

**TOWN OF WEDDINGTON  
REGULAR TOWN COUNCIL MEETING  
MONDAY, JULY 13, 2009 - 7:00 P.M.  
WEDDINGTON TOWN HALL  
1924 WEDDINGTON ROAD  
WEDDINGTON, NC 28104  
AGENDA**

1. Open the Meeting
2. Determination of Quorum/Additions or Deletions to the Agenda
3. Public Hearings
  - A. Public Hearing to Consider a Petition to Permanently Close Part of Lochaven Road in the Lochaven Subdivision (Continued from June 8, 2009)
  - B. Public Hearing to Review and Consider Proposed Text Changes to Chapter 58 – Zoning of the Code of Ordinances
    - a. Section 58-16 - Accessory Family Dwellings
    - b. Section 58-151 - Temporary Signs
    - c. Section 58-293 - Co-Location
    - d. Section 58-23 - Planned Residential Developments
    - e. Article III (Conditional Uses) - Section 58-81 - Procedures
    - f. Article II – Zoning District Regulations
  - C. Public Hearing to Review and Consider Proposed Text Changes to Section 14-84 (Control of Glare, Light Trespass and Light Levels) of the Code of Ordinances
  - D. Public Hearing to Review and Consider Proposed Text Changes to Chapter 14 (Buildings and Building Regulations), Article V. (Architectural Design Standards) of the Code of Ordinances
4. Public Comment - *Speakers are limited to two (2) minutes or less and Large Groups are Encouraged to Designate a Spokesperson*
5. Approval of Minutes
  - A. March 27-28, 2009 Special Town Council Planning Retreat
  - B. April 27, 2009 Special Town Council Meeting
6. Consideration of Public Hearings
  - A. Consideration of Petition to Permanently Close Part of Lochaven Road in the Lochaven Subdivision
  - B. Consideration of Proposed Text Changes to Chapter 58 – Zoning of the Code of Ordinances
    - a. Section 58-16 - Accessory Family Dwellings
    - b. Section 58-151 - Temporary Signs
    - c. Section 58-293 - Co-Location
    - d. Section 58-23 - Planned Residential Developments
    - e. Article III (Conditional Uses) - Section 58-81 - Procedures
    - f. Article II – Zoning District Regulations
  - C. Consideration of Proposed Text Changes to Section 14-84 (Control of Glare, Light Trespass and Light Levels) of the Code of Ordinances
  - D. Consideration of Proposed Text Changes to Chapter 14 (Buildings and Building Regulations), Article V. (Architectural Design Standards) of the Code of Ordinances

7. Old Business

- A. Consideration of Resolution in Support of the Concept of Construction of the Connector Road from Providence Road to Weddington-Matthews Road and the Traffic Circle at the Intersection of Weddington-Matthews Road and Highway 84 and to Request that Barry Moose with NCDOT Explore Funding Options on the Town's Behalf
- B. Review and Consideration of The MAPS Group Recommendations Regarding Staff Benefit Changes

8. New Business

- A. Discussion and Consideration of Recommendation from Downtown Development Committee of Consulting Firm for Downtown Development Master Plan and Approval of Contract
- B. Consideration of the Reduction of the Road Performance Letters of Credit for the Bromley Subdivision – Maps 2 and 3
- C. Consideration of Appointment to Planning Board, Historic Preservation Commission and Board of Adjustment
- D. Consideration of Amendment to Schedule of Fees
- E. Consideration of Release of Water Construction Money for Williamsburg, Phase I and Reduction of the Water and Sewer Letter of Credit for Williamsburg, Phase II
- F. Update on Union County Governance Committee – Councilmember Jerry McKee
- G. Appointment to Carolina Thread Trail Steering Committee
- H. Consideration of Resolution Requesting the Addition of Lake Forest Drive, Ridgelake Drive, Maple Valley Court, Weddington Lake Drive, and Topsail Court in the Lake Forest Subdivision to the NCDOT State Maintained Secondary Road System

9. Update from Town Planner

10. Update from Town Administrator/Clerk

11. Public Safety Report

12. Transportation Report

13. Update from Finance Officer and Tax Collector

14. Council Comments

15. Adjournment

*This agenda is tentative and is subject to change up to and including at the time of the meeting.*



# TOWN OF WEDDINGTON MEMORANDUM

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**DATE:** 7/13/2009  
**TO:** NANCY ANDERSON, MAYOR  
TOWN COUNCIL  
**CC:** AMY MCCOLLUM, TOWN CLERK  
**FROM:** JORDAN COOK, ZONING ADMINISTRATOR/PLANNER  
**RE:** UPDATE FROM PLANNING/ZONING OFFICE

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Below is a brief description of the proposed Text Amendments on the July 13, 2009 Town Council agenda:

- Accessory Structures (Mother-in-Law Suites)- Amendment would permit the owner to live in either the primary or accessory structure.
- Temporary Directional Signs- Amendment will add provision to allow two (2) temporary off-premises special event signs for special events that are required a Temporary Use Permit. These off-premises special event signs may display only written text directions and no directional arrows.
- Co-Location Towers- Amendment makes the co-location approval process administrative. The text amendment will also allow an accessory structure on the ground to have a setback measured from the easement line rather than property line (most transmission towers are located on property lines).
- Planned Residential Developments- Amendment requires that any road built within a PRD be built to NCDOT standards and follow NCDOT Built to Standards checklist.
- Conditional Uses- Amendment requires that any non-residential project going through the Conditional Use process submit plans and elevations to the Design Review Board for recommendation. This amendment also outlines the Design Review Board and Planning Board timelines to review and make recommendations on the plans and designs.
- Day Care Centers- Amendment removes day care centers from residential zoning districts (R-80, R-60, R-40, R-CD). Day Care Centers will be permitted in the B-1, MX and Conditional Zoning districts as conditional uses.
- Control of Glare/Light Levels- Amendment prohibits internally illuminated signs (consistent with Section 14-84 of the Code of Ordinances which prohibits internally illuminated signs).
- Architectural Design Standards- Amendment adds Architectural Design Standards to Code of Ordinances. These standards will be used by Staff and the Design Review Board for architectural reviews.

The bold underlined text is at the suggestion of the Town Council.

## **Section 58-16 Accessory Uses and Structures**

(7) Accessory Family Dwellings: A structure or an area within a structure that is capable of being used as a separate dwelling and that is generally occupied and used by different person(s) than those who generally occupy and use the property's primary dwelling. Such a separate dwelling shall be considered an Accessory Family Dwelling whether it is detached from the primary dwelling, attached to the primary dwelling, or partially or completely contained within the primary dwelling.

When allowed, Accessory Family Dwellings shall be subject to the following additional requirements:

1. No part of an Accessory Family Dwelling shall be permitted in a Special Flood Hazard Area.
2. At least one additional off-street parking space shall be provided for the use of those occupying the Accessory Family Dwelling unless the Zoning Administrator determines that sufficient off-street parking already exists to accommodate both the property's primary dwelling and the Accessory Family Dwelling.
3. An Accessory Family Dwelling is permitted only on a lot that meets the minimum lot area requirement of its zoning district.
4. If a property has an Accessory Family Dwelling, **either** the primary residence **or the accessory dwelling** must be owner occupied.
5. Only one Accessory Family Dwelling shall be allowed per lot.
6. The Accessory Family Dwelling shall meet all setback requirements applicable to principle structures in the zoning district.
7. The heated floor area of the Accessory Family Dwelling shall not exceed 30% of the gross floor area of the primary dwelling.

**Commentary:** Examples of accessory dwelling square footage are:

A 1,333 square foot primary dwelling is needed for a 400 square foot accessory family dwelling. (30% of 1,333 = 400 square feet)

A 2,000 square foot primary dwelling is needed for a 600 square foot accessory family dwelling.

8. The property shall retain a single family appearance from the street. By example only and not for purposes of limitation, the Accessory Family Dwelling shall not have its own separate mailbox, and it must share driveway access with the primary dwelling.
9. Occupancy of a travel trailer, recreational vehicle (RV), or similar vehicle as an Accessory Family Dwelling shall be permitted for no more than fourteen (14) total days per calendar year.

Item e has been added based on the discussion at the Town Retreat.

Sec. 58-151. Temporary signs.

(a) *Banners, pennants and temporary signs.* The following temporary signs are permitted after the zoning administrator has issued a temporary sign permit, for a total period not to exceed 30 days:

- (1) **Except for temporary off-premises special event signs set out below, unlighted on premises** portable signs, banners, and wind-blown signs such as pennants, spinners, flags, and streamers for special events and grand openings. Any such sign shall be no greater than 20 square feet and will be limited to one sign per address.
- (2) Temporary banner-type signs customarily located at athletic fields containing signs shall be directed solely towards users of the athletic field. Fencing, scoreboards, and structures in the athletic fields may be utilized for customary signs in order to raise funds for these same facilities. Such individual temporary signs shall not exceed 20 square feet in size, may be permitted for a period not to exceed one year, and may be renewed so long as the sign remains in compliance with the requirements of this article.

**(3) One (1) temporary off-premises special event sign shall be allowed, per parcel fronting on a public road upon the issuance of a temporary use permit, subject to the following restrictions:**

- a) **Each temporary off-premises special event sign shall be on private property, outside the road right-of-way and subject to permission of the property owner;**
  - b) **A temporary off-premises special event sign can only be placed seven (7) days before the special event and must be removed 48 hours after the special event;**
  - c) **A separate permit must be issued for each temporary off-premises special event sign;**
  - d) **No parcel may be issued more than two (2) temporary off-premise special event sign permits during any twelve (12) month period;**
  - e) **Temporary off-premises special event signs may contain only written text providing directions to the site of the special event, directional arrows are prohibited;**
  - f) **Temporary off-premises special event signs shall be limited to three (3) times per year per group/organization.**
- (b) *Announcement signs.* The term "announcement sign," when used in this subsection, means a sign that indicates the name, address, etc., of the firm making improvements on the property. One sign per project shall be permitted and shall require a sign permit, valid for one year and renewable, one time, for one additional year, shall comply with the provisions of section 58-149, and shall be single faced of a maximum area of 20 square feet. This sign shall be temporary and shall be removed within seven days after completion of the work on the subject property by the firm that is advertised on the sign. Announcement signs are not to be used to advertise real estate or subdivisions. No lighting of announcement signs shall be permitted.

(Ord. No. 87-04-08, § 8.8, 4-8-1987; Ord. No. O-2003-07, 3-10-2003)

Under Article X Telecommunications Towers

**Sec. 58-293. Co-location.**

It is the intent of the town to encourage providers to co-locate facilities in an effort to reduce the number of telecommunication towers in the town's jurisdiction. All such towers over 150 feet in height must be designed and equipped with the technological and structural capability to accommodate at least three wireless communication carriers. The town requires providers to negotiate in good faith with other **wireless communication carriers** to lease space at a reasonable cost, and to publicize, **either in the newspaper and/or online**, the fact that space is available on a leased basis ~~as part of the conditional use process.~~ **Co-location of antennas on existing electrical transmission towers may be approved administratively by the zoning officer. For electrical transmission towers, any required accessory structures on the ground must comply with a 15 foot setback from the utility easement line.**

(Ord. No. 87-04-08, § 13.3, 4-8-1987)

**Also, the Town will need to define co-location and electrical transmission towers in the definitions under Sec. 58-4. Proposed definitions are as follows:**

**Co-location means the placement of additional antennas or antenna arrays on an existing or approved telecommunication or electrical transmission tower, the sharing of an antenna or antenna array, or otherwise sharing a common location by two (2) or more Federal Communications Commission (FCC) licensed providers of personal wireless service. Co-location includes antennas, transmitters, receivers and related electronic equipment, cabling, wiring, equipment enclosures and other support equipment or improvements located on the tower site.**

**Electrical transmission towers shall mean any tower, whether public or private, designed and used to support overhead electrical transmission lines.**

**Sec. 58-23. Planned residential developments.**

(a) Planned residential developments (PRDs) are allowed as a conditional use in the R-CD, R-80, R-60, and R-40 zoning districts. PRDs are established in order to provide a residential development at low densities consistent with suitability of the land and the rural character of the town. In order to encourage high quality design and innovative arrangement of buildings, these districts provide flexibility from the conventional use and dimensional requirements of the general districts. Unlike other developments in the town, a PRD may be allowed to have private streets that are not owned and maintained by the state department of transportation (DOT). In addition, a PRD may be a gated community where a gate is placed at the outer periphery of the development in order to restrict access. All PRDs must be developed in accordance with the regulations of this section, other applicable regulations of this chapter, and chapter 46.

(b) The town council may approve a PRD for ~~any~~ new development proposed in the town. Existing developments in the town shall not be considered as PRDs and are not subject to any PRD regulation.

- (1) Uses permitted in a PRD and minimum lot and setback requirements for such uses in a PRD shall be as allowed in the underlying zoning district.
- (2) As PRDs are conditional uses, a conditional use permit must first be ~~secured from~~ **approved by** the town council in accordance with ~~article~~ **Article III** of this chapter. Once ~~this a conditional use permit is secured~~ **granted**, the developer shall ~~be required to follow~~ **comply with** all applicable procedures of ~~chapter~~ **Chapter** 46.
- (3) The design and layout of any gatehouse, external fence, walls, and berms that serve the entire PRD and other amenities to the PRD that are visible from any public street shall be included with the conditional use permit application. All such facilities shall be located outside any public street right-of-way and shall be designed to blend in, to the greatest degree feasible, with the proposed development and **shall** be attractive to motorists and pedestrians from adjoining public streets.
- (4) With the exception of the placement of ~~a~~ **the** gate and/or guardhouse in a private street ~~right-of-way~~, any road built within a PRD **shall be built to state standards** and shall meet all applicable minimum right-of-way, pavement, and construction standards for public roads as established by the state department of transportation. A certified engineer shall verify that ~~these~~ **all** roads **within the PRD** conform to ~~NCDOT~~ **all required state department of transportation** standards for roadway and storm drainage design. The NCDOT Built-To Standards Checklist (**available at Town Hall upon request**) will be required to be submitted to the town zoning staff for review **and approval**. The town reserves the right to have streets inspected during the construction phase to insure that they are being built in accordance with all applicable state DOT standards. The PRD developer of the subdivision shall bear all costs borne by the town in association with such inspections.
- (5) ~~Prior to~~ **Before** the approval of a final plat for a PRD, the ~~subdivider~~ **developer** shall submit to the town evidence that the ~~subdivider~~ **developer** has created a

homeowners' association whose responsibility it will be to maintain common areas and private streets within the PRD. Such evidence shall include filed copies of the articles of incorporation, declarations, and homeowners' association bylaws.



**ARTICLE III.**  
**CONDITIONAL USES**

**Sec. 58-81. Procedures.**

Conditional use permits shall be considered by the town council by either of the following methods:

- (1) *Submittal information and procedures for all uses except conservation subdivisions (and no zoning change required).*
  - a. A completed written application for a conditional use permit shall be filed with the zoning administrator at least 25 days prior to the next regularly scheduled planning board meeting. The application, at a minimum, shall include the following items, for all uses except conservation subdivisions. Submittal requirements for conservation subdivisions are located in subsection (2) of this section.
    1. Name, address, and telephone number of the applicant and property owner, if different from the applicant, deed book and page number of the property ~~description~~.
    2. A scaled boundary survey drawn to an appropriate scale prepared by and certified to be correct by a surveyor or engineer registered with the state, showing the total acreage, present zoning classifications, date and north arrow. On this survey shall be sketched the information required in subsections (1)a.4--(1)a.8 of this section.
    3. The owners' names, addresses, and tax parcel numbers (as shown on the current year county tax records), and the uses and current zoning classifications of all adjacent properties.
    4. All existing easements, reservations, rights-of-way and all yard requirements for the zoning district.
    5. A site plan showing all existing and/or proposed buildings, storage areas, parking and access areas, the proposed size, layout and setbacks of land and proposed structures, and the proposed number, type and location of signs. For residential uses this shall include the number of units and an outline of the area where the structures will be located. For nonresidential uses, this shall include the approximate square footage of all structures and an outline of the area where the structures will be located.
    6. Traffic, parking and circulation plans showing the proposed locations and arrangement of parking spaces and access points to adjacent streets.

7. Landscape plan at the same scale as the site plan showing existing and proposed trees, ground cover and landscape material, proposed screening, including walls, fences or planted areas as well as treatment of any existing natural features.
8. Plans and elevations for all proposed structures.
9. A map at the same scale as the site plan showing the following:
  - (i) Delineation of areas within the floodplain as shown on the official flood hazard boundary maps.
  - (ii) Accurate mapping of all soil classifications found on the site and general depths thereof. The applicant shall use the same classifications used by the U.S. Department of Agriculture.
  - (iii) Existing and proposed topography at five-foot contour intervals.
  - (iv) Plans for providing potable water and for the treatment of wastewater.
10. Proposed phasing, if any, and approximate completion time of the project.
11. A stormwater management plan. Stormwater runoff and rate should not exceed the predevelopment rate for a ten-year storm.

