

MINUTES

ORDINANCE COMMITTEE MEETING

December 18, 2013 – 4 p.m.

Conference Room A

Present: Councilor Matt Robinson, Chair; Councilors Sherrie Benner and Benjamin Harwell
Also Present: Town Manager David Cole; Zoning Administrator David Galbraith; Town Planner Tom Poirier; Police Chief Ron Shepard; Public Works Director Bob Burns

The Town Manager explained how the agenda for the Ordinance Committee is developed and the process used to track items referred to the Committee by the Town Council.

1. Approval of October 28, 2013 Committee Meeting Minutes.

A Motion was MADE by Councilor Hartwell, SECONDED by Councilor Benner, and VOTED to accept the minutes of the October 28, 2013 Committee Meeting minutes. Unanimous vote.

2. Current Business

- A. Evaluate Intersection of Railroad Avenue and Mechanic Street to determine the need for more traffic regulations to enhance safety and recommend any changes needed to local ordinances to implement changes (referred by Town Council on November 12, 2013)

The Public Works Director distributed pictures of the intersection area for the Committee's review. The Committee discussed with staff options for the Railroad Avenue and Mechanic Street intersection area to improve safety for both motorists and pedestrians. It was agreed that the Police Chief will research and report back to the Committee on recorded accidents in the intersection area.

It was discussed that motorists driving towards the post office on either Mechanic Street or Railroad Avenue and motorists exiting the post office can get confused about who should yield. The Public Works Director recommended that placing "black curve approaching" signs on Mechanic Street and Railroad Avenue may lessen motorists' confusion and enhance safety. The Committee also discussed that striping the road in the area of the curve would assist motorists in more safely navigating the intersection.

After discussion, it was the general consensus of the Committee that the Committee will continue its discussion of this item after the DPW Director has contacted communities who may have a similar intersection to determine what traffic regulations those communities have in place. Based on the results of the DPW Director's research, the Committee will discuss available options, including striping the portion of the road near the curve in the spring, and develop recommendations to enhance traffic safety at the Railroad Avenue and Mechanic Street area for Council's consideration.

- B. Develop a proposal to provide more flexibility for allowing home occupation businesses for the Town Council to consider at a future meeting (referred by Town Council on December 3, 2013).

The Town Manager suggested that the Committee provide feedback to staff so that staff can begin researching this item. He explained that feedback such as the number of employees and employee vehicles and how much business-related traffic is allowable to and from the home occupation will be helpful to staff.

The Zoning Administrator answered questions regarding the definition of home occupation and what occupations are allowed. He reported that per state law, 20% of the square footage of a home may be dedicated to a home occupation. He further reported that currently, applications are reviewed by staff on a case-by-case basis and that Staff discusses the project with the applicant, receives information on the number of employees, and evaluates whether the business will change the character of the neighborhood. Currently, landscaping businesses are being directed to the industrial park because this type of business stores materials outside.

The Committee discussed that some current home businesses may be operating illegally. The Town Manager stated that the Code Enforcement Office investigates complaints but unless staff receive a complaint or is made aware of a possible violation, illegal businesses continue to operate.

After further discussion, the Committee requested that Staff research the following for discussion at future Ordinance Committee Meeting:

- (1) Home occupation thresholds and uses in other communities.
- (2) Wording in the Town's Comprehensive Plan as it relates to home occupations and recommend any changes.
- (3) Number of permits for home occupations issued by the Code Enforcement Office.

- C. Review the proposed amendment to the Land Use and Development Code, Chapter III, Subdivision Section III, Preliminary Plan (referred by Town Council on August 7, 2013).

The Committee reviewed and discussed the proposed amendment. The Town Planner explained the proposed changes and reported that the changes will make the ordinance consistent with state law.

After discussion, a motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell, and VOTED to recommend approval of the proposed amendment to the Town Council. Unanimous vote.

3. Items Referred to Committee for Future Meetings:

The Committee agreed that the agenda for the next Committee meeting will consist of a review of the proposed amendment to the Land Use and Development Code to add definitions for airstrips and runways that was referred by the Town Council on October 1, 2013. The Committee asked that the appropriate people be notified of the Committee meeting.

4. Schedule next meeting.

The next meetings of the Committee were scheduled for February 3, 2014 at 8 a.m. and February 24, 2014 at 8 a.m.

5. Adjournment.

A motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell, and VOTED to adjourn.
Time of adjournment: 5:45 p.m.

Respectfully submitted,

Jeri L. Sheldon, Ass't to the TM/HR Director