

**TOWN OF WEDDINGTON  
SPECIAL TOWN COUNCIL MEETING  
MONDAY, JUNE 22, 2009 – 6:30 P.M.  
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Session at the Weddington Town Hall, 1924 Weddington Road, Weddington, NC 28104 on June 22, 2009, at 6:30 p.m. with Mayor Nancy D. Anderson presiding.

Present: Mayor Nancy D. Anderson, Mayor Pro Tem Robert Gilmartin, Councilmembers L.A. Smith, Tommy Price and Jerry McKee, Town Attorney Anthony Fox and Town Planner Jordan Cook.

Absent: None

Visitors: Mike Sealy, Troy L., Bob Davis and Jay Brown.

**Item No. 1. Open the Meeting.** Mayor Nancy D. Anderson called the June 22, 2009 Special Town Council Meeting to order at 6:30 p.m. There was a quorum.

**Item No. 2. Review and Consideration of the Final Plat for The Woods Subdivision, Phase IA.** The Town Council received the following memo from Town Planner Jordan Cook, a copy of the Final Record Plat, and a copy of the June 18, 2007 Preliminary Plat:

**Project Information:**

The Woods Subdivision is a proposed 275.39 acre 204 lot subdivision. The subdivision is located on Weddington Road (NC 84) and is being developed by IB Development LLC as an R-CD conventional subdivision.

Phase 1 is comprised of 125 lots (tax parcels 06-150-071, 06-126-002, 06-126-011, 06-126-010A, 06-126-010B and 06-126-010) and was given Final Plat approval by the Planning Board on May 19, 2008.

The applicant is proposing a Final Plat for Phase 1A, comprised of only 29 lots all within Phase 1. The Phase 1A Final Plat also shows septic fields on each individual lot.

The Planning Board gave this Final Plat a favorable recommendation at its May 11, 2009 Planning Board meeting.

- Phase 1A is 29 lots and 45.89 acres.
- Phase 1A has 20% open space or 9.54 acres.
- Development standards are as follows:
  - Minimum lot size- 40,000 sq. feet
  - Minimum lot width- 120 feet
  - Minimum front yard setback- 50 feet
  - Minimum rear yard setback – 40 feet
  - Minimum side yard setback – 15 feet
  - Minimum corner side yard setback – 35 feet
- The smallest lot size is 40,016 square feet, lot #25.
- Phase 1 is a total of 125 lots and 162.45 acres.

- In accordance with Section 46-76(1) of the Subdivision Ordinance, water connection to public line must be provided.
- Public Involvement Meetings were held on January 18 and 19, 2007.
- Soil report has been completed and has been provided to planning staff.
- Subdivision modification of the cul-de-sac length has already been approved by Town Council at their May 14, 2007 meeting.
- Preliminary Plat was reviewed by the Planning Board on June 18, 2007 and given a conditional approval.
- The Final Plat for Phase 1 was reviewed by the Planning Board on May 19, 2008 and given a conditional approval.
- A copy of the *revised* draft of the Declared Covenants, Conditions and Restrictions for The Woods has been received by Planning Staff and is currently being reviewed by the Town Attorney.
- The Conditional Use Permit for a Planned Residential Development (PRD) was reviewed and given favorable approval by the Planning Board at the July 23, 2007 meeting and at the Town Council's September 10, 2007 meeting.
- US Infrastructure has reviewed the plans and approved the Phase 1A Final Plat as submitted.

**The Phase I Final Plat was presented to the Planning Board with individual septic system services and conditionally approved by the Planning Board at their August 27, 2007 meeting with the following conditions (*italicized text represents current status*):**

- NCDOT Approval for the Subdivision Entrance-*Approval granted May 5, 2008 by NCDOT.*
- Bridge Approval-*USI granted approval June 8, 2009.*
- Water and Sewer/Septic Approval by Union County Public Works-*Water approved by Union County February 12, 2008. Septic permits issued April 9, 2009 for all 29 Phase 1A lots.*
- Necessary Paperwork regarding Wetlands-*Paperwork received May 14, 2009 from US Army Corps of Engineers.*
- Bond Approval by US Infrastructure and Town Attorney-*Bonds approved by USI.*
- Town Attorney review of Homeowner Association Documents-*Town Attorney approved on June 5, 2009.*

**The following permits and approvals have been issued:**

- NCDENR Public Water Supply has approved extension for Phase I of Union County water lines to the subdivision under permit DEH 07-01892, PWS ID #01-90-413 Union County Water.
- NCDENR Erosion and Sedimentation control plan has been approved with modifications. Project ID Union-2007-067 approved May 14, 2007.
- NCDOT has approved the subdivision entrance located along Weddington Road (NC 84). A copy of the letter dated June 18, 2007 is on file.
- North Carolina Division of Environmental Health has approved public water hookup/water main extensions. A copy of the letter dated February 12, 2008 is on file.
- NCDOT has approved the culvert and guardrail replacement to allow for grading and pavement sufficient to widen Weddington Road (NC 84). A copy of letter dated May 5, 2008 is on file.
- Union County Health Department approved the Wastewater Septic Permits for all 29 lots within Phase 1A on April 9, 2009.
- Subdivision roads will be built to NCDOT standards.

- Union County Public Works recommends retaining \$217,032.60 letter of credit for water systems per a letter submitted June 3, 2009.

**The Woods Subdivision Phase IA Final Plat has been found to be in general conformance with the Town of Weddington Zoning and Subdivision Ordinances with the following exceptions:**

- Performance Bonds for roads and the two bridges to be reviewed and approved by the Town Attorney before any map recordation.

Town Planner Cook – The Woods is taking 29 lots out of the 125 lots from Phase I and making it Phase IA. There were no differences in lot sizes.

Mayor Anderson - I see that there is a 20 foot future utility easement shown. Is that enough?

It was noted that a 10 foot temporary easement was also shown for construction purposes.

Attorney Anthony Fox – The preliminary plat that was approved says it is for a sanitary sewer easement and did not qualify it by saying future.

Councilmember Tommy Price - Utilities are power, water, sewer, etc.

Planning Board Chairman Dorine Sharp advised that it was changed at the recommendation of the Planning Board. She stated, “It was our way of guaranteeing that the land is there but we did not specify sewer. We do not know what Union County plans are. They do not have their master plan developed at this time.”

Mayor Anderson questioned whether 20 feet is standard.

Mr. Bob Davis answered yes. He stated, “There is no requirement in the ordinance to provide sewer. We are trying to provide flexibility.”

Chairman Sharp pointed out that the note on the plat includes water and sewer.

Mayor Pro Tem Robert Gilmartin moved to approve the Final Plat for The Woods Subdivision, Phase IA. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin  
NAYS: None

Town Planner Cook informed the Town Council of the following proposed bond amounts:

- Bridges 1 and 2 = \$1,405,800
- Water Plans = \$217,032.60
- Roadway Drainage Bridge Earthwork = \$1,570,274.18

Councilmember Price moved to approve the bond amounts as a component of the approval for the Final Plat for The Woods Subdivision, Phase IA contingent upon review of the bond documents by the Town Attorney. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin  
NAYS: None

**Item No. 3. Adjournment.** Mayor Pro Tem Gilmartin moved to adjourn the June 22, 2009 Special Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Smith, Price, McKee and Mayor Pro Tem Gilmartin  
NAYS: None

The meeting adjourned at 6:55 p.m.

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Nancy D. Anderson, Mayor

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Amy S. McCollum, Town Clerk