**12. For non-residential uses: Plans and schematic designs for all buildings and signs on the site.**

- b. All applications shall be completed and signed by the applicant and shall be submitted with the application fee required by the town in accordance with the fee schedule adopted by the town council. No application shall be considered complete or processed by the zoning administrator unless accompanied by said fee. In addition, the town shall be reimbursed by the applicant for all costs associated with the town's engineering and/or consulting services with respect to review of the conditional use permit prior to the conditional use permit approval. All expenses incurred by the town for the processing of a conditional use permit application shall be paid prior to the issuance of a final notification of action taken.
- c. The zoning administrator shall review the application and notify the applicant if the application is incomplete in any respect. If the zoning administrator notifies the applicant that the application is incomplete, the applicant must complete the application before it will be forwarded to the **planning board and the Design Review Board (DRB), if applicable.** After reviewing the application, the zoning administrator also may provide the applicant with comments on the application. If the applicant intends to amend the application as a result of any comments provided by

the zoning administrator, the applicant shall notify the zoning administrator of the applicant's intent to amend the application within 15 calendar days after receiving such comments. After the applicant submits any amended application, the zoning administrator will review the amended application to ensure that it is complete, and the zoning administrator may provide the applicant with comments on the amended application.

- d. If the most recent version of the application is complete and either the zoning administrator completes his review of that version and does not provide the applicant with comments, or the zoning administrator provides the applicant with comments on that version but the applicant does not notify the zoning administrator within ~~the 15 calendar day time period, provided~~ **15 calendar days as proscribed in subsection (c) above** that he intends to amend the application, then the application shall be deemed ready for submission to the planning board **and the DRB, if applicable, as established below:**

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**1. Submissions requiring Planning Board approval:** The zoning administrator shall submit the application to the planning board at their next regularly scheduled meeting that occurs at least 15 days after the application is deemed ready for submission in accordance with this section. The planning board by majority vote may shorten or waive the time provided in this article for receipt of a completed conditional use application.

**2. Submissions requiring Planning Board and DRB approval:** **The zoning administrator shall submit the application to the DRB within five (5) business days of the determination that the application is complete as set forth in subsection (d) above. The DRB shall have a maximum of 30 days from the date on which the application is submitted to the DRB to review the application and submit its recommendation to the planning board. The DRB shall determine whether plans and schematic designs satisfy the standards set out in this section and meet the requirements of the town's Architectural Design Standards (see Chapter 14, Article V). If a recommendation is not made within the 30-day time period, the application shall be forwarded to the planning board without a recommendation. The planning board shall have a maximum of 30 days from the date on which an application is submitted to it, or until its next regularly scheduled meeting, if such meeting is not less than fifteen (15) days after ~~an~~the application is submitted to it, whichever is later, to review the application and to submit its recommendation to the town council. If a recommendation is not made during said time period, the application shall be forwarded to the town council without a recommendation from the planning board.**

- f. During the review of a conditional use permit application, it may be desirable to request additional information in order to evaluate a proposed use and its relationship to the surrounding area. Therefore, the DRB, planning board and/or the town council may request needed

additional information **from the applicant** as they deem necessary.

- g. Once the application is forwarded to the town council from the planning board, the town council shall consider conducting a public hearing as described in article 58-270(g) (a public hearing is required if a CUP is to be approved). In the event the town council deems a public hearing appropriate, due notice of such hearing shall be as prescribed in section 58-270(g)(1)--(g)(4). The town council shall render a decision on the conditional use permit in accordance with section 58-82(3).

Sec. 58-271

(h) *Review of plans and construction documents.*

- (1) If the town council approves the application, the applicant's plans and construction documents will be subject to review in accordance with this section.
- (2) ~~If the town has created a town design review board (DRB) and~~ **Where** the DRB exists when the applicant submits any plans for review under this section, the DRB will review the plans in accordance with the following procedures. If no ~~town~~ DRB exists when the applicant submits a set of plans for review, the functions of the DRB will be performed by the town planning board.

a. *Review of building schematics, landscape plans, and signs.*

- 1. The applicant shall submit to the planning staff for review and comment detailed plans and schematic designs for all buildings on the site, landscaping on the site, and signs on the site. The planning staff may provide such submitted plans to town consultants or to other third parties to assist the town's review. The applicant shall reimburse the town for all costs and expenses that the town incurs in reviewing plans under this section.
- 2. The applicant need not submit plans for all buildings, landscaping, and signs simultaneously, and may instead submit multiple sets of plans, each of which shall be separately and independently reviewed. Notwithstanding this provision, the DRB or the town council need not review plans submitted to it if, in its sole discretion, it determines that it cannot effectively review those plans without simultaneously reviewing plans for other buildings, landscaping, and/or signs.
- 3. If the zoning administrator determines that a set of plans submitted by the applicant is complete and contains all information necessary to determine if those plans satisfy the standards specified in this subsection, the zoning administrator shall forward those plans to the DRB.
- 4. The DRB shall have 60 days from the date a set of plans is submitted to it to recommend to the town council whether it

should approve those plans. The DRB's recommendation will be based solely upon its determination of whether the plans **and schematic designs** satisfy the standards specified in this section **and meet the requirements of the town's Architectural Design Standards (see Chapter 14, Article V)**. If the DRB recommends that any plans not be approved, it shall state the reasons for that recommendation in writing and shall inform the applicant that it may withdraw those plans.

5. A set of plans shall be submitted to the town council at its next regularly scheduled meeting that occurs at least 15 days after the DRB issues its recommendation on those plans. The applicant may withdraw any plans before they are submitted to the council, and the council will not review any plans that are withdrawn. If the DRB makes no recommendation to the council within 60 days after a set of plans are submitted to it, the plans shall be submitted to the town council for review without a DRB recommendation.
6. The town will approve any plans submitted to it unless those plans either violate any requirements of this chapter, including any requirements applicable to the particular conditional zoning district at issue, violate any requirements, standards, or conditions contained in the applicant's rezoning application, violate any requirements, standards, or conditions that are imposed under subsection (f) of this section, or will cause the development not to be in harmony with its surrounding area (collectively, the provisions of this subsection constitute the standards referenced in this section).
7. After reviewing plans submitted to it, the town council shall have the authority to:
  - (i) Approve the plans;
  - (ii) Deny approval of the plans;
  - (iii) Approve the plans with any modifications that are agreed to by the applicant; or
  - (iv) Submit the plans to the DRB for further study. The plans may be resubmitted to the DRB with any modifications that are agreed to by the town council and the applicant. The DRB shall have 30 days from the date plans are resubmitted to it to make another recommendation to the town council on whether those plans should be approved. If the DRB makes no recommendation to the council within that time frame, the plans shall be resubmitted to the town council for its review.
8. No building may be constructed unless plans for that building

have been approved by the town council in accordance with the process described in this subsection. No landscaping may begin unless plans for that landscaping have been approved by the town council in accordance with the above process. No signs may be erected unless the plans for those signs have been approved by the town council in accordance with the process described in this subsection.

## ARTICLE II.

### ZONING DISTRICT REGULATIONS

#### **Sec. 58-52. R-80 single-family district.**

The R-80 single-family district is established for areas of very low-density residential development which is compatible with the land development plan's concept of retaining the rural character of the community. Densities need to be low due to the suitability of land, lack of public water and sewer, and the compatibility of surrounding development.

- (1) *Permitted uses.*
  - a. Single-family dwellings.
  - b. Mobile homes, classes A and B.
  - c. Agricultural uses. Structures housing poultry or livestock and waste removed from any structure shall be located no closer than 150 feet from any property line except that structures housing horses shall be located no closer than 60 feet from any property line. Corrals for bovine and equine animals are exempt from these setbacks.
  - d. Horse farm or academy. Structures housing horses shall be located no closer than 60 feet from any property line. Waste removed from any such structure shall be located no closer than 150 feet from any property line.
  - e. Family care home for up to six clients, provided that such home is not located within a one-half mile radius from an existing family care home.
  - f. Essential services, class I.
  - g. Customary home occupations in accordance with section 58-7.
  - h. Day care centers, small group.
- (2) *Conditional uses.* The following uses may be permitted by the town council in accordance with article III of this chapter. The council shall address review criteria for each use which is contained in article III of this chapter:

- a. Churches, synagogues and other places of worship, and their customary related uses.
- b. Public and private schools serving all grades, including preschool facilities.
- c. Golf courses, parks, playgrounds, and community recreational centers (both public and private).
- d. Country clubs, fraternal, social, and other civic organizations.
- e. ~~Day care center.~~
- e. Emergency governmental service facilities, including police, fire, and rescue.
- f. Cemeteries.
- g. Essential services, classes II and III.
- h. Clubs.
- i. Community centers.
- j. Public parks and recreational facilities.
- k. Private airstrips, provided that:
  - 1. The airstrips may be used only by the owners of the land on which the same is located; provided, however, if the airstrip is located on a bona fide farm, any airplanes engaged in crop dusting may use such airstrip in connection therewith;
  - 2. No flying lessons shall be conducted in airplanes flying from or to the airstrip;
  - 3. No commercial sales of airplanes, parts or fuel shall be conducted at the airstrip;
  - 4. The airstrip shall have been approved by the appropriate state and federal agencies.
- l. Telecommunication towers.
- m. Libraries.



- n. Planned residential developments, subject to the requirements of section 58-23.
  - o. Amateur radio towers. An amateur radio tower may also be located on a lot that contains another principal use or structure. In no instance, however, shall the amateur radio tower be located in the front yard of a lot containing another principal structure.
  - p. Government or town facility.
  - q. Land application of biosolids.
  - r. Agritourism.
- (3) *Yard regulations.*
- a. *Minimum lot area.*
    - 1. Single-family dwellings: 80,000 square feet, except five acres on an easement lot not located within a conservation easement; provided, however, that an easement lot may be a minimum of 80,000 square feet when created within a conservation easement of at least 25 acres that is dedicated to a conservation organization.
    - 2. Cemeteries and essential services, class III: five acres.
    - 3. Churches: three acres.
    - 4. Public and private schools: ten acres.
    - 5. Horse farm or academy: five acres.
    - 6. Agricultural uses: a minimum of 80,000 (R-80), 60,000 (R-60), or 40,000 (R-40) square feet; provided, however, that a minimum of five acres shall be required for any agricultural use containing one or more livestock animals having a mature adult weight of 250 pounds or greater. Notwithstanding this requirement, lots whose agricultural use consists exclusively of one horse shall be required to have a minimum of 40,000 square feet of contiguous fenced land area designed to accommodate the horse. Such lots containing two horses shall be required to have a minimum of 80,000 square feet of contiguous fenced land area designed to accommodate the two horses.

- ~~7. Day care facilities: three acres~~
  7. Essential services, class IV: none.
  8. Libraries, government or town facility: three acres.
  9. Planned residential developments: 50 acres.
  10. Lots containing amateur radio towers: 80,000 square feet.
  11. All other uses: 80,000 square feet.
- b. *Minimum front yard setback, except as provided in article IV of this chapter.*
1. All essential services, class III uses: 300 feet.
  2. Telephone repeater stations, transmitting facilities, and public utility substations: 200 feet.
  3. Single-family dwellings: 65 feet.
  4. Essential services, class IV: ten feet.
  5. Lots containing amateur radio towers: 1.5 times the height of the tower.
  6. All other uses: 75 feet.
- c. *Minimum lot width.*
1. Essential services, class IV: none.
  2. All other uses: 150 feet as measured at the front yard setback.
- d. *Minimum side yard setback.*
1. Single-family dwellings and mobile homes: 25 feet, provided that if a buffer is provided at the side of the lot pursuant to section 46-76(d), the side yard setback shall be measured from the edge of the buffer area.
  2. Churches, schools, governmental facilities, telephone repeater stations, libraries, government or town facility: 50

feet.

3. All essential services, class III: 100 feet.
4. Telephone repeater stations, transmitting facilities, and public utility substations: 75 feet.
5. Essential services, class IV: ten feet.
6. Lots containing amateur radio towers: 1.5 times the height of the tower.
7. All other uses: 25 feet.

In addition, side yards shall be increased by 20 feet on the street side of all corner lots.

e. *Minimum rear yard setback.*

1. Single-family dwellings and mobile homes: 60 feet, provided that if a buffer is provided at the rear of the lot pursuant to section 46-76(d), the rear yard setback shall be measured from the nearest edge of the buffer area.
2. All essential services, class III uses: 100 feet.
3. Telephone repeater stations, transmitting facilities and public utility substations: 75 feet.
4. Essential services, class IV: ten feet.
5. Lots containing amateur radio towers: 1.5 times the height of the tower.
6. All other uses: 60 feet.

f. *Maximum building height, except as permitted in section 58-15.*

1. Lots containing amateur radio towers: 100 feet.
2. All other uses: 35 feet.
3. Essential services, class IV: ten feet.

(Ord. No. 87-04-08, § 5.1, 4-8-1987; Ord. No. O-2004-26, 11-18-2004)

**Sec. 58-53. R-60 single-family district.**

The R-60 single-family district is established to provide for areas of very low density residential development which is compatible with the land development plan's concept of retaining the rural character of the community. Densities need to be low due to the suitability of the land, lack of public water and sewer, and the compatibility of surrounding development.

- (1) *Permitted uses.* Permitted uses within the R-60 district shall be the same as those permitted in the R-80 district.
- (2) *Conditional uses.* The following uses may be permitted by the town council in accordance with article III of this chapter. The council shall address review criteria for each use which is contained in article III of this chapter:
  - a. Churches, synagogues and other places of worship, and their customary related uses.
  - b. Public and private schools serving all grades, including preschool facilities.
  - c. Golf courses, parks, playgrounds, and community recreational centers, both public and private.
  - d. Country clubs, fraternal, social, and other civic organizations.
  - e. ~~Day care centers.~~
  - e. Emergency governmental service facilities, including police, fire, and rescue.
  - f. Cemeteries.
  - g. Essential services, classes II and III.
  - h. Clubs.
  - i. Community centers.
  - j. Public parks and recreational facilities.
  - k. Telecommunication towers.
  - l. Libraries.

- m. Planned residential developments, subject to the provisions of section 58-24.
  - n. Amateur radio towers, if the lot contains another principal use or structure. In no such instance, however, shall the amateur radio tower be located in the front yard of a lot containing another principal structure.
  - o. Government or town facility.
  - p. Land application of biosolids.
  - q. Agritourism.
- (3) *Yard regulations.*
- a. *Minimum lot area.*
    - 1. Single-family dwellings: 60,000 square feet, except five acres on an easement lot not located within a conservation easement. However, an easement lot may be a minimum of 80,000 square feet when created within a conservation easement of at least 25 acres that is dedicated to a conservation organization.
    - 2. Cemeteries and essential services, class III: five acres.
    - 3. Churches: three acres.
    - 4. Public and private schools: ten acres.
    - 5. Horse farms or academies: five acres.
    - 6. Agricultural uses: a minimum of 80,000 (R-80), 60,000 (R-60), or 40,000 (R-40) square feet; provided, however, that a minimum of five acres shall be required for any agricultural use containing one or more livestock animals having a mature adult weight of 250 pounds or greater. Notwithstanding this requirement, lots whose agricultural use consists exclusively of one horse shall be required to have a minimum of 40,000 square feet of contiguous fenced land area designed to accommodate the horse. Such lots containing two horses shall be required to have a minimum of 80,000 square feet of contiguous fenced land area designed to accommodate the two horses.

- ~~7. Day care facilities: three acres.~~
  7. Essential services, class IV: none.
  8. Libraries and government or town facility: three acres.
  9. Planned residential developments: 35 acres.
  10. Amateur radio towers: the minimum lot area for a lot containing an amateur radio tower shall be 60,000 square feet.
  11. All other uses: 60,000 square feet.
- b. *Minimum front yard setback (except as provided in article IV of this chapter).*
1. All essential services, class II: 300 feet.
  2. Telephone repeater stations, transmitting facilities, and public utility stations: 200 feet.
  3. Single-family dwellings and mobile homes: 60 feet.
  4. Essential services, class IV: ten feet.
  5. Amateur radio towers: A minimum front yard setback of 1.5 times the height of the tower.
  6. All other uses: 75 feet.
- c. *Minimum lot width.*
1. 125 feet, as measured at the front yard setback.
  2. Essential services, class IV: none.
- d. *Minimum side yard setback.* (Side yards shall be increased by 20 feet on the street side of all corner lots.)
1. Single-family dwellings and mobile homes: 25 feet. (If a buffer is provided at the side of the lot pursuant to section 46-76(d), the side yard setback shall be measured from the nearest edge of the buffer area.)

