

**MINUTES OF THE  
NASH COUNTY PLANNING BOARD  
REGULAR MEETING  
HELD MONDAY, AUGUST 21, 2023 AT 6:30 P.M.  
COMMISSIONERS ROOM – THIRD FLOOR  
NASH COUNTY ADMINISTRATION BUILDING  
120 WEST WASHINGTON STREET  
NASHVILLE, NC 27856**

**BOARD MEMBERS PRESENT**

DeLeon Parker, Jr., Chairman  
Jimmy Glover, Vice-Chairman  
Moses Brown, Jr.  
Kim Moore  
Ethan Vester  
Steve Williams

**BOARD MEMBERS ABSENT**

Robert Cordell  
Chris Sandifer

**STAFF MEMBERS PRESENT**

Adam Tyson, Planning Director  
Aaron Chalker, Senior Planner  
Windy Braswell, Planning Technician

**OTHERS PRESENT**

Peggy Evans Perry  
Cecil T. Williams, Jr.

**1. Call to Order.**

Chairman Parker called the meeting to order at 6:30 p.m.

**2. Determination of a Quorum.**

Chairman Parker recognized the presence of a quorum.

**3. Delayed Minutes of Previous Meetings.**

The minutes of the previous meetings were delayed and will be provided to the Board for review at a later date.

**4. Review of Public Comment Policy.**

With the Chairman's permission, Mr. Tyson omitted the usual review of the Board's public comment policy because there was only one member of the public present at the meeting other than the request applicant.

**5. Conditional Rezoning Request CZ-230701 made by the C.T. Williams Corporation, the property owner, to propose an alternate sketch plan design for the Williams Grove Subdivision, Phase VII in order to remove the proposed stream/wetland crossing at the northern end of Juniper Rd, Bailey, NC 27807.**

Mr. Tyson presented the staff report and supplemental materials related to Conditional Rezoning Request CZ-230701 as submitted to the Board in the August 21, 2023 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the request on August 3, 2023 and recommended approval, subject to the following additional revision: The northern end of Juniper Rd shall terminate in a permanent cul-de-sac just south of the wetland/stream buffer.

Ms. Peggy Evans Perry, the owner of one of the immediately adjacent tracts of land on Needham Rd to the north of the subject property, addressed the Board to request the installation of a screening buffer between the two properties consisting of an earthen berm, vegetation, and a wooden fence. She provided a written request letter to the members of the Board.

Mr. Tyson commented that Ms. Perry's request was very similar to measures previously attached to the nearby Coolwater Phase Four Subdivision to the west.

Mr. Cecil T. Williams, Jr., the applicant and developer, addressed the Board in support of the request.

Mr. Glover asked Mr. Williams about Ms. Perry's request for screening measures.

Mr. Williams replied that he had not seen Ms. Perry's request.

Chairman Parker asked Mr. Tyson to share Ms. Perry's written request letter with Mr. Williams.

Mr. Williams replied that, in his opinion, the requested buffer would probably not effectively address the concerns referenced by Ms. Perry and so he was not prepared to commit to the installation of a buffer at this time.

Chairman Parker and Mr. Tyson discussed the TRC's recommendation to approve the currently proposed version of the subdivision sketch plan.

The Board discussed their preference for the currently proposed subdivision sketch plan over the previous version.

Mr. Steve Williams asked whether Ms. Perry's request for screening measures should be addressed by the Board or by the developer.

Mr. Tyson replied that it was his understanding that Ms. Perry's request was for the Planning Board to recommend a development condition to be attached to the rezoning request that would require the developer to install the previously discussed screening measures.

Chairman Parker asked whether the homes in the Williams Grove Subdivision have fences installed behind them.

Mr. Williams replied that perhaps more than half of the homes have rear fences.

Mr. Tyson clarified that the fence installation was currently at the discretion of the individual lot owners.

Mr. Steve Williams noted that the other adjacent property owners would likely request similar screening measures for their properties if Ms. Perry's request was granted.

Mr. Williams commented that the requested earthen berm could potentially create unintended drainage issues, so more study would be advisable.

Chairman Parker stated that he was inclined to omit the requested screening measures at this point because it would not likely remedy any already existing trespassing problems.

Mr. Vester asked if any similar screening measures were applied elsewhere along the northern property line of this subdivision project.

Mr. Tyson replied no.

Mr. Vester stated that, in that case, he would not recommend applying them here.

Mr. Steve Williams stated that he agreed.

Mr. Brown noted that Ms. Perry could still request the screening measures at the upcoming public hearing on this request before the Board of Commissioners.

