

Minutes Planning & Zoning Commission
Tuesday, October 27, 2020
6:00 PM Midland Town Hall
4293-B Hwy. 24/27E, Midland, NC 28107

Attendance: Chair Darrell Page; Commissioners: Bob Caddell, Steve Clark, Darrell Helms, Jim Hoy, Josh Mendoza; Hilda Keeney, Planning & Zoning Clerk; Kassie Watts, Town Planner

Alternate: Jennifer Gallant

Absent: Pam Carter

Others: Councilmember Rich Wise

Item #1 – Invocation & Pledge of Allegiance

Item #2 – Open – Chair Page called the meeting to order at 6:02 PM.

Item #3 – Approval of Agenda

Motion was made by Commissioner Mendoza and seconded by Commissioner Hoy to approve the agenda. **Motion carried 6-0.**

Item #4 – Approval of Minutes – Open Session 09-22-2020

Motion by Commissioner Hoy and seconded by Commissioner Mendoza to approve open session 09-22-2020 minutes. **Motion carried 6-0.**

Item #5 – Public Comments

Samantha Miller – 11700 Riceland Way

Ms. Miller's presented concerns with Item 7 on the agenda (ZMA-2020-06 - Zoning Map Amendment)

- Resident on Riceland Way (a private road), the road is in poor condition and is a dead end road
- Recently more truck traffic on the road
- If parcel allowed to become commercial, more truck traffic on the private road
- Being on State road and site plan submitted, NC DOT may ask their entrance be off Riceland Way
- Any knowledge of what the commercial site would be

Commissioner Wise informed the Commission he was sharing a brochure of the house constructed in Rosewood Trail subdivision.

Item #6 – Planning, Zoning & Subdivision Reports

a. Zoning Permit Review

Ms. Watts reviewed the zoning permits since the September 22nd meeting.

b. Update on Projects

Pinnacle Crane – continues to move along

Copart – site plan approval issued – need demolition permits to remove grand stands, older buildings, etc.

Wyntree – continues to move along

Cedar Creek – waiting for constructions drawings

Fox Creek – repairs needed on sidewalks and roads; install signage, etc. before

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Town can be petitioned to take over the streets; barrier has been removed between the subdivisions; discussing traffic calming options with True Homes
Rosewood Trail – open house held and construction continues
Shea Homes – working on preliminary plat; discussion with Army Corp of Engineers regarding stream designations
Bethel Glen – case continues to be appealed

Item #7 – Zoning Map Amendment

- a. ZMA-2020-06 - Zoning Map Amendment –David Stophel - 3331 NC Hwy 24/27 E (PIN 5544-69-9614) – currently zoned Single Family Residential (SFR) – proposed NC 24/27 Commercial (C 24/27)

Motion by Commissioner Helms and seconded by Commissioner Gallant to table action until the November meeting to obtain further information. **Motion carried 6-0.**

Item #8 – Noise Ordinance Modification

a. Noise Ordinance #2005-44 Modification

Points of Discussion

- Councilmember Wise discussed with the Sheriff's Department recommendations for modifications
- Sheriff's Department would like to review proposed ordinance before adoption
- Permit from Town for sound amplification on weekends
- Set perimeters for the permit
- Purchase decibel readers for officers
- Specify distance
- Neighborhood/residential/community noise only one segment of noise pollution and control
- Refrain from identifying noise amplification vs non-amplification
- Measure decibels at site of source or at the distance set by the Town
- Sheriff's department prefers a linear distance from the source of the noise
- The traditional setbacks – some neighborhoods side yards for 5 feet and back yards are 20 feet
- Very few complaints about noise, other than construction, communicated to Town staff
- Specify time
- Town purchase a decibel reader to test various level of noises

Motion by Commissioner Helms and seconded by Commissioner Caudle to table action until the November meeting to obtain further information. **Motion carried 6-0.**

Item #9 – Adjournment

Motion was made by Commissioner Helms and seconded by Commissioner Gallant to adjourn

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the meeting. **Motion carried 6-0.**

The meeting was adjourned at 7:22 PM.

Darrell Page, Chair, Midland Planning & Zoning Commission

Hilda Keeney, Planning & Zoning Commission Clerk to the Board