2. Churches, schools, governmental facilities, government or town facility, telephone repeater stations, libraries: 50 feet.
  3. All essential services, class III: 100 feet.
  4. Telephone repeater stations, transmitting facilities, and public utility substations: 75 feet.
  5. Essential services, class IV: ten feet.
  6. Amateur radio towers: A minimum side yard setback of 1.5 times the height of the tower.
  7. All other uses: 25 feet.
- e. *Minimum rear yard setback.*
1. Single-family dwellings and mobile homes: 60 feet. (If a buffer is provided at the rear of the lot pursuant to section 46-76(d), the rear yard setback shall be measured from the nearest edge of the buffer area.)
  2. All essential services, class III: 100 feet.
  3. Telephone repeater stations, transmitting facilities, and public utility substations: 75 feet.
  4. Essential services, class IV: ten feet.
  5. Amateur radio towers: A minimum rear yard setback of 1.5 times the height of the tower.
  6. All other uses: 60 feet.
- f. *Maximum building height (except as permitted in section 58-15).*
1. All uses: 35 feet.
  2. Essential services, class IV: ten feet.
  3. Amateur radio towers: A maximum height of 100 feet.

(Ord. No. 87-04-08, § 5.2, 4-8-1987; Ord. No. O-2004-26, 11-18-2004)

**Sec. 58-54. R-40 single-family district.**

The R-40 single-family district is established to provide for residential

development at low densities consistent with suitability of the land and the rural character of the town.

(1) *Permitted uses.* Permitted uses within the R-40 district shall be as follows:

- a. All permitted uses in the R-60 zoning district.
- b. Open space.

(2) *Conditional uses.* The following uses may be permitted by the town council in accordance with article III of this chapter:

- a. Public parks and recreational facilities.
- b. Churches, synagogues and other places of worship, and their customary related uses.
- e. ~~Day care centers.~~
- c. Public and private schools serving all grades, including preschool facilities.
- d. Country clubs, fraternal, social, and other civic organizations.
- e. Emergency governmental service facilities, including police, fire and rescue.
- f. Golf courses, parks, playgrounds, and community recreational centers (both public and private).
- g. Essential services, classes II and III.
- h. Funeral chapels.
- i. Cemeteries.
- j. Clubs.
- k. Libraries.
- l. Telecommunication towers.
- m. Planned residential developments.
- n. Amateur radio towers on lots containing other principal uses or



structures. In no such instance, however, shall the amateur radio tower be located in the front yard of a lot containing another principal structure.

- o. Government or town facility.
  - p. Land application of biosolids.
  - q. Agritourism.
- (3) *Yard regulations.*
- a. *Minimum lot area.*
    - 1. Single-family dwellings: 40,000 square feet, except five acres on an easement lot not located within a conservation easement. However, an easement lot may be a minimum of 80,000 square feet when created within a conservation easement of at least 25 acres that is dedicated to a conservation organization.
    - 2. Churches: three acres.
    - 3. Public and private schools: ten acres.
    - 4. Cemeteries and essential services, class III: five acres.
    - 5. Horse farms or academies: five acres
    - 6. Agricultural uses: A minimum of 80,000 (R-80), 60,000 (R-60), or 40,000 (R-40) square feet; provided, however, that a minimum of five acres shall be required for any agricultural use containing one or more livestock animals having a mature adult weight of 250 pounds or greater. Notwithstanding this requirement, lots whose agricultural use consists exclusively of one horse shall be required to have a minimum of 40,000 square feet of contiguous fenced land area designed to accommodate the horse. Such lots containing two horses shall be required to have a minimum of 80,000 square feet of contiguous fenced land area designed to accommodate the two horses.
    - 7. ~~Day care facilities: three acres.~~

7. Essential services, class IV: none.
  8. Libraries: three acres.
  9. Planned residential developments: 25 acres.
  10. Lots containing amateur radio towers: 40,000 square feet.
  11. All other uses: 40,000 square feet.
  12. Government or town facilities: three acres.
- b. *Minimum front yard setback (except as provided in article IV of this chapter).*
1. All essential services, class III: 300 feet.
  2. Telephone repeater stations and transmitting facilities, public utility substations: 200 feet.
  3. Single-family dwellings and mobile homes: 50 feet.
  4. Essential services, class IV: ten feet.
  5. Lots containing amateur radio towers: 1.5 times the height of the tower.
  6. All other uses: 75 feet.
- c. *Minimum lot width.*
1. Essential services, class IV: none.
  2. All other uses: 120 feet as measured at the front yard setback.
- d. *Minimum side yard setback.*
1. Single-family dwellings and mobile homes: 15 feet, provided that if a buffer is provided at the side of the lot pursuant to section 46-76(d), the side yard setback shall be measured to the nearest edge of the buffer area.
  2. Churches, schools, governmental or town facilities, libraries: 50 feet.

3. All Essential services, class III: 100 feet.
4. Telephone repeater stations, transmitting facilities, and public utility substations: 75 feet.
5. Essential services, class IV: ten feet.
6. Lots with amateur radio towers: 1.5 times the height of the tower.
7. All other uses: 15 feet.

In addition, side yards shall be increased by ten feet on the street sides of all corner lots.

e. *Minimum rear yard setback.*

1. Single-family dwellings and mobile homes: 40 feet, provided that if a buffer is provided at the rear of the lot pursuant to section 46-76(d), the rear yard setback shall be measured from the nearest edge of the buffer area.
2. All essential services, class III uses: 100 feet.
3. Telephone repeater stations, transmitting facilities, and public utility substations: 75 feet.
4. Essential services, class IV: ten feet.
5. Lots containing amateur radio towers: 1.5 times the height of the tower.
6. All other uses: 40 feet.

f. *Maximum building height (except as permitted in section 58-15).*

1. Essential services, class IV: ten feet.
2. Lots containing amateur radio towers: 100 feet.
3. All other uses: 35 feet.

g. *Permitted uses of open space.* No use or development shall be allowed on open space lands except as follows:

1. Conservation of open land in its natural state (for example,

forestlands, fields, or meadows).

2. Agricultural uses (see definition), including raising crops or livestock, nurseries, and associated buildings, excluding residences, provided that such buildings are specifically needed to support an active, viable agricultural or horticultural operation, and are architecturally compatible with the neighborhood setting. Specifically excluded, but not limited to, are commercial livestock operations involving swine, poultry, and mink.
3. Pastureland.
4. Horse farms or academies.
5. Forestry, in keeping with established best management practices for selective harvesting and sustained-yield forestry.
6. Neighborhood uses such as village greens, commons, picnic areas, community gardens, trails, and similar low-impact passive recreational uses.
7. Noncommercial recreation areas, such as playing fields, playgrounds, courts, and bikeways, provided such areas do not consume more than half of the minimum required open space land or five acres, whichever is less. Parking facilities for the same shall also be permitted, and they shall generally be gravel-surfaced, unlighted, properly drained, provide safe ingress and egress, and contain no more than ten parking spaces. Notwithstanding the above, golf courses, their parking areas, and associated structures, shall not be allowed on any required open space lands.
8. Water supply and sewage disposal systems, and stormwater detention areas designed, landscaped, and available for use as an integral part of the conservation area.
9. Easements for drainage, access, sewer or water lines, or other public purposes.
10. Underground utility rights-of-way. Aboveground utility and street rights-of-way may traverse open space lands but street rights-of-way shall not count toward the minimum required open space land. Fifty percent of the utility rights-of-way may be counted toward the minimum required open

space land.

h. *Permanent protection of open space.* The required open space shall be subject to a conservation easement that will be held by the homeowners association. Any homeowners association that is a holder of a conservation easement as provided in subsection 58-58(4)h, shall be subject to and comply with all applicable requirements for homeowners associations as set forth in state statutes. In addition, the following criteria shall be met:

1. The applicant for subdivision approval shall provide the town a description of the organization of the proposed association, including its bylaws, and all documents governing ownership, maintenance, and use restrictions for common facilities;
2. The proposed homeowners association shall be established by the subdivision applicant and shall be operating (with financial underwriting by the applicant, if necessary) before the sale of any dwelling units in the development;
3. Membership in the homeowners association shall be mandatory for all purchasers of lots within the subdivision and their successors in title;
4. The homeowners association bylaws shall confer legal authority on the association to place a lien on the real property of any member who falls delinquent in his dues. Such dues shall be paid with the accrued interest before the lien may be lifted;
5. The homeowners association shall annually provide to the town a listing of the names, addresses, and telephone numbers of all its officers and board members;
6. Any proposed changes to the conservation easement that substantively affect the usage, location, or maintenance of conservation land within the conservation subdivision must first be consented to and approved by 100 percent of the town council and 100 percent of all homeowners.

i. *Maintenance plans and maintenance agreement.*

1. The cost and responsibility of maintaining required open space shall be borne by the fee simple owner of the required conservation lands, or by another party as

specified in an executed, binding, and enforceable maintenance agreement, who is a holder of the conservation easement.

2. The applicant must submit, with an application for preliminary plat approval, a maintenance agreement that obligates either the property owner of the open space, or other specified party as provided above, to implement the maintenance plan.
3. The maintenance plan shall be submitted with an application for preliminary plat approval of the subdivision, and shall be in accordance with the following requirements:
  - (i) The maintenance plan shall specify ownership of required open space.
  - (ii) The maintenance plan shall establish a regular operation and maintenance program appropriate to the uses to be undertaken on the subject open space, pursuant to subsection 58-58(4)g.2.
  - (iii) The maintenance plan shall specify required insurance and all maintenance and operating costs, and shall define the means for funding the maintenance plan on an on-going basis. Such funding plan shall include the means for funding longterm capital improvements as well as regular yearly operating and maintenance costs.
  - (iv) The property owner or other specified party as provided above shall be required to escrow or bond sufficient funds for the maintenance and operation costs of the open space for two years. The amount of such escrow or bond shall be equal to 1.5 of the biannual estimated maintenance and operational costs, and shall be in a form as provided in subsection 46-45(b).
  - (v) Any changes to the maintenance plan shall be approved by the town council.
  - (vi) In the event that open space and associated common facilities are not maintained in accordance with the approved maintenance plan, the town may recover the escrow or bond funds to be used for such

maintenance and any development permits and approvals may be revoked or suspended.

- (vii) The property owner of the open space and, if utilized, any other maintaining party by agreement, shall execute a release and indemnity of the town, in a form satisfactory to the town, for any claims or damages arising from the maintenance agreement and maintenance plan or performance thereof.

(Ord. No. 87-04-08, § 5.3, 4-8-1987; Ord. No. O-2004-26, 11-18-2004; Ord. No. O-2007-02, 2-12-2007)

**Sec. 58-55. R-40(D) two-family district.**

The R-40(D) two-family district is established to allow single-family and duplex units on lots with a minimum lot size of 40,000 square feet. As stated in article I of this chapter, this district was created to regulate one specific area of the town.

- (1) *Permitted uses.*
  - a. Single-family dwellings.
  - b. Two-family dwellings (duplexes).
  - c. Family care homes for up to six clients, provided such home is not located within one-half mile of an existing family care home.
  - d. Essential services, class IV.
- (2) *Conditional uses.* The following uses may be permitted by the town council in accordance with article III of this chapter:
  - a. Customary home occupations in accordance with section 58-7.
  - b. Emergency governmental service facilities, including police, fire, and rescue.
  - c. Telecommunication towers.
- (3) *Yard regulations.*
  - a. *Minimum lot size.*
    - 1. Single-family dwellings: 40,000 square feet.
    - 2. Two-family dwellings: 40,000 square feet.

3. Essential services, class IV: none.
  4. All other uses: 40,000 square feet.
- b. *Minimum front yard setback (except as provided in article IV of this chapter).*
1. Essential services, class IV: ten feet.
  2. All other uses: 40 feet.
- c. *Minimum lot width.*
1. As measured at the front yard setback, 100 feet.
  2. Essential services, class IV: none.
- d. *Minimum side yard setback (side yards shall be increased to ten feet on all corner lots).*
1. Single-family and two-family dwellings: 12 feet.
  2. Essential services, class IV: ten feet.
- e. *Minimum rear yard setback.*
1. Essential services, class IV: ten feet.
  2. All other uses: 40 feet.
- f. *Maximum building height (except as permitted in section 58-15).*
1. Essential services, class IV: ten feet.
  2. All other uses: 35 feet.

(Ord. No. 87-04-08, § 5.4, 4-8-1987)

**Sec. 58-56. B-1 general business district.**

The B-1 general business district is designed primarily for retailing of merchandise such as convenience grocery sales, drugs and household items, and for furnishing certain personal, business and professional services for the convenience of residents of local neighborhoods. The standards established for these business areas are designed to protect abutting or surrounding residential areas from undesirable aspects of nearby business development. Individual uses may be permitted on a conditional use



basis only. These districts should be located at or near the intersection of major roads.

- (1) *Permitted uses.* Essential services, classes I and IV.
- (2) *Conditional uses.* The following uses may be permitted by the town council in accordance with article III of this chapter:
  - a. *Retail trade **and Services.***
    1. Antique stores.
    2. Arts and crafts stores.
    3. Banks and financial institutions.
    4. Book and stationery stores.
    5. Drugstores.
    6. Dry cleaning pickup stations and laundry pickup stations.
    7. Florists and gift shops, excluding nurseries.
    8. Government facilities, such as town hall or post offices.
    9. Hardware stores, including feed and seed.
    10. Jewelry stores.
    11. Business, professional, and public offices
    12. Restaurants, excluding drive-ins and fast-food.
    13. Tailor, dressmaking and millinery shops.
    14. Libraries.
    15. Schools for the arts.
    16. Health/sports clubs.
  - ~~Services.~~**17.** Barbershops and beauty shops.
  - 18.** **Day care centers.**
  - c. *Other uses.*

1. Accessory uses, in accordance with section 58-16.
  2. Signs, in accordance with article V of this chapter.
  3. Off-street parking and loading, in accordance with article VI of this chapter.
- (3) *Other conditional uses.* The following uses may be permitted by the town council in accordance with article III of this chapter. In addition, the town council shall address the review criteria for each use, which follows this section:
- a. Essential services, classes II and III.
  - b. Service stations and convenience stores, provided that all bulk fuels are stored underground. Petroleum pumps and canopies must be located a minimum of 80 feet behind any street right-of-way line.
  - c. Wholesale sales and distribution facilities with related office storage and warehousing entirely within enclosed buildings.
  - d. Shops for individuals normally classified as artisans or craftsmen (e.g., watch and clock makers, cabinet makers, furniture makers, glass blowers, pottery makers, and similar vocations which normally require special talent or expertise), pursuant to the following guidelines:
    1. Total shop and sales area shall not exceed 2,500 square feet, of which 500 square feet must be devoted to the sales area.
    2. Operation of the facility shall be limited to the artisan or craftsman himself and no more than two apprentices.
  - e. Telecommunication towers.
- (4) *Yard requirements.* Within any B-1 district, the following dimensional requirements shall apply:
- a. *Minimum lot area.* None.
  - b. *Minimum lot width.* None.
  - c. *Minimum front yard setback.*

1. Essential services, class IV: ten feet from existing right-of-way.
  2. All other uses: none except 80 feet from existing right-of-way.
- d. *Minimum side yard setback.*
1. Essential services, class IV: ten feet.
  2. All other uses: none, provided that 20 feet shall be required on a corner lot when the side yard abuts any residential street.
- e. *Minimum rear yard setback.*
1. Essential services, class IV: ten feet.
  2. All other uses: none, provided that 20 feet shall be required when the rear yard abuts any residential district.
- f. *Maximum building height.*
1. Essential services, class IV: ten feet.
  2. All other uses: 35 feet, except as permitted in section 58-15.
- (5) *Screening.* Screening and landscaping shall be provided in accordance with section 58-8.
- (6) *Off-street parking and loading.* Off-street parking and loading shall be provided in accordance with article VI of this chapter.
- (7) *Stormwater management.* The postdevelopment rate of stormwater runoff from any lot shall not exceed the predevelopment rate of runoff for a ten-year storm. The applicant shall provide, at a minimum, the following information to the zoning administrator as part of his application to obtain a zoning permit:
- a. An engineering report made and certified as true and correct by a registered engineer licensed to do business in the state. Such report shall include the following:
    1. The routing of stormwater for the predevelopment and

postdevelopment conditions of the proposed building lot.