**BOARD ACTION: Mr. Steve Williams offered a motion, which was duly seconded by Mr. Vester, to recommend the following statement of plan consistency and reasonableness and approval of Conditional Rezoning Request CZ-230701 to amend the Williams Grove Subdivision, Phase VII sketch plan as proposed, subject to the following development conditions for the consideration of the Nash County Board of Commissioners:**

**Statement of Plan Consistency and Reasonableness:**

**Conditional Rezoning Request CZ-230701 is:**

- (1) Consistent with the recommendation of the 2022 Nash County Comprehensive Land Use Plan to generally discourage development impacting the designated Water Protection /**

- Natural Resource Area, which includes the jurisdictional wetland and riparian stream buffer on the subject property; and
- (2) Not unreasonable “spot zoning” because it would not result in any changes to the allowed residential density, the minimum dimensional lot requirements, or the land uses permitted for development on the subject property.

**Development Conditions:**

- (1) The subject property shall only be developed in accordance with the alternate subdivision sketch plan for the Williams Grove Subdivision, Phase VII, provided that the northern end of Juniper Rd is revised to terminate in a permanent cul-de-sac just south of the wetland/stream buffer.
- (2) The subject property may be developed for any of the land uses as permitted in the RA-20 (Medium-Density Residential) Zoning District in accordance with the standard requirements and procedures established for that district by the Nash County Unified Development Ordinance.
- (3) All residential lots subdivided from the subject property shall be served by the Nash County Public Water System, which shall be extended by the developer as necessary.
- (4) Significant or substantial modifications or revisions to the approved design of the subdivision sketch plan may require additional review by the Nash County Technical Review Committee and the Nash County Planning Board as well as re-approval by the Nash County Board of Commissioners at the discretion of the Zoning Administrator.
- (5) This conditional zoning map amendment shall be invalid unless and until the petitioner(s) consent in writing to all the attached development conditions.

The motion was unanimously carried.

6. Text Amendment Request A-230801 made by Nash County Planning to amend the Nash County Unified Development Ordinance Section 9-4.1 (B) to repeal the cluster subdivision development option as recommended for consideration by the Nash County 2022 Comprehensive Land Use Plan.

Mr. Tyson presented the staff report and supplemental materials related to Text Amendment Request A-230801 as submitted to the Board in the August 21, 2023 Nash County Planning Board agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the request on August 3, 2023 and recommended approval.

Ms. Moore asked to confirm that this text amendment would basically place any cluster subdivision development on pause until the standards could be re-examined and reconsidered in the future.

Mr. Tyson replied that was correct.

Chairman Parker asked if an applicant proposed a rezoning with a subdivision sketch plan that designated a common area or conservation area lot, then could the County still approve it without the cluster subdivision development option being explicitly included in the Unified Development Ordinance.

Mr. Tyson replied that it could be approved as long as the applicant proposed a conditional rezoning request.

Mr. Steve Williams asked why a developer would typically choose to exercise the cluster subdivision development option, other than to be able to offer the common area as an amenity to the lot buyers.

Mr. Tyson replied that the cluster subdivision development option might allow a developer to reach a preferred price point for the proposed new lots and/or it may be used in order to account for portions of a subject property that have poor soil conditions that are unsuitable for the installation of septic systems.

Chairman Parker noted that the cluster subdivision development option allowed developers to reduce the minimum required lot size by right without having to submit a rezoning application. He also noted that the recently adopted Comprehensive Land Use Plan generally recommends a minimum residential lot size of 30,000 square feet.

**BOARD ACTION: Mr. Brown offered a motion, which was duly seconded by Ms. Moore, to recommend the following statement of plan consistency and approval of UDO Text Amendment Request A-230801 to repeal the cluster subdivision development option for the consideration of the Nash County Board of Commissioners.**

**Statement of Plan Consistency:**

**UDO Text Amendment Request A-230801 is consistent with the Nash County 2022 Comprehensive Land Use Plan Section 3, Objective 1.2, Action Item 1.2.5, which recommends that the County “*consider eliminating the cluster development standards.*”**

**The motion was unanimously carried.**

**7. Other Business.**

Mr. Tyson provided the following updates on the planning actions taken by the Nash County Board of Commissioners at its regular meeting on August 15, 2023:

Conditional Rezoning Request CZ-230501 to amend the Williams Grove Subdivision sketch plan in order to remove the proposed connection of Shallow Creek Trl to Stoney Hill Church Rd, Bailey was denied.

Conditional Rezoning Request CZ-230701 to amend the Williams Grove Subdivision, Phase VII sketch plan in order to remove the proposed stream/wetland crossing at the northern end of Juniper Rd, Bailey was tabled for further consideration by the Planning Board.

Conditional Rezoning Request CZ-230702 to rezone two acres at 9942 Beaver Dam Rd, Middlesex to RC-CZ (Rural Commercial Conditional Zone) for the development of a replacement wireless communications tower was approved.

**8. Adjournment.**

There being no further business, Chairman Parker adjourned the meeting at 7:05 p.m.