation is based on the following:

1. Because concrete curbs and gutters do not currently exist within this general area is not a justifiable basis for the waiver request;
2. The staff is of the opinion that the provision of concrete curbs and gutters will not adversely affect the development; and
3. Providing concrete curbs and gutters will aid in controlling future storm water runoff.

Mr. Maxwell spoke in favor. Mr. Maxwell stated that he recognizes the work and effort that staff has put into this and just wanted the Board to know that he appreciates their public service.

Ms. Hall stated that the planning staff didn't make a recommendation on this.

Mr. Lloyd stated that basically the agreement was in place, the Planning Board should consider making a policy that when an agreement is in place with the town, this Board doesn't need to hear it. This Board doesn't have the authority to waive what the Commissioners have already agreed upon with the town. That will exist when interlocal agreements exist with every town.

Ms. Hall made a motion, seconded by Mr. Morris to follow the Town Board of Commissioners recommendation concerning concrete curb and gutter and installation of sidewalks on one side of all streets. Unanimous denial.

XII. DISCUSSION

- A. Lee Eanes, GIS Coordinator, gave a PowerPoint presentation to the Board on the activities of the GIS Department.
- B. Mike Osbourn, GIS Coordinator, gave a PowerPoint presentation to the Board on the activities of the E-911/Addressing Department.
- C. Mr. Pearce advised the Board that the first meeting of the Adhoc Committee for the by-laws of the Cumberland County Joint Planning Board will be on Monday, November 3, 2008 from 2:00 PM – 5:00 PM at the Historic Courthouse.

XIII. FOR YOUR INFORMATION

A. DIRECTOR'S UPDATE

There was no Director's update.

XVIII. ADJOURNMENT

There being no further business, the meeting adjourned at 8:45 p.m.