2. Calculations showing the peak estimated rates of runoff using a ten-year return period for predevelopment and postdevelopment conditions, for the lot, including each stream leaving the proposed building lot.
3. Calculations, plans and specifications for stormwater retention/detention facilities or other means to effect peak rate attenuation.
4. A statement indicating the rate of postdevelopment stormwater runoff for the proposed building lot will not be greater than the predevelopment rate for a ten-year storm.

- b. A statement from the owner acknowledging responsibility for the operation and maintenance of required retention/detention facilities, and to disclose such obligation to future owners.

(Ord. No. 87-04-08, § 5.5, 4-8-1987; Ord. No. O-2003-19, 10-13-2003)

**Sec. 58-57. B-2 shopping center district.**

The B-2 shopping center district is established to provide an orderly arrangement of convenience and comparison shopping outlets, along with adequate off-street parking and other amenities. The shopping center district should be located adjacent to major thoroughfares. Individual uses may be permitted on a conditional use basis only. A shopping center shall only be permitted on a conditional use basis.

- (1) *Permitted uses.* Essential services, classes I and IV.
- (2) *Conditional uses.* The following individual uses may be permitted by the town council in accordance with article III of this chapter:
  - a. All uses permitted in the B-1 district.
  - b. Appliance and appliance repair stores.
  - c. Automobile parts supply stores.
  - d. Bakeries, retail.
  - e. Bicycle stores.
  - f. Catalog stores.
  - g. Clothing stores.

- h. Delicatessen.
- i. Floor covering, wallpaper, paint and window covering stores.
- j. Furniture stores.
- k. Music stores.
- l. Notion and fabric shops.
- m. Pet shop.
- n. Photographic studios and camera supply stores.
- o. Restaurants, excluding drive-in and fast-food.
- p. Supermarkets.
- q. Toy and hobby shops.
- r. Small animal veterinary outpatient clinics.

(3) *Other conditional uses.* The following uses may be permitted by the town council in accordance with article III of this chapter. In addition, the town council shall address the review criteria for each use in subsection (4) of this section:

- a. Shopping centers having two or more individual uses. Uses in shopping centers shall be limited to those commercial, retail or office uses which are permitted and/or conditional in the B-1 or B-2 districts.
- b. Essential services, classes II and III.
- c. Service stations, and convenience stores, provided that all bulk fuels are stored underground. Petroleum pumps and canopies must be located a minimum of 80 feet behind any street right-of-way line.
- d. Telecommunication towers.

(4) *Approval of shopping center plan.* A shopping center shall consist of any commercial development of two or more acres qualifying under the provisions of this subsection. The town council shall require the petitioners for this classification to present the following items for

consideration by the planning board and the town council:

- a. *Proof of need.* A valid market analysis indicating the economic feasibility of the proposed development by outlining the following:
  1. The trade area of the proposed shopping center.
  2. Estimation of the trade area population, present and future.
  3. Estimation of the effective buying power of the trade area, both existing and proposed.
  4. Estimation of the net potential customer buying power for stores in the proposed development.
  5. An estimate of the amount of retail sales floor space in square feet currently lacking in the trade area.
- b. *Development plan required.* Where a planned shopping center is proposed for a location, the procedure shall require the submission of a development plan as described in subsection (4)c of this section, as well as the regular amendment procedure set forth in article IX of this chapter if a rezoning is otherwise required.
- c. *Contents of development plan.* The owner or developer shall submit a development plan, at a scale of not less than one inch to 100 feet, to the planning board. Such development plan shall show:
  1. Dimensions of the property and adjacent lots and streets.
  2. Location and proposed use of all buildings with dimensions and ground area thereof.
  3. The parking spaces, channelization and ratios shown.
  4. Service areas, off-street loading facilities, service drives and dimensions thereon.
  5. All pedestrian ways.
  6. Title, giving the names of the developers, the date, scale of the plan and the person or firm preparing the plan.
  7. Landscaping and proper buffers between other uses.
- d. *Statement of readiness.* The petitioner shall submit a statement

indicating readiness to proceed with the proposed development by filing with the town council a statement signed by the owner or owners of the proposed development that the actual construction shall begin within one year from the date the conditional use is granted, and that it will be prosecuted to completion within 18 months from the granting of the conditional use permit. In the event the planning board and the town council find that the intent of this section has not been met or that construction has not begun within 18 months, proceedings may be instituted for rezoning the area in accordance with article IX of this chapter. It is not the intent of this section to prohibit a reasonable extension of the 18-month limit by the town council.

- (5) *Yard requirements.* Within any B-2 district, the following dimensional requirements shall be complied with:
- a. *Minimum lot area.* None.
  - b. *Minimum lot width.* None.
  - c. *Minimum front yard setback.*
    - 1. Essential services, class IV: ten feet.
    - 2. All other uses: 80 feet from the existing right-of-way.
  - d. *Minimum side yard setback.*
    - 1. Essential services, class IV: ten feet.
    - 2. All other uses: none, provided that 40 feet shall be required on a corner lot or when the side yard abuts any residential district.
  - e. *Minimum rear yard setback.*
    - 1. Essential services, class IV: ten feet.
    - 2. All other uses: none, provided that twenty feet shall be required when the rear yard abuts any residential district.
  - f. *Maximum building height.*
    - 1. Essential services, class IV: ten feet.
    - 2. All other uses: 35 feet, except as permitted in section 58-

15.

- (6) *Screening.* Screening and landscaping shall be provided in accordance with section 58-8.
- (7) *Off-street parking and loading.* Off-street parking and loading shall be provided for in accordance with article VI of this chapter.
- (8) *Compliance with conditional use permit.* The granting of a conditional use permit by the town council for a shopping center shall require the developer to strictly comply with the development plan submitted in subsection (4) of this section, as amended by the town council in granting the conditional use permit. Any variation from such development plan without the prior approval of town council shall constitute a violation of this chapter, except as provided in section 58-83.

(Ord. No. 87-04-08, § 5.6, 4-8-1987; Ord. No. O-2003-19, 10-13-2003)

**Sec. 58-58. R-CD residential conservation district.**

The R-CD residential conservation district is established to allow uses that are similar in nature to other residential (R) districts in the town. The R-CD district provides a means of protecting conservation lands, especially those areas that contain primary and secondary conservation lands. Following are the regulations for conservation subdivisions and other land uses in the R-CD district:

- (1) *Permitted uses.*
  - a. Single-family dwellings.
  - b. Agricultural uses. Structures housing poultry or livestock (other than horses) and waste removed from any structure shall be located no closer than 150 feet from any property line except that structures housing horses shall be located no closer than 60 feet from any property line. Corrals for bovine and equine animals are exempt from these setbacks.
  - c. Horse farm and academy. Structures housing horses shall be located no closer than 60 feet from any property line. Waste removed from any such structure shall be located no closer than 150 feet from any property line.
  - d. Family care home for up to six clients, provided such home is not located within a one-half-mile radius from an existing family care home.
  - e. Essential services, classes I and IV.



- f. Customary home occupations in accordance with section 58-7.
- g. Day care centers, small group
- h. Habitat preserve or other similar conservation use.
- i. Conventional subdivisions, provided that a minimum of ten percent of the gross area, exclusive of any required minimum 50-foot buffers along thoroughfares, of the subdivision consists of common open space. The ten percent open space requirement shall not apply in conventional subdivisions where each of the resultant lots has an area that equals or exceeds five acres. Any further subdivision of the tract into lots less than five acres in size shall require ten percent open space. Any such open space areas as herein provided shall consist of principally viewsheds from the road, where applicable. Where a viewshed is not appropriate, open space shall consist of primary and/or secondary conservation lands, to the extent that they are found on the tract in question and shall be subject to the provisions of subsections (3)g--i and (4)h of this section.

(2) *Conditional uses.* The following uses may be permitted as conditional uses by the town council in accordance with article III of this chapter; provided, however, that no such uses shall be allowed within a conservation subdivision. The council shall address any additional review criteria for these land uses as may be contained in section 58-88:

- a. Churches, synagogues, and other places of worship, and their customary related accessory uses.
- b. Public and private schools serving all grades, including preschool facilities.
- c. Golf courses (except on conservation lands), parks, playgrounds, and community recreational centers (both public and private).
- d. Country clubs, fraternal, social, and other civic organizations.
- ~~e. Day care centers.~~
- e. Emergency governmental service facilities, including police, fire, and rescue.
- f. Cemeteries.

- g. Essential services, classes II and III.
  - h. Clubs.
  - i. Community centers.
  - j. Telecommunication towers.
  - k. Libraries.
  - l. Amateur radio towers on lots containing other principal uses or structures. In no instance, however, shall the amateur radio tower be located in the front yard of a lot containing another principal structure.
  - m. Government or town facilities.
  - n. Land application of biosolids.
  - o. Conservation subdivisions; provided, however, that conservation subdivisions that have a sketch plan approval as of the date of the adoption of the ordinance from which this section is derived will not be required to apply for a conditional use permit.
  - p. Agritourism.
- (3) *Standards for developments not located within a conservation subdivision.*
- a. *Minimum lot area.*
    - 1. Single-family dwellings: 40,000 square feet, except five acres on an easement lot not located within a conservation easement. However, an easement lot may be a minimum of 40,000 square feet when created within a conservation easement of at least 25 acres that is dedicated to a conservation organization.
    - 2. Cemeteries and essential services, class III: five acres.
    - 3. Churches: three acres.
    - 4. Public and private schools: ten acres.
    - 5. Horse farms or academies: five acres.

6. Agricultural uses: a minimum of 40,000 square feet; provided, however, that a minimum of five acres shall be required for any agricultural use containing one or more livestock animals having a mature adult weight of 250 pounds or greater. Notwithstanding this requirement, lots whose agricultural use consists exclusively of one horse shall be required to have a minimum of 40,000 square feet of contiguous fenced land area designed to accommodate the horse. Such lots containing two horses shall be required to have a minimum of 80,000 square feet of contiguous fenced land area designed to accommodate the two horses.

~~7. Day care facilities: three acres.~~

7. Essential services, classes I and IV: none.

8. Planned residential development: 35 acres.

9. Libraries: three acres.

10. Lots containing amateur radio towers: 40,000 square feet.

11. All other uses: 40,000 square feet.

12. Government or town facilities.

b. *Minimum front yard setback (except as provided in article IV of this chapter).*

1. All essential services, class II: 300 feet.

2. Telephone repeater stations, transmitting facilities, and public utility stations: 200 feet.

3. Single-family dwellings and mobile homes: 50 feet.

4. Essential services, class IV: ten feet.

5. Lots containing amateur radio towers: 1.5 times the height of the tower.

6. Essential services, class I: none.

7. All other uses: 75 feet.

- c. *Minimum lot width.*
  - 1. Essential services, classes I and IV: none.
  - 2. All other uses: 120 feet, measured at the front yard setback.
  
- d. *Minimum side yard setback (the side yard setback shall be increased by ten feet on the side yard facing a street on all corner lots).*
  - 1. Single-family dwellings and mobile homes: 15 feet, provided that if a buffer is provided at the side of the lot pursuant to section 46-76(d), the side yard setback shall be measured from the nearest edge of the buffer area.
  - 2. Churches, schools, governmental facilities, libraries, government or town facility, telephone repeater stations: 50 feet.
  - 3. All essential services, class III: 100 feet.
  - 4. Telephone repeater stations, transmitting facilities, and public utility substations: 75 feet.
  - 5. Essential services, class IV: ten feet.
  - 6. Lots containing amateur radio towers: 1.5 times the height of the tower.
  - 7. Essential services, class I: none.
  - 8. All other uses: 15 feet.
  
- e. *Minimum rear yard setback.*
  - 1. Single-family dwellings and mobile homes: 40 feet; provided that if a buffer is provided at the rear of the lot pursuant to section 46-76(d), the rear yard setback shall be measured from the nearest edge of the buffer area.
  - 2. All essential services, class III: 100 feet.
  - 3. Telephone repeater stations, transmitting facilities, and public utility substations: 75 feet.
  - 4. Essential services, class IV: ten feet.

5. Lots containing amateur radio towers: 1.5 times the height of the tower.
  6. All other uses: 40 feet.
- f. *Maximum building height (except as permitted in section 58-15).*
1. Essential services, class IV: ten feet.
  2. Lots containing amateur radio towers: 100 feet.
  3. All other uses: 35 feet.
- g. *Permitted uses of open space.* No use or development shall be allowed on the required open space except as follows:
1. Conservation of open land in its natural state (for example, forestlands, fields, or meadows).
  2. Pastureland.
  3. Forestry, in keeping with established best management practices for selective harvesting and sustained-yield forestry.
- h. *Permanent protection of open space.* The required open space shall be subject to a conservation easement that will be held by the homeowners' association. Any homeowners' association that is a holder of a conservation easement as provided in subsection (4)h of this section, shall be subject to and comply with all applicable requirements for homeowners' associations as set forth in state statutes. In addition, the following criteria shall be met:
1. The applicant for subdivision approval shall provide the town a description of the organization of the proposed association, including its bylaws, and all documents governing ownership, maintenance, and use restrictions for common facilities.
  2. The proposed homeowners' association shall be established by the subdivision applicant and shall be operating (with financial underwriting by the applicant, if necessary) before the sale of any dwelling units in the development.
  3. Membership in the homeowners' association shall be

mandatory for all purchasers of lots within the subdivision and their successors in title.

4. The homeowners' association bylaws shall confer legal authority on the association to place a lien on the real property of any member who falls delinquent in his dues. Such dues shall be paid with the accrued interest before the lien may be lifted.
5. The homeowners' association shall annually provide to the town a listing of the names, addresses, and telephone numbers of all their officers and board members.
6. Any proposed changes to the conservation easement that substantively affect the usage, location, or maintenance of conservation land within the conservation subdivision must first be consented to and approved by 100 percent of the town council and 100 percent of all homeowners.

i. *Maintenance plans and maintenance agreement.*

1. The cost and responsibility of maintaining required open space shall be borne by the fee simple owner of the required conservation lands, or by another party as specified in an executed, binding, and enforceable maintenance agreement, who is a holder of the conservation easement.
2. The applicant must submit, with an application for preliminary plat approval, a maintenance agreement that obligates either the property owner of the open space, or other specified party as provided above, to implement the maintenance plan.
3. The maintenance plan shall be submitted with an application for preliminary plat approval of the subdivision, and shall be in accordance with the following requirements:
  - (i) The maintenance plan shall specify ownership of required open space;
  - (ii) The maintenance plan shall establish a regular operation and maintenance program appropriate to the uses to be undertaken on the subject open space, pursuant to subsection (4)g.2 of this section;

- (iii) The maintenance plan shall specify required insurance and all maintenance and operating costs, and shall define the means for funding the maintenance plan on an ongoing basis. Such funding plan shall include the means for funding longterm capital improvements as well as regular yearly operating and maintenance costs;
- (iv) The property owner or other specified party as provided above shall be required to escrow or bond sufficient funds for the maintenance and operation costs of the open space for two years. The amount of such escrow or bond shall be equal to 1.5 times the biannual estimated maintenance and operational costs, and shall be in a form as provided in section 46-45(b);
- (v) Any changes to the maintenance plan shall be approved by the town council;
- (vi) In the event that open space and associated common facilities are not maintained in accordance with the approved maintenance plan, the town may recover the escrow or bond funds to be used for such maintenance and any development permits and approvals may be revoked or suspended; and
- (vii) The property owner of the open space and, if utilized, any other maintaining party by agreement, shall execute a release and indemnity of the town, in a form satisfactory to the town, for any claims or damages arising from the maintenance agreement and maintenance plan or performance thereof.

(4) *Standards for developments located in conservation subdivisions.*

- a. *Ownership.* When land of a conservation subdivision is held in multiple ownerships, it shall be planned and developed as a single entity for purposes of this chapter.
- b. *Conservation lands disturbance.* The proposed design of the conservation subdivision shall minimize disturbance of primary conservation and required secondary conservation lands.
- c. *Density standards.* The actual number of lots suitable for the placement of a principal residential structure may be limited by on-

site features as determined by submission and analysis of a yield plan as contained in section 46-42(d)(2).

- d. *Minimum required conservation land.* No lot suitable for the placement of a principal residential structure shall be platted to include within its dimensions any conservation lands as herein required. Conservation land on the tract containing the conservation subdivision shall be calculated as follows:
  1. *Tracts containing primary conservation lands.* All primary conservation lands within the tract shall be retained as conservation land. Half of all remaining secondary conservation lands, where they exist, shall be retained as conservation land in the order of priority as described below.
    - (i) Tier A (high priority).
      - A. Forestlands.
    - (ii) Tier B (medium priority).
      - A. Farmlands.
      - B. Historic site.
    - (iii) Tier C (lowest priority).
      - A. Steep slopes.
      - B. Rock formations.
      - C. Lands adjacent to parks.
    - (iv) At a minimum, 50 percent of the gross acreage of the tract will be required to be retained as conservation land. Conservation land in excess of the 50 percent minimum, while not required by this chapter, may be set aside at the property owner's discretion.
  2. *Tracts not containing primary conservation lands.* At a minimum, 50 percent of the gross area of the tract shall be retained as secondary conservation land if there are no primary conservation lands on the tract. The priority order for retaining secondary conservation lands shall be as



described in subsection (4)d.1 of this section.

e. *Dimensional standards.*

1. Minimum lot sizes. One of the primary differences between conventional subdivisions and conservation subdivisions is that although the overall allowable density levels between the two are the same, conservation subdivisions allow much smaller lot sizes. Accordingly, lots containing single-family dwellings may have a minimum area of 12,000 square feet. Easement lots are not permitted in a conservation subdivision.
2. Minimum lot width at building line: 80 feet.
3. Minimum street frontage: 30 feet.
4. Yard regulations. Variations in the principal building position and orientation on the lot are encouraged, but shall observe the following minimum standards:
  - (i) Front yard: 20 feet.
  - (ii) Rear yard: 30 feet.
  - (iii) Side yard: 30 feet separation for principal buildings on adjacent lots, with no side yard less than five feet. The streetside side yard on a corner lot (i.e., the lot fronting a street that is not the "front yard") shall be at least 15 feet.

Notwithstanding the provisions of this subsection, all principal dwelling units within a conservation subdivision shall be set back at least 100 feet from all external road rights-of-way (i.e., rights-of-way of roads that are external to the proposed subdivision), as depicted on the most current version of the local thoroughfare plan. In addition, all principal dwelling units shall otherwise be set back a minimum of 50 feet from the external boundaries of the conservation subdivision.

5. Maximum building height: 35 feet.
6. Garages with front loading bays shall be recessed a minimum of two feet from the front facade of the house and visually designed to form a secondary building volume.

- f. *Design standards.* Lot lines shall not encroach upon the designated conservation lands. A minimum of 95 percent of building lots within the subdivision must share at least one lot line with another lot in the subdivision.
  
- g. *Conservation land uses.* Except as provided herein, most types of structural development are not allowed on primary conservation lands and required secondary conservation lands.
  - 1. *Principal uses permitted outside of primary and required secondary conservation lands.* Single-family dwellings.
  
  - 2. *Principal uses permitted on primary and required secondary conservation lands.* No use or development shall be allowed on primary and required secondary conservation lands except as follows:
    - (i) Conservation of open land in its natural state (e.g., forestlands, fields, or meadows).
  
    - (ii) Agricultural uses, including raising crops or livestock, nurseries, and associated buildings, excluding residences, provided that such buildings are specifically needed to support an active, viable agricultural or horticultural operation, and are architecturally compatible with the neighborhood setting. Specifically excluded, but not limited to, are commercial livestock operations involving swine, poultry, and mink.
  
    - (iii) Pastureland.
  
    - (iv) Horse farms or academies.
  
    - (v) Forestry, in keeping with established best management practices for selective harvesting and sustained yield forestry.
  
    - (vi) Neighborhood uses such as village greens, commons, picnic areas, community gardens, trails, and similar low-impact passive recreational uses.
  
    - (vii) Noncommercial recreational areas, such as playing fields, playgrounds, courts, and bikeways, provided such areas do not consume more than half of the

minimum required conservation land or five acres, whichever is less. Parking facilities for the same shall also be permitted, and they shall generally be gravel-surfaced, unlighted, properly drained, provide safe ingress and egress, and contain no more than ten parking spaces. Notwithstanding the above, golf courses, their parking areas, and associated structures, shall not be allowed on any required conservation lands.

- (viii) Water supply and sewage disposal systems, and stormwater detention areas designed, landscaped, and available for use as an integral part of the conservation area.
- (ix) Easements for drainage, access, sewer or water lines, or other public purposes.
- (x) Underground utility rights-of-way. Aboveground utility and street rights-of-way may traverse conservation lands but street rights-of-way shall not count toward the minimum required conservation land. Fifty percent of the utility rights-of-way may be counted toward the minimum required conservation land.

h. *Permanent conservation land protection through conservation easements.*

1. Subject to the provisions of subsections (4)h.2 and (4)h.3 of this section, conservation lands required pursuant to subsection (4)d of this section may be retained by the applicant or may be conveyed to another party, but must be and remain subject to a conservation easement. Nothing herein shall restrict the legislative zoning authority of the town council.
2. Required conservation land shall be subject to a conservation easement that specifies the range of uses allowable pursuant to subsection (4)g.2 of this section, and which are enforceable in accordance with all applicable laws of the state. There shall be at least two holders of every easement, except as provided in subsection (4)h.3 of this section. The holders of the conservation easement shall be the state or appropriate department or agency thereof, or one or more conservation organizations, in any

combination of two or more, except as provided in subsection (4)h.3 of this section. Enforcement of the terms of the conservation easement shall be in accordance with applicable state law. The proposed preliminary plat shall indicate that required conservation lands are subject to a conservation easement being conveyed to specific entities pursuant to this section.

3. Upon demonstration by the applicant that efforts to comply with subsection (4)h.2 of this section have been exhausted and pursued in good faith, but have failed to result in the execution of a valid conservation easement by two qualified holders, the applicant shall enter into either:
  - (i) A conservation easement to be held by the state, or appropriate department or agency thereof;
  - (ii) Held by a conservation organization approved by the town council, if the state will not agree to be the conservation easement holder;
  - (iii) Held by a homeowners' association, subject to subsection (4)h.4 of this section; or
  - (iv) Other appropriate easement holder approved within the discretion of the town council.

To the extent possible, any combination of two or more of the above listed easement holder, is preferable.

4. Any homeowners' association that is a holder of a conservation easement as provided in subsection (4)h.3 of this section, shall be subject to and comply with all applicable requirements for homeowners' associations as set forth in state statutes. In addition, the following criteria shall be met:
  - (i) The applicant for conservation subdivision approval shall provide the town a description of the organization of the proposed association, including its bylaws, and all documents governing ownership, maintenance, and use restrictions for common facilities;
  - (ii) The proposed homeowners' association shall be established by the conservation subdivision

applicant and shall be operating (with financial underwriting by the applicant, if necessary) before the sale of any dwelling units in the development;

- (iii) Membership in the homeowners' association shall be mandatory for all purchasers of lots within the conservation subdivision and their successors in title;
- (iv) The homeowners' association bylaws shall confer legal authority on the association to place a lien on the real property of any member who falls delinquent in his dues. Such dues shall be paid with the accrued interest before the lien may be lifted;
- (v) The homeowners' association shall annually provide to the town a listing of the names, addresses, and telephone numbers of all their officers and board members;
- (vi) Any proposed changes to the conservation easement that substantively affect the usage, location, or maintenance of conservation land within the conservation subdivision must first be consented to and approved by the town council.

i. *Maintenance plans and maintenance agreement.*

1. The cost and responsibility of maintaining the required conservation lands and associated common facilities shall be borne by the fee simple owner of the required conservation lands, or by another party as specified in an executed, binding, and enforceable maintenance agreement, who is a holder of the conservation easement.
2. The applicant must submit, with an application for preliminary plat approval, a maintenance agreement that obligates either the property owner of the conservation lands, or other specified party as provided above, to implement the maintenance plan.
3. The maintenance plan shall be submitted with an application for preliminary plat approval of a conservation subdivision, and shall be in accordance with the following requirements:

- (i) The maintenance plan shall specify ownership of required conservation lands.
- (ii) The maintenance plan shall establish a regular operation and maintenance program appropriate to the uses to be undertaken on the subject conservation lands, pursuant to subsection (4)g.2 of this section.
- (iii) The maintenance plan shall specify required insurance and all maintenance and operating costs, and shall define the means for funding the maintenance plan on an ongoing basis. Such funding plan shall include the means for funding longterm capital improvements as well as regular yearly operating and maintenance costs.
- (iv) The property owner or other specified party as provided above shall be required to escrow or bond sufficient funds for the maintenance and operation costs of the conservation lands for two years. The amount of such escrow or bond shall be equal to 1.5 times the biannual estimated maintenance and operational costs, and shall be in a form as provided in section 46-45(b).
- (v) Any changes to the maintenance plan shall be approved by the town council.
- (vi) In the event that conservation lands and associated common facilities are not maintained in accordance with the approved maintenance plan, the town may recover the escrow or bond funds to be used for such maintenance and any development permits and approvals may be revoked or suspended.
- (vii) The property owner of the conservation lands and, if utilized, any other maintaining party by agreement, shall execute a release and indemnity of the town, in a form satisfactory to the town, for any claims or damages arising from the maintenance agreement and maintenance plan or performance thereof.

(Ord. No. 87-04-08, § 5.7, 4-8-1987; Ord. No. O-2004-07, 6-14-2004; Ord. No. O-2004-09, 7-12-2004; Ord. No. O-2004-13, 7-12-2004; Ord. No. O-2004-26, 11-18-2004; Ord. No. O-2007-04, 4-9-2007)

**Sec. 58-59. R-E residential established.**

As stated in article I of this chapter, the R-E residential district was created for subdivisions with 20,000 square foot lots that have been annexed by the town and do not conform to all other town zoning districts.

- (1) *Permitted uses.*
  - a. Essential services, class IV.
  - b. Single-family dwellings.
  - c. Family care homes for up to six clients, provided such home is not located within one-half mile from an existing family care home.
- (2) *Conditional uses.* The following uses may be permitted by the town council in accordance with article III of this chapter:
  - a. Customary home occupations in accordance with section 58-7.
  - b. Emergency governmental services facilities, including police, fire and rescue.
  - c. Telecommunication towers.
- (3) *Yard requirements.* Within the R-E zoning district, the following dimensional requirements shall be complied with:
  - a. *Minimum lot area.* 20,000 square feet.
  - b. *Minimum lot width.* 100 feet.
  - c. *Minimum front yard setback.*
    1. Essential services, class IV: ten feet.
    2. All other uses: 40 feet.
  - d. *Minimum side yard setback.* The side yard setback shall be increased by three feet on the side yard facing a street on all corner lots.
    1. Essential services, class IV: ten feet.
    2. All other uses: 12 feet.

- e. *Minimum rear yard setback.*
  - 1. Essential services, class IV: ten feet.
  - 2. All other uses: 40 feet.
- f. *Maximum building height.*
  - 1. Essential services, class IV: ten feet.
  - 2. All other uses: 35 feet.

(Ord. No. O-2006-03, § 5.8, 1-9-2006)

**Sec. 58-60. MX mixed-use conditional district.**

The MX mixed-use conditional district is hereby established in order to accommodate a highly limited type of mixed use development in accordance with the intent described in section 58-5(3)b. Development in a MX mixed-use district may only occur in accordance with the requirements for conditional zoning as outlined in section 58-271. Rezoning to a MX district shall only be applicable to areas designated for future retail/office development in the town's land use plan.

- (1) *Permitted uses.*
  - a. Offices and office buildings. Following is a list of examples of the types of offices permitted in an MX district. Although this list is not intended to exhaust the types of office uses permitted, other types of office uses are permissible only if they will not produce levels of noise, traffic, pedestrian activity, or disturbances that exceed the levels of noise, traffic, pedestrian activity, or disturbances commonly associated with the types of office uses listed below:
    - 1. Doctor's office.
    - 2. Insurance agency.
    - 3. Real estate agency.
    - 4. Stock brokerage firm.
    - 5. Tax preparation service.
    - 6. Travel agency.



7. Small animal veterinary clinic.
- b. Retail uses. Following is a list of examples of the types of retail uses permitted in an MX district. Although this list is not intended to exhaust the types of retail uses permitted, other types of retail uses are permissible only if they will not produce levels of noise, traffic, pedestrian activity, or disturbances that exceed the levels of noise, traffic, pedestrian activity, or disturbances commonly associated with the types of retail uses listed below. Such retail uses may be in freestanding buildings or within a larger building:
1. Antique shop.
  2. Arts and crafts store.
  3. Athletic goods shop.
  4. Automobile parts store.
  5. Bakery, retail.
  6. Barbershop and beauty shop.
  7. Book and stationery store.
  8. Clothing store.
  9. Computer/electronics store.
  10. Dance and gymnastic studio.
  11. Department/variety store.
  12. Dry cleaning service outlet (excluding dry cleaning and laundry plants).
  13. Fabric stores.
  14. Floor covering, wallpaper, paint and window covering stores.
  15. Florist and gift shops.
  16. Grocery stores.
  17. Hardware stores.

- 18. Jewelry stores.
- 19. Music stores.
- 20. Pharmacies.
- 21. Photocopying shops.
- 22. Tailor, dressmaking and millinery shops.
- 23. Toy and hobby stores.
- 24. Video stores.
- c. Restaurants (excluding freestanding drive-in, drive-through, and fast-food restaurants).
- d. Schools.
- e. Shopping centers.
- f. Essential services, classes I and II.
- g. Libraries, public.
- h. Town government buildings and facilities (indoors).
- i. Bank teller machines.
- j. Banks and financial institutions.
- k. Post offices.
- l. Postal stores and contract stations.
- m. Convenience stores (restrictions may be added by the town council, such as restrictions governing ingress/egress to the convenience store from major roads, architectural review, number of gas pumps, height of canopy, site location, hours of operation, etc.).
- n. Day care centers provided the lot is at least 3 acres.**

(2) *Development standards.*

- a. Except as provided herein, all uses and structures in the MX district shall meet all applicable development standards established in article I, article V, article VI, and article VII of this chapter, as well as the following standards. Some of the standards established in this zoning district may differ than those that would otherwise apply in the town. Whenever a conflict arises between an otherwise applicable standard imposed by another provision of this chapter and this section for the MX district, the stricter standard, as determined solely by the town council, shall apply.
  
- b. Except as provided herein, all principal buildings and structures located within the project area shall meet a minimum setback of 25 feet from any public road right-of-way and from any surrounding property not being rezoned as part of the MX district. Where a public road right-of-way along a major or minor thoroughfare has not been established by the Mecklenburg Union Metropolitan Planning Organization's Thoroughfare Plan, the right-of-way shall be determined by a measurement of 50 feet from the centerline of the pavement to the measured line and area of that right-of-way must be dedicated to state department of transportation to provide for future widening. In addition, after considering the criteria for the MX district design as set forth in section 58-5(3)b, the town council, at its sole discretion, may reduce one or more of the setbacks to less than 25 feet, but only after the applicant has demonstrated one or more of the following:
  1. The proposed setback reduction is consistent with and preserves the spirit of the land use plan;
  2. Where a proposed use abuts permanent open space on an adjacent tract and, when combined with such open space, provides sufficient buffering;
  3. Screening and buffering can be attained through appropriately planted and existing natural vegetation and/or topography;
  4. The reduction can be achieved in a manner that is in harmony with the development of the surrounding area;
  5. The nature of the open space within the proposed setback of the site is sufficient to protect adjacent property owners, i.e., topography, existing vegetation, creeks, or other natural features; or

6. Overall features of the site plan provide adequate protection to contiguous properties.
- c. No off-street parking shall be permitted in any required setbacks.
- d. Landscaping, screening, and buffers shall meet or exceed the minimum standards as provided per section 58-8. A buffer shall be built and maintained the entire width of the property fronting major or minor thoroughfares and major or minor roads. The buffers shall be built the width of the setback. All such buffers and/or screens shall be built in such a manner as to effectively screen the development from any major or minor thoroughfare and major or minor road, and/or residential or commercial property existing at the time the MX district is approved. All such landscaping, screening and buffers shall include, protect, and maintain existing and planted trees.
- e. In no event shall the amount of development within the project area exceed a floor area ratio of 0.20. Notwithstanding this provision, if one or more parking decks are to be built in accordance with the guidelines herein and contain 33 percent or greater of the required off-street parking for the development, the maximum allowable floor area ratio may be increased by the town council up to a ratio of 0.25.
- f. The maximum building height, as measured from the ground level to the peak of the roof, shall be 40 feet. The majority of buildings in the development shall be two stories high. However, one-story and/or three-story buildings will also be used to provide a varied skyline for the development. A majority of the gross floor area within the development shall be contained in buildings that are two stories or shorter. All buildings or structures within 50 feet of residentially zoned property shall be limited to two stories and shall have a maximum building height of 35 feet, as measured from ground level to the peak of the roof.
- g. No individual use within a MX district development shall have a gross floor area greater than 8,000 square feet, except for supermarkets, libraries, town and government facilities, which may be as large as 25,000 square feet. Furthermore, individual retail uses having a gross floor area of greater than 20,000 square feet shall not comprise greater than 25 percent of the total gross floor area in the development devoted to retail use.
- h. The first floors of all nonresidential buildings must be designed to encourage pedestrian activity and use by arranging windows and

doors so that individual uses within a building are visible and accessible from the street on at least 50 percent of the length of the first floor frontage that faces roads, sidewalks, or other areas of significant pedestrian activity. In its discretion, the town council may modify the requirement contained in the immediately preceding sentence so long as the town council imposes alternative requirements that will encourage at least as much pedestrian activity and use in the development. Where the first floor of a nonresidential building has expanses of blank wall, each such expanse of blank wall may not exceed 20 feet in length. The term "blank wall," for the purposes of this section, means a wall that does not contain transparent windows or doors or significant ornamentation, decoration or articulation.

- i. Nonresidential portions of a development (including, but not limited to, the landscaping, parking, and lighting of those portions) shall be designed so that they encourage and facilitate pedestrian use of those portions. In addition to other design elements that encourage and facilitate pedestrian use, in nonresidential portions of a development, sidewalks shall be placed in front of all principal buildings, and small pocket parks shall be created whenever feasible.
- j. Large expansive off-street parking lots are not allowed. Accordingly, each off-street parking area shall contain no more than 150 off-street parking spaces and shall meet or exceed the standards in section 58-175.
- k. Streets within the development may be privately owned and maintained. On-street parking is allowed and may be counted towards meeting the off-street parking requirements. For both on-street and off-street parking, a parking space shall be not less than nine feet in width or less than 20 feet in length, and all parking spaces shall be clearly marked and maintained so that the boundaries of each space may be easily seen. In off-street parking lots with more than 20 standard spaces, one compact parking space may be permitted for every five standard spaces. Each compact space shall be at least seven feet wide and at least 17 feet long, and shall be clearly marked, "small cars only."
- l. Parking decks not to exceed three above grade levels of parking may be allowed provided they do not exceed the maximum height provided in section 58-58. To the maximum extent possible, such decks shall be built of materials and designed in a manner to blend in with the associated development. Cars on all levels of a structural parking facility must be screened from view from

outside the structure. Retail or office uses may be allowed on the periphery of all levels of the parking deck.

- m. Any outdoor storage of retail goods is prohibited. Notwithstanding this provision, garden materials such as flowers, plants, shrubs, fertilizer, and pine needles, etc., may be stored outdoors, but only if appropriately located, screened, and secured. Such outside storage shall be allowed only at the sole discretion of the town council and shall be included in calculating the floor area ratio for the site.
- n. At a minimum, ten percent of the gross acreage of the project (minus any required setbacks and buffers, utility easements, stormwater detention areas, and marginal lands including, but not limited to, wetlands, floodplains, steep slopes and bodies of water) shall consist of prominently located and pedestrian-accessible village green open spaces so as to encourage walking and pedestrian activity within the development. No development may occur within any such open space except for the creation of sidewalks, other walking paths, and any type of development commonly found in small public parks, such as statues or other art.

(Ord. No. O-2006-20, § 5.9, 11-13-2006)

**Sec. 14-84. Control of glare, light trespass and light levels.**

(g) *Signs.*

- (1) Lighting fixtures illuminating signs shall be carefully located, aimed, and shielded so that light is directed only onto the sign facade and glare is significantly reduced. Lighting fixtures shall not be aimed toward adjacent streets, roads, or properties.
- (2) Lighting fixtures illuminating signs shall be of a type such that the light source (bulb) is not directly visible from adjacent streets, roads, or properties.
- (3) Internally illuminated signs are prohibited. ~~permitted as long as the sign is not too bright for the surroundings and does not produce excessive glare to its viewers.~~
- (4) To the extent practicable, lighting fixtures shall be directed downward rather than upward.
- (5) This article does not regulate outdoor signs. Such regulations have been adopted and can be found in article V of chapter 58.

(add to Chapter 14, Buildings and Building Regulations)

## **Article V. Architectural Design Standards**

### **Sec. 14-101. Purpose and Intent**

The purpose of establishing supplementary requirements for development is to ensure that the physical characteristics of proposed development are compatible when considered within the context of the surrounding areas and to preserve the unique visual character of the Town of Weddington. These requirements strike a balance between creativity and innovation on one hand while avoiding obtrusive, incongruous structures on the other. The Town of Weddington strongly encourages architectural styles that build upon and promote the existing historic character of the town and supports the view that inspiring, well-maintained, and harmonious development is in the best economic development interests of all residents and businesses.

### **Sec. 14-102. Applicability**

The standards described or referenced in this section shall apply to all non-residential development, including renovations, remodelings, face lifts, repainting, and additions to existing structures within the zoning jurisdiction of the Town of Weddington. All such projects that require a Conditional Use Permit, a modification to a CUP, or Conditional Zoning shall be required to meet these standards.

### **Sec. 14-103. General Compatibility Requirement**

All development subject to this section shall be compatible with the character of the Town by using a design that is complementary to existing Town architectural styles, designs, and forms. Compatibility shall be achieved through techniques such as the repetition of roof lines, the use of similar proportions in building mass and outdoor spaces, similar relationships to the street, similar window and door patterns, and the use of building materials that have color, shades, and textures similar to those existing in the immediate area of the proposed development.

### **Sec. 14-104. Modification of Standards**

The Zoning Administrator, his designee, or the Design Review Board may make modifications to the following standards upon the written request of the applicant if the standard(s) in question conflicts with other requirements by law, as long as the proposal is in compliance with the Purpose and Intent of these standards and General Compatibility requirements given above. If the applicant and Zoning Administrator, his designee, or the Design Review Board cannot come to an agreement the proposal shall be submitted to the Planning Board for recommendation at their next meeting and to the Town Council for final decision.

### **Sec. 14-105. Conflicting Requirements**

Where these requirements conflict with each other or with any requirement of the Zoning Ordinance or Subdivision Regulations, the stricter, more visually compatible or more appropriate standards shall apply as determined by the Zoning Administrator. Any modifications necessary shall be made with the approval of the Zoning Administrator, his designee, or the Design Review Board.



## **Sec. 14-106. Overall Design and Appearance Standards**

### **(a) Applicability**

All non-residential development within the zoning jurisdiction of the Town of Weddington shall meet these overall design and appearance standards.

### **(b) Basic Building Design**

(1) **Scale:** Building design shall emphasize a human scale at ground level, at entryways, and along street frontages through the creative use of such features as windows, doors, columns, canopies, arcades, awnings, decks and porches.

(2) **Avoiding Monotony:** Monotony of design in single or multiple building projects shall be avoided by varying detail, form and siting to the maximum extent practicable, within the standards set forth in these requirements.

(3) **Unify Individual Storefronts:** If several storefronts are located in one building, the individual storefronts shall be unified in all exterior design elements, such as mass, window and door placement, color, materials, and signage while, at the same time, varying the look and providing distinctiveness from storefront to storefront.

### **(c) Architectural Features**

(1) **Roofs:** Roof lines shall be varied to reduce the scale of structures and add visual interest including gables, windows, dormers where possible.

(2) **Facades:** All facades, including front and side facades and all rear facades that are visible from any public roadway or sidewalk or from private property, that are greater than one hundred (100) feet in length, measured horizontally, shall be interrupted by recesses, projections, windows, awnings, and/or arcades and shall utilize a repeating pattern of change in color, texture, and material modules.

(3) All facades clearly visible from public streets or adjoining properties shall contribute to the scale of features of the building and feature characteristics similar to the front facade.

(4) **Entryways:** Each principal building on a site shall have one or more clearly defined, highly visible customer entrances featuring one or more of the following: canopies or porticos, arcades, arches, wing walls, and/or planters.

(5) **Materials:** Predominant exterior building materials shall be high quality materials, including brick, stucco, wood, stone, and tinted/textured decorative concrete masonry units, or other materials similar in appearance and durability. Under no circumstances shall unfinished concrete block be permitted.

(6) **Colors:** Colors used for exterior surfaces shall be harmonious with surrounding development and shall visually reflect the traditional concept of the town. Color shades shall be used to facilitate blending into the neighborhood. Facade colors shall be of low reflectance earth tone, muted, subtle, or neutral colors. Building trim may feature brighter colors as an accent material. The use of high-intensity or metallic colors is not allowed except for accent purposes. The use of fluorescent, day glow, or neon colors shall be prohibited as a predominate wall color.

Variations in color schemes are encouraged in order to articulate entryways and public amenities so as to give greater recognition to these features. Color samples shall be provided to the staff at the time of site plan review and prior to any renovations, remodelings, facelifts, and repainting, along with a description of how and where each color will be used. Colored renderings are encouraged, but shall not be a substitute for this requirement.

(d) Parking Lots

To prevent huge expanses of asphalt separating non-residential buildings from streets, parking will be separated into sections separated by landscaping and other features. Larger parking areas shall be split into sections on different sides of the building or enclosed in an interior space between buildings so as not to be easily visible from the street in order to emphasize the building and de-emphasize the parking lot.

(e) Trash Containment Areas

All trash containment devices, including compactors and dumpsters, shall be located and designed so as not to be visible from the view of nearby streets and properties. If the device is not visible from off the site, then it need not be screened. The type of screening used shall be determined based on the proposed location of the trash containment area, existing site conditions, and the type and amount of existing and proposed vegetation on the site. Trash containment areas must be constructed of materials in similar color and nature to the primary structure.

(f) Mechanical and Utility Equipment

Mechanical and utility equipment shall be screened from view from nearby streets and properties in the same manner as trash containment areas. Ground mounted equipment shall be located in the rear or side yard and screened. Such equipment located on the roof of the building shall also be made invisible from nearby streets and properties, through the use of setbacks from the edge of the roof or through the use of a screen exceeding the height of the equipment and using building materials and design which are compatible with those used for the exterior of the building. If the equipment is not visible from off the site, then it need not be screened. The type of screening used shall be determined based on the proposed location of the equipment, existing site conditions, and the type and amount of existing and proposed vegetation on the site.

(g) Landscape Protection

Any damage to the existing landscaping, including street trees, by development, use, or condition of private property shall be corrected by the property owner at the owner's expense to the satisfaction of the Town of Weddington prior to the issuance of a Certificate of Occupancy. Any damage not corrected by the owner shall be corrected by the Town, the cost of which is to be billed to the owner, including town administrative costs.

(h) Cultural Resources

Site development shall be considered in light of impacts on the cultural resources of the Town of Weddington. Cultural resources include historic properties, points of high elevation, significant sites, and mature exceptional trees. Impacts on cultural resources shall be minimized by use of design, height, massing, scale, building orientation, site layout, visual and other development techniques to harmoniously integrate new development into the Town while preserving and using cultural resources.

(i) Lighting

Lighting shall conform to the Town of Weddington's Lighting Ordinance..

**Sec. 14-107. Additional Standards**

(a) Applicability

All non-residential development shall meet these standards, in addition to those described in Overall Design and Appearance Standards.

(b) Basic Building Design

(1) Massing: A single, large, dominant building mass shall be avoided. Where large structures are required, mass shall be broken up through the use of setbacks, projecting and recessed elements, and similar design techniques.

(2) Varying Architectural Styles: In developments with multiple structures of varying architectural styles, buildings shall be compatible by such means as a pattern of architectural features, similar scale and proportions, and consistent location of signage.

(3) Additions and Renovations: Building additions and facade renovations shall be designed to reflect existing buildings in scale, materials, window treatment, and color. A change in scale may require a transitional design element between the new development and existing buildings.

(4) Infill Development: New infill development shall either be similar in size and height or, if larger, be articulated and subdivided into massing that is proportional to the mass and scale of other structures in the area.

(c) Architectural Features

(1) Roofs: Roof lines, type (such as flat, hip, mansard, or gable), and materials shall be architecturally compatible with facade elements and the rest of the building and with other buildings on the same and adjoining area.

(2) Fenestration: Windows, entryways, awnings, and arcades shall total at least sixty percent (60%) of the facade length abutting a public street. Windows and glass doors shall be clear, transparent glass. No window or door shall be horizontally separated by more than fifteen (15) feet from the nearest other window or door in the same facade visible from any public street.

(3) Materials: Building materials shall either be similar to the materials already being used in the neighborhood or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color, and texture, shall be utilized to ensure that enough similarity exists for the building to be compatible, despite the differences in materials.

(4) Exterior Wall Cladding: During renovations in existing buildings brick, stone, or wood facades shall not be covered or replaced with artificial siding or panels, including

decorative concrete masonry units. Fiber cement siding, such as the brand name “Hardiplank”, may be used to replace wood clapboard siding.

(5) Awnings and Canopies: When used, awnings and canopies shall be placed at the top of window or doorway openings and shall relate to the shape of the top of the window. Awnings shall be made of canvas, treated canvas, or similar material. Metal or vinyl (or plastic) awnings are prohibited. No awning shall extend more than the width of the sidewalk or nine (9) feet, whichever is less. Awnings must be self-supporting from the wall. No supports shall rest on or interfere with the use of pedestrian walkways or streets. In no case shall any awning extend beyond the street curb or interfere with street trees or public utilities.

(6) Canopies shall be of solid materials and complement the color of the building to which they are affixed or associated. In some cases canopies may have supports separate from the building, such as at gas stations, but such canopies must be setback from the property and right-of-way lines a minimum of the required setback of accessory buildings, as required in the zoning district where located, and must not interfere with street trees or public utilities.

**TOWN OF WEDDINGTON  
SPECIAL TOWN COUNCIL MEETING  
PLANNING RETREAT  
MARCH 27 – 28, 2009 – TIMES VARIED  
MINUTES**

The Town Council of the Town of Weddington, North Carolina, met in a Special Town Council Meeting/Planning Retreat at the Firethorne Country Club, 1108 Firethorne Club Drive, Marvin, NC 28173 on March 27 – 28, 2009 (times varied) 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, Finance Officer Leslie Gaylord, Town Planner Jordan Cook and Town Administrator/Clerk Amy S. McCollum, Planning Board Chairman Dorine Sharp, Planning Board Members Scott Buzzard and Jack Steele

Absent: None

Visitors: Walter Staton, Werner Thomisser, Jan Taylor, Dennis Taylor, Mike Treske, Anthony Burman, Richard Hancock and Craig Horn.

**Item No. 1. Open the Meeting.** Mayor Nancy D. Anderson opened the Special Town Council Meeting/Planning Retreat at 1:00 p.m. There was a quorum.

**Item No. 2. Transportation.** Mayor Anderson introduced Richard Hancock with NCDOT to speak to the group regarding transportation issues.

Mr. Hancock shared the sidewalk costs associated with the widening of Providence Road. Sidewalks are planned for both sides of Highway 16. Mr. Hancock advised that to add a sidewalk on Hemby Road the cost would be approximately \$6,813 and to add a sidewalk on Highway 84 on the Town Hall side would cost approximately \$18,157.

Mayor Anderson discussed the option of NCDOT to stop building the sidewalks and give the money to the Town to construct. Mayor Anderson spoke of areas in the widening project where meandering sidewalks could be done.

Mr. Hancock discussed the following items relative to the Providence Road Widening Project and other transportation issues:

- Typical section currently has 4' planting strip. Need wider planting strip for small trees (guidelines for planting within Highway Right-of-Way).
- Currently have \$162,000 set aside for landscape plantings after project.
- Possibility of deferring sidewalk construction and combining with landscape planting contract after completion of roadway construction.
- Landscaping is contingent upon speed limits. The design speed is 50 mph. The posted speed will be 45 mph with a small area being 35 mph.
- Additional costs for metal poles at signals. Estimated cost of \$15,000 per pole. Estimated cost for mast arms is \$150,000 - \$175,000 per intersection. These additional costs would have to be incurred by the Town.
- Realignment of Weddington Church Road cost estimated to be in \$500,000 - \$700,000 range which does not include a signal. The need for a signal has not been determined yet.

- Beulah Church/Hemby Road intersection at Weddington-Matthews Road – NCDOT is seeking spot safety funding for signalization.
- Weddington Road – I-485 Interchange (R-0211 EC) - Scheduled for 2011 Construction in current TIP.
- Scope modification for Rea Road Extension Project (U-3467A) - Scheduled for 2013 construction in current TIP. Potential for Town to front funding to advance construction of modified scope.
- Improvements are being made at the intersection of Weddington-Matthews Road and Antioch Church Road.

Mr. Hancock showed a map of the proposed relocation of Weddington Church Road. Mayor Anderson discussed this proposed relocation with the Town Council and advised if this plan was acceptable to all parties that Barry Moose with NCDOT would go to Raleigh and ask that it be a part of the Transportation Improvement Plan and be a part of the Providence Road widening project. Mr. Hancock advised that he felt this was the best scenario that could be offered. It allows the road to be removed from the middle of the two church areas. It would be located on the Family Life Center area of the pond. The assumption is that there would be no cost for the right-of-way and that the current right-of-way would go back to Weddington United Methodist Church.

Councilmember L.A. Smith moved to draft a letter instructing NCDOT that the Town is in favor of the Weddington Church Road realignment and to open negotiations with the church for right-of-way and the closing and removing of the existing Weddington Church Road and that the current section from Weddington Church Road would not have access to Providence Road. All were in favor, with votes recorded as follows:

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

Mr. Hancock also showed a map that laid out a proposed connector road from Providence Road to Weddington-Matthews Road and a traffic circle at the intersection of Highway 84 and Weddington-Matthews Road.

Mr. Werner Thomisser spoke in favor of sidewalks and that they would help decrease the amount of traffic if people were able to walk to the shopping center and downtown area.

Mayor Anderson discussed the Local Area Regional Transportation Plan and map with the Council. Mayor Anderson stated, “If we can identify the improvements and the municipalities adopt the map and preserve the right-of-way, the developers will have to abide by it. This map is what the professionals think needs to be done.” Once the map and plan is approved, the municipalities (Weddington, Marvin, Wesley Chapel and Waxhaw) will give to MUMPO. Mr. Scott Buzzard advised that the final project map will have all of the projects prioritized.

Items Discussed:

- Mayor Anderson reported that NCDOT has stopped the sidewalks right now and asked if the Council would be in favor of stamped, tinted and/or meandering sidewalks and asking the contractor to stop building the sidewalks, take the allowance and the Town could coordinate the work. Councilmember Tommy Price felt that the Town should let NCDOT continue to put the sidewalks in and let them complete everything in their contract.
- Street/Decorative Lighting – Councilmember Price advised that the Town could ask the contractor to add conduit in the sidewalks every 50 feet for future lighting.

- Mayor Anderson stated, “We are in a holding pattern for Providence Road. We could do a lot with landscaping and pretty brick. We do not have to raise taxes to do any of this.”

Mayor Anderson discussed the proposed connector road from Providence Road to Weddington-Matthews Road.

Mr. Mike Treski, owner of the Weddington Activity Center, spoke to the Town Council. Mr. Treski thought the connection would be vital and he showed what property he owns to the Town Council. He stated, “Your influence with NCDOT would help me greatly to get a right in and left out movement.”

Councilmember Price did not want commercial and the connector road to be tied together and felt that they were two separate issues.

Councilmember McKee felt that anything the Town could do to enhance the shopping center and Activity Center the Town should undertake with vigor. He stated, “Representatives from the Shopping Center are begging for help. The economy has had a large impact but the widening of Highway 84 and 16 will have a greater impact.”

Mayor Anderson – I would like for the Town Council to vote yes or no in concept and if we would like to send this to the Downtown Committee for their review.

Mayor Anderson discussed the proposed traffic circle at the intersection of Highway 84 and Weddington-Matthews Road and asked if the Council was interested in pursuing this concept. She stated, “Would the Town be willing to pay for help in planning and seeking right-of-way? Would the Council consider taking money from the Rea Road Extension Project, which is not scheduled for construction until 2013, and enter into an Interlocal Agreement with NCDOT? The Town would loan money to NCDOT to complete the traffic circle and connector road and NCDOT would pay the Town 3 to 4% in interest until the funding comes available in 2013. We can do the connector road and the traffic circle for about \$1.7 million. Mr. Treski has offered the right-of-way designation to move this forward.”

**Item No. 3. Parks and Recreation.** Councilmember Smith gave a brief Parks and Recreation Update. She stated, “The purpose of the Board at this time is to plan events and to create a sense of togetherness. Litter Sweep will be held on May 2 at 9:00 a.m. The Board may try to plan a July 4<sup>th</sup> Celebration and will work on a Tree Lighting Event in December. The Board has requested \$15,000 to be placed in the budget. The Board is also looking at the acre behind Town Hall to make it a feature that would draw people to the downtown area, provide access to the shopping center and possibly a community events board.”

Mayor Pro Tem Robert Gilmartin discussed the need for developing the outparcels at the shopping center. Councilmember Smith stated, “We certainly want to support what we have. Tenants at the shopping center feel that we need more density, a different tenant mix, changes to the sign policy, etc.” It was advised that the tenants in the shopping center were going to be spotlighted in the next newsletter and website.

The Town can consider some type of partnership with the Optimist Park or schools for holding special events. It was discussed that the temporary use permit requirements need to be reviewed relative to the Optimist Park and what constitutes normal activities for a park. Attorney Fox advised that the Town could develop a special district for the Optimist Park.

Mr. Werner Thomisser - As far as the shopping center is concerned, there is only so much that you can do. There is no creativity. This problem lies with the owners of the shopping center. There has been no

work from the shopping center owners to promote the shopping center. We need a nice sit-down family restaurant. We need something exciting to draw people to the shopping center.

**Item No. 4. Downtown Area.** Councilmember Jerry McKee gave a brief update on the Downtown Development Committee. He stated, “We are still discussing different ideas presented by members of the committee. At our next meeting we will be meeting with the owners of the shopping center to talk about the future of the shopping center. I also think we are going to need to hire a consultant to help lead us in the direction that we need to take. We are moving forward. There are a lot of ideas. We need to get a plan together and market it to the community.”

Discussion surrounded whether or not the Town should do another survey to find out what the residents want or to send out a survey once a downtown plan has been created.

Mayor Pro Tem Gilmartin expressed that increasing the footprint of the existing shopping center with outparcels including sit-down restaurant would be acceptable to him.

Councilmember Price felt that there was not enough local traffic to support additional commercial and that it would make the current traffic situation worse. He stated, “We have tried before with the ULI Plan. You need to look at what the people want that you represent.”

Planning Board Chairman Sharp - There is not a mandate to create additional commercial. There is plenty of shopping around. You do not have to add commercial to be a good use of property. Expand the downtown without it being retail.

Mayor Anderson – I would be happy with the connector road, traffic circle and beautiful landscaping. If landowners came to us requesting rezoning, then it would have to go through the process. The library is also off the table. The County has advised that we could have the Capital Improvement Plan money but they do not have the operating costs to run the library.

Mr. Thomisser – The number one issue on the survey that was done is transportation. This entire Council should do everything in your power to alleviate the traffic problem. That connector and traffic circle makes a lot of sense. People need to know what you mean by commercial.

**Item No. 5. WCWAA – Optimist Park.** Attorney Fox gave an update on the violations at the WCWAA and discussed a meeting that occurred regarding this matter. He stated, “There is a collective spirit to work together. The Town and the County’s Attorneys are working to create an agreement outlining the plan to collectively work to correct the conditions that exist on the property. The Town and County are under a 30 day time period from the State on this matter. The agreement does not establish jurisdictional responsibility over the violations. The key issue is the no-rise study.”

**Item No. 6. Closed Session.** Councilmember Price moved to go into Closed Session Pursuant to NCGS 143-318.11 (5). All were in favor, with votes recorded as follows:

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

**Item No. 7. Proposed Budget for Fiscal Year 2009-2010.** Mr. Craig Horn - Honorable Mayor and Members of the Town Council. What a difference a year makes. Just a year ago Bank of America and Wachovia combined to make this area one of the key financial centers in the world. Acquisitions by both of these companies promised to expand their impact on our region. The Town of Weddington was awash in new development and touted as a keystone in the rapidly growing western portion of the fastest



growing county in the state of North Carolina. And you raised taxes! What a difference a year makes. Today our BofA and Wachovia are on the ropes. They have laid off thousands of North Carolinians and, I dare say, hundreds of our own town citizens. Construction has slowed to less than a crawl. The crush of debt is onerous on every company and every family. The Town of Weddington participated in raising the burden on our residents. Of course I know that you did not raise our tax rate, but you did raise our taxes whilst many jurisdictions around us did not. You raised our taxes by not lowering our tax rate. You know, as we all know, that the assessed valuation of every home in Weddington went up... A lot! You chose to not lower the tax rate resulting in more money out of our pockets into the Town's coffers. And you did so with over a million dollars in the bank. For my neighbors and me it has been a double whammy! You annexed our property without our permission, giving us a new tax bill that we did not anticipate when moving here. Then you took even more of our money by pairing the increased valuation with no commensurate tax rate reduction. And what did we receive in return? At least two of my neighbors have lost their jobs in the past few months and another has lost the income-producing power of their key wage-earner in order to serve our country. Many of my neighbors are retired, including myself. "Retired" is a short word for "No Income." That means that whatever goes out does not get replaced. We divide our shrinking nest egg by our fixed overhead (which includes taxes) and we get to find out how long we are allowed to live in our homes. And that number is shrinking. We all know that federal, state and county taxes are going up. We depend on you to help us right here at home. Every budget in every home in the Town of Weddington is being hit. Every family in every home in the Town of Weddington is cutting spending. What will the Town of Weddington be doing?

Finance Officer Gaylord reviewed the budget with the Town Council. Items discussed are as follows:

- § Finance Officer Gaylord advised that a 3-cent budget would have \$170,174 net revenues over operating expenditures and a 2.5-cent budget would have \$22,175.
- § Parks and Recreation Advisory Board had requested \$15,000.
- § Mayor Anderson advised that she would like to establish eligibility for Powell Bill Funding.
- § Tax Holiday – Attorney Fox felt that in order to provide for a tax holiday special legislation would be required.
- § Councilmember Price discussed lowering taxes to 2 cents.
- § Mayor Anderson felt that the Town should spend money on transportation.
- § Mayor Pro Tem Gilmartin advised that he is scheduled to meet with the Providence VFD regarding their budget needs but has been informed that they have a \$100,000 budget shortfall. Councilmember McKee would like to review Providence's budget in greater detail. Finance Officer Gaylord advised that the Town is Providence's biggest source of revenue.
- § Finance Officer Gaylord reviewed the Town's Fund Balance Policy.

Mayor Pro Tem Gilmartin discussed the Capital Improvement Project for a weight/fitness room for the Weddington High School. He discussed the size of the current weight room. He stated, "They have been promised \$500,000 from Union County Public Schools for this project but they do not know when they will get the money. They have asked if the Town Council will lend the money to them and get paid back once Union County pays them for the project. One thing that makes Weddington great is the schools."

Attorney Fox discussed that the Town could enter into an Interlocal Agreement with the Union County Board of Education to achieve a mutual common purpose of accelerating the weight room. The vehicle would be through Town proceeds that would be repaid in the future.

Mayor Anderson discussed the possibility of a matching fund and whether Wesley Chapel would help to contribute. She stated, "Weddington has a long history of supporting its schools."

Councilmember Smith – We have already supported the schools through taxes.

Mayor Pro Tem Gilmartin will contact Wesley Chapel to see if they are interested in this project and will attempt to receive more information on when the County would pay back the Town.

Mr. Thomisser stated, “We are in the middle of a recession. You do not raise taxes in the middle of a recession. Lower the tax rate to 2.5 cents - It delivers a message that you feel the residents’ pain. What is more important – Fire, EMS, Police or a Weight Room? I support education but I think there is a lot of waste in the education system. I think they are going to be forced to watch what they spend on.”

**Item No. 8. Continuation.** Councilmember Smith moved to recess the meeting until March 28 at 8:30 a.m. All were in favor, with votes recorded as follows:

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

The meeting ended at 6:07 p.m.

**Item No. 9. Reopen the Meeting.** Mayor Anderson reopened the Special Town Council Meeting/Planning Retreat at 8:39 a.m.

**Item No. 10. Proposed Budget for Fiscal Year 2009-2010.** Discussions regarding the budget resumed with the following items discussed:

- § Finance Officer Gaylord reviewed Providence VFD’s latest budget with the Town Council and advised that one of her biggest concerns was the lack of voluntary donations. Councilmember Smith discussed that for years the Town has asked that Providence work to help themselves but they do not.
- § Transportation Shopping List: Mayor Anderson discussed using \$600,000 out of the Town’s fund balance to build the traffic circle at the intersection of Highway 84 and Weddington-Matthews Road. There was discussion if the traffic circle was needed and its close proximity to the traffic light at Providence Road. Mayor Anderson informed the Council that the Town could take the money from the Rea Road Extension project and loan the money to NCDOT to build the traffic circle and connector road. NCDOT would then pay the Town back once the money becomes available in 2013 for the Rea Road Extension project. Councilmember Smith would like to know if the traffic circle is feasible. Mayor Anderson asked for the Town’s direction on the traffic circle and connector road so that she can work with Barry Moose on the funding of the projects. Mayor Pro Tem Gilmartin felt that the connector road was feasible but did not endorse the traffic circle. Councilmember Price advised that he was not against the connector road but against the Town funding the building of it.
- § Mast Arms for the intersections on Providence Road.
- § Discussion of upgrading sidewalks to a different surface.
- § Lay conduit under the sidewalks for future street lighting.
- § Downtown Streetscaping project – markers, lighting and ongoing maintenance costs of these items.
- § Litter Pickup (L & M Construction) would cost approximately \$100 to \$200 per mile. L & M have their own insurance and provide litter removal for Mecklenburg County. The Council asked that Town Administrator McCollum get pricing for the major roads in Weddington.

**Item No. 11. Roles and Responsibilities of Staff.** The Town Council and Staff discussed the roles and responsibilities of staff and the challenges for staff surrounding working for the Council as a whole versus individual request from councilmembers.

**Item No. 12. Water and Sewer Issues.** Planning Board Chairman Sharp felt that in light of recent issues regarding community wells the Town should adopt some sort of goal or strategy regarding community wells. Ms. Sharp read the definition of Essential Services Class I out of the Town's Code of Ordinances. The Council received the current language dealing with the extension of water. Ms. Sharp asked if the Council was comfortable with community wells and does the Council want to put additional regulations on them when they are permitted under limited circumstances. The consensus of the Council was to not allow community wells. The Council felt that infrastructure should be built as development occurs. The Council discussed that the Town relies on Union County to provide water.

The Council reviewed that strategies and goals in the Land Use Plan should be made stronger and clearer relative to sewer. It was discussed whether the Council would allow a self-contained sewer system for a subdivision. The Council felt that the same regulations regarding extension of water should apply for sewer. Mayor Anderson discussed private property owner rights and the differences in the extension of water and sewer. Mayor Anderson felt that an unintended consequence of the language would limit growth and that the County does not have sewer capacity at this time. The Planning Board will draft language regarding the extension of sewer as is in the Town's Code for water. The Council felt that self-contained sewer systems would be acceptable if it was developed in connection with the County and designed to hook on to the County once sewer is available.

**Item No. 13. Miscellaneous Planning Matters.**

**A. Letter of Credit/Bonds.** The Council asked that the language relative to letters of credit and bonds be changed to only allow complete release and no partial reductions.

**B. Accessory Dwelling Structures (Mother-in-Law Suites).** Chairman Sharp reviewed the accessory dwelling structure language with the Council. She stated, "We do not have any options for people to age. The language limits one accessory structure for one principal structure and the person in the principal structure has to live in it." The group discussed allowing the owner of the property to live in the accessory structure. The Planning Board will review this concept further.

**C. Architectural Review Standards and Design Review Board.** Chairman Sharp reviewed the architectural review standards with the Town Council and asked them to email her with any concerns. Planning Board and staff will review other municipalities' standards regarding Architectural Review Boards.

**D. Review of Land Use Plan.** The Planning Board and staff are currently reviewing the Land Use Plan and will bring changes forward to the Town Council in the coming months.

**E. Telecommunication Towers.** Chairman Sharp advised that the telecommunication tower text was written at least 15 years ago and that telecommunication facilities are now allowed to be placed on transmission lines and the Town does not allow this because of setback regulations. The Planning Board will be working on text to allow for this change.

**F. Weddington School Rezoning.** Due to the development of the E-D Zoning, the schools in Weddington need to be rezoned to this new district. Staff will be working on bringing this forward to the Town Council.

**G. Permitted and Conditional Uses in Residential Zoning.** Chairman Sharp discussed that the Chesterbrook Academy Daycare was a conditional use in residential zoning and does the Town Council want to allow daycares to continue to be allowed as a conditional use in residential zoning or be moved to

B-1 or B-2. The Council liked the idea of leaving it as a conditional use but moving it to B-1 and B-2 zoning.

**H. Sign Ordinance.** Chairman Sharp advised that the Planning Board and staff is working on language to allow for off-premise announcement/directional signs to be allowed through the temporary use permit process.

**Item No. 14. Adjournment.** Councilmember Smith moved to adjourn the March 27, 2009 Special Town Council Meeting/Planning Retreat. 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 12:21 p.m.

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Nancy D. Anderson, Mayor

Attest:

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Amy S. McCollum, Town Clerk

**TOWN OF WEDDINGTON  
SPECIAL TOWN COUNCIL MEETING  
MONDAY, APRIL 27, 2009 - 4:00 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 April 27, 2009, at 4:00 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, Finance Officer Leslie Gaylord, Tax Collector Kim Woods, Town Planner Jordan Cook, Administrative Assistant Tonya Goodson and Town Administrator/Clerk Amy S. McCollum.

Absent: None

Visitors: Brian Carlton, Walter Staton, Werner Thomisser, Rob Dow.

**Item No. 1. Open the Meeting.** Mayor Nancy D. Anderson called the April 27, 2009 Special Town Council Meeting to order at 4:00 p.m. There was a quorum.

**Item No. 2. Presentation of Pay and Classification Study by Pat Thomas with The MAPS Group.**

Ms. Pat Thomas, representative from The MAPS Group, discussed the Pay and Classification Study with the Town Council. Ms. Thomas advised that MAPS stands for Management and Personnel Services and they are an affiliate of the North Carolina League of Municipalities. The MAPS Group primarily performed a labor market review for the Town's study. Ms. Thomas described the steps taken during the study: position questionnaires, interviews with staff and supervisor comments, then a labor market survey. Ms. Thomas stated, "Because you have jobs that you do not find that same job in the market, we had to look at different components in the labor market and then we developed written recommendations on how each job fits into the market data. Most organizations tend to do these types of studies every three to four years if the job is not changing drastically. You can take the salary schedule that we give you and update with cost-of-living adjustments and that way you are staying competitive with the current market. I collected data from 11 organizations in the area: 9 cities and towns and 2 counties. I looked at their published hiring rates and also the actual average pay if it was available. We also took the North Carolina League of Municipalities Salary Data for Town's 10,000 to 24,999 in population. What somebody is paying in eastern, North Carolina would not reflect what your market within the Charlotte area is. The areas that are shaded are the ones that I particularly looked at in setting the recommendations for that particular job. I was trying to pull what level of position best compared to yours. The shaded ones are most comparable of the various components that your jobs had. I set the market rate for each job at 13.5% over the hiring rate. This rate is what someone would reach if they were hired at the hiring rate and after six months complete a probationary period and received a 5% increase and after that 4 percent for the two next years. If you are only keeping up with living costs, people are not moving ahead within their own organization. Once I got this done, I looked at what individuals were making and looked at what it would cost to move staff to the market rate and then some service options."

Ms. Thomas discussed the Salary Schedule and that she started the schedule at the federal poverty level for a family of four. Each grade is 5% higher and the probationary rate is 5% over the hiring rate. The market rate is 13.5% above the hiring rate and keys off what the market is paying. The maximum is 50% over the hiring rate. Ms. Thomas reviewed what she recommended for each position and advised that there was a class specification developed for each job. Ms. Thomas reviewed the recommended pay plan with the Council. Ms. Thomas stated, "What would it cost to implement? I calculated two different

options. You were fairly close within the market. The first option would be to bring people's salaries up to the new market rate if they have passed probation. Option 2 went beyond that and said what if you had this pay plan in effect for the time that these employees had been working here and granted an extra 2% per year of work so if somebody had been here four years they would not just get the market rate but they would have 2 more percent. That is about 6.67% of the budget to implement. Option 2 is getting people where they should have been."

Ms. Thomas briefly discussed areas that should be considered for revision relative to the Town's benefits.

The Council thanked Ms. Thomas for her work on this project.

**Item No. 3. Review and Consideration of Proposed Pay and Classification Study.** Councilmember Price moved to accept the Pay and Classification Study and the Town Council will consider the different options proposed during Closed Session. All were in favor, with votes recorded as follows:

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

**Item No. 4. Consideration of Approval of Resolution Opposing House Bill 950 – An Act Requiring that Annexation and Extension of Extraterritorial Jurisdiction in Union County be Subject to a Referendum.** Mayor Anderson briefly discussed the Resolution and House Bill 950 with the Town Council. She stated, "This is a bill before the NC House sponsored by Representative Curtis Blackwood. It only applies to Union County and it would allow for the people who are in the area of annexation or ETJ to be able to vote on whether or not they want to be annexed or be included in an ETJ area. The problem is that this bill is retroactive to 2005. I called five other mayors in our area and none of them knew about this bill before it was filed."

Councilmember Smith moved to approve the Resolution with changes to be made reflecting the Mayor's concern over the fact that the Bill is retroactive to 2005 and there was not a coordinated effort with Union County municipalities prior to the introduction of the bill. All were in favor, with votes recorded as follows:

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

The following Resolution reflects changes requested by the Town Council:

**TOWN OF WEDDINGTON  
A RESOLUTION OPPOSING HOUSE BILL 950  
AN ACT REQUIRING THAT ANNEXATION AND EXTENSION  
OF EXTRATERRITORIAL JURISDICTION IN UNION COUNTY  
BE SUBJECT TO A REFERENDUM  
R-2009-07**

**WHEREAS**, the Town of Weddington agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly adopted by Resolution in February 2009, and

**WHEREAS**, the 2009-2010 Session of the North Carolina General Assembly has HB 727/SB 472 before them that is supported by the Town of Weddington and the North Carolina League of Municipalities recognizing that some changes to municipal annexation authority are warranted, and

**WHEREAS**, House Bill 950 would require a referendum by the qualified voters of the area to be annexed at a significant cost to Town taxpayers and would have a significant impact on past and future Town of Weddington annexations; and

**WHEREAS**, there was no coordination with elected officials of Union County prior to introduction of the bill; and

**WHEREAS**, House Bill 950, if enacted, will have a significant impact on the Town of Weddington since this legislation will also apply to prior annexations made on or after January 1, 2005.

**NOW, THEREFORE, BE IT RESOLVED** that the Weddington Town Council hereby opposes House Bill 950 for the 2009-2010 Session of the North Carolina General Assembly.

Adopted this 27<sup>th</sup> day of April, 2009.

**Item No. 5. Discussion with Barry Moose, NCDOT regarding Transportation Issues.** The Town Council held a conference call with Barry Moose with NCDOT to discuss transportation issues. The following question and answer session was held:

Mayor Anderson - We have the transportation study and their recommendation for a northern connector road from the Weddington Activity Center to connect Weddington-Matthews Road. There are a couple of options on how we can get that done. It can be developer driven or the Town can assist with that. We have been talking about how to help the shopping center with better access. We are also talking about the traffic circle at the intersection of Highway 84 and Weddington-Matthews Road. Barry Moose and Richard Hancock had suggested to us that there is \$2.3 million set aside by MUMPO for the Rea Road Extension. In 2011, \$100,000 is set side for planning, \$300,000 for environmental in 2012 and the bulk of the money comes in 2013. This suggestion is that we move part of this money to pay for the connector road and traffic circle and NCDOT would pay the Town back in 2013.

Mr. Moose – You may recall several years ago, when Larry Helms was on the Board of Transportation he had gotten \$2 million to have the Rea Road Extension connected for us in connection with the developer. That is not happening now. It is still our plan to build that connector road but I advised the Mayor to let me work with Raleigh to rescope the work to reflect the connector road and the traffic circle. I felt that both of those could be built for \$2 million. If I could get that done, then we can have a project on our Transportation Improvement Plan (TIP) that shows those two projects being built. The money is still out several years and the second part is if the Town had the financial wherewithal to be able to advance the State the money they could start working on that fairly soon. We would pay the Town back in the year that the money was going to come online to do construction for the Rea Road Extension. We generally pay back at a nominal interest rate of 2 to 3% per year. It would be paid back to the Town in the year that we were scheduled to spend the money anyway, which is 2013. One thing that has changed since I talked with you is that I have seen the new five year plan and that project has been pushed out a little ways. Raleigh has pushed it out a little bit and I am going to try to push it back in. We can enter into a Municipal Agreement where the Town agrees to pay so much money to the State for this work and the State will agree to build the project and pay back the Town.

Mayor Anderson - How can we be sure that we are going to get the money back?

Mr. Moose - That is the reason I would advise a Municipal Agreement. It will be a binding contractual arrangement between the Town of Weddington and the State of North Carolina.

Mayor Anderson - The advantage of having a contract is not just getting our project done early but it ensures that the project is done.

Mr. Moose – Once I have the signed agreement, the date of the TIP will not get pushed back. The only way we would not honor that commitment is if the State goes bankrupt. By having a Municipal Agreement, that money becomes an obligation of the State of North Carolina and the first thing that we fund.

Councilmember Smith - If we have a contract with the State and we hand you the money tomorrow, how long are we talking about before that project will be finished?

Mr. Moose - We have not begun any planning or design work which will probably take us one year. One component that we are going to have to do is get MUMPO to agree to rescope the project. That will be our first step. If MUMPO agrees, then I can start the planning, environmental and design phase. I would not need the construction money for at least a year from now.

Mayor Anderson - Do you need planning money now?

Mr. Moose - I may need a little bit of money for design work. The money that we are talking about here would require some for part of the right-of-way acquisition. If any of the right-of-way can be obtained free of charge, it would help to reduce the overall obligation for the Town and make the overall project less expensive. The agreement does not have to be executed for construction next week or next month. We may have to do two agreements; one for design work and then one for construction. The one for design work may only be \$100,000 and we do the bigger agreement that has the actual construction costs later.

Mayor Pro Tem Gilmartin – What if the study for the traffic circle comes back and it is not feasible?

Mr. Moose - I have not seen anything official on the study yet. I have heard that everything looked good. I took that to mean that everything that I proposed on the drawing was working out based on their analysis. I am waiting to see how strong the desire is from you to do this before I start pushing my folks in Raleigh and here to make the pieces of the puzzle to come together.

Mayor Anderson - I talked to you before about the traffic circle being part of the Highway 16 Widening project and you said that it would not be feasible to do that. As a taxpayer, it looks bad to me to build something and then go back and unbuild.

Mr. Moose - The reason I cannot add the traffic circle to the existing project is that it was not part of the original planning document. To go back and change the planning document this late in the juncture would be difficult and we would not have enough time. I wish I would have thought about this a year ago. What I need to know from you is are you financially able to advance the project? As soon as I know that, the next step is to change the TIP Plan. I do not think it will be a big issue. After that I will need to go to MUMPO. Then we can roll our sleeves up and negotiate how much money we will need and get cost estimates.

**Item No. 6. Discussion of Proposed Budget for Fiscal Year 2009-2010.** Finance Officer Leslie Gaylord presented the Council with the preliminary budget for their review. She stated, “Councilmember McKee has approached me about a downtown plan and possibly reallocating the \$100,000 we have in the budget for Town markers, signs, lighting to be used for the plan and move hardware costs to next year. There is nothing in the budget for road improvements, the fitness room at the High School, or the library. They would be capital projects and would come out of the fund balance instead of the operating budget.”



It was questioned what the transportation improvements listed in the budget were for. Finance Officer Gaylord advised that it was for the sidewalks along Highway 84. Mayor Anderson informed the Council that she was not sure if that would be needed this fiscal year or next fiscal year. Finance Officer Gaylord advised that she could move that amount out of the budget if needed. Town Planner Jordan Cook discussed that the Council and Downtown Committee had several options regarding the downtown consultant and plan. The Town Council can choose to take the current ULI plan and have ULI revise that plan which would cost approximately \$10,000 to \$15,000. The Town can send out the ULI plan to consultants to have them revise the plan which would cost approximately \$15,000 to \$20,000. It would cost approximately \$75,000 to \$100,000 for a new plan. Finance Officer Gaylord advised that putting the money in the budget would just be setting aside the money and not approving the spending of the money at this time. A contract for the work would have to be brought before the Town Council for approval. The Council agreed to leave the money in the budget to be considered to be used for either consulting costs or hardware costs for the downtown area.

Items discussed:

- Chairs for Council Chambers would cost approximately \$2,500.00
- Cost for removing berm at Town Hall is \$900.00. To clean out brush and take down berm would cost approximately \$2,000.
- Trash pick up on major roads in Weddington would cost approximately \$4,680 for 26 miles of roadway or 52 curb line miles for one time pick up. Mowing and weed eating of all the same roads would be \$6,500.00. Mayor Anderson advised that she is fine with NCDOT mowing the sides of the road twice a year and then the Town to spend money on mowing the grassy medians.
- The Parks and Recreation Advisory Board has asked for \$15,000 again this year. Mayor Anderson stated, "I have been a big proponent for a reason to gather. We may get more for our money if we partner with the schools on fundraisers and events that they are holding."
- Painting of Town Hall will occur in the fall.
- Continue funding for the Catawba Lands Conservancy at \$1,000.
- WCWAA - \$10,000. Councilmembers felt that any money spent by the Town relative to the violations at the Optimist Park should be deducted from the donation to the park.
- Leave Fire Department funding the same as last year.
- New sound system for council chambers.
- Upgrade lighting for the council chambers.
- The Town will be going out for bids for a Banking Request for Proposals this coming year.
- Council agreed to not fund transcript costs associated with the Woods Conditional Use Permit hearings. The Town did pay \$2,700.00 to receive the transcripts for the Town's use.

Mayor Pro Tem Gilmartin advised that he had spoken with the Union County Facilities Manager regarding a possible loan for the fitness room at the Weddington High School. He stated, "They said it could be five to eight years from now before the Town would be paid back. My recommendation would be to give them \$100,000 out of fund balance."

Mayor Anderson – Our signature is our schools. We could consider a matching grant.

Finance Officer Gaylord – If you are considering doing that, we just got \$145,000 back from the Library, maybe you can take out of that and give to the school.

Councilmember Price – Why do we not give \$100,000 and then take the other \$45,000 and give for fundraising, events, etc.

Mayor Anderson - I am reluctant to give away all the library money even though we do not have any prospects.

Councilmember McKee discussed the money that he pays in taxes to benefit the schools already.

Councilmember Smith - My concern is that we are giving a lot of money to a small portion of the school body.

The Council advised that they would vote on the fitness center funding at the next Town Council Meeting.

Town Administrator/Clerk McCollum read the following statement from Walter Staton: I ask you to lower the tax rate for Weddington citizens from 3 cents to 2 cents. Currently, we are in the worst economic decline since the Great Depression, and some of our residents have lost their jobs. Lowering taxes at this time simply is the right thing to do with Weddington families struggling to meet financial ends. Our county taxes were raised in 2007 by 11% and 22% in 2008. There are indications that Union County may raise taxes again this year. Do the right thing and give Weddington residents some tax relief during this deep national recession.

Mr. Werner Thomisser provided an article to the Town Council which reported about a Weddington family whose father has lost his job and they have four children. He stated, "We live in a very affluent community and do not realize that there are families in Weddington that are struggling and people losing their homes. It does help if you will consider lowering taxes. Consider reducing taxes from 3 cents to 2 cents. The fire department is much more important than the fitness room for the high school."

**Item No. 7. Closed Session pursuant to NCGS 143-318.11 (6) – Personnel.** Councilmember Price moved to go into Closed Session pursuant to NCGS 143-318.11 (6) Personnel. All were in favor, with votes recorded as follows:

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

**Item No. 8. Adjournment.** Councilmember Price moved to adjourn the April 27, 2009 Special Town Council Meeting. All were in favor, with votes recorded as follows:

AYES: Councilmembers Price and McKee  
NAYS: None

The meeting adjourned at 7:51 p.m.

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Nancy D. Anderson, Mayor

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Amy S. McCollum, Town Clerk

**TOWN OF WEDDINGTON  
RESOLUTION IN SUPPORT OF THE CONCEPT OF THE CONSTRUCTION OF A  
CONNECTOR ROAD AND TRAFFIC CIRCLE AND TO  
REQUEST THAT NCDOT EXPLORE FUNDING OPTIONS  
R-2009-10**

**WHEREAS**, on January 14, 2008, the Town Council adopted Ordinance O-2008-01, “An Ordinance Providing for the Establishment and Imposition of a Temporary Moratorium Regulating and Restricting Development in the Town for a Period of Eighteen (18) Months or Until the Adoption of a Local Area Regional Transportation Plan (LARTP)”; and

**WHEREAS**, in a coordinated effort with Marvin, Waxhaw, Wesley Chapel, the Town of Weddington contracted with Martin/Alexiou/Bryson, PLLC to develop a LARTP. This project is nearing completion and will be subjected to full public comment procedures before being considered for adoption by the Town Council; and

**WHEREAS**, the draft proposal recommends the construction of a connector road approximately 1,600 feet in length, located at the approximate location of the current entrance to the Weddington Activity Center at Providence Road extending across to Weddington-Matthews Road; and

**WHEREAS**, the draft proposal also recommends improvements to the intersection of Highway 84 and Weddington-Matthews Road. Preliminary studies by NCDOT traffic congestion conclude that a traffic circle would allow unrestricted traffic flow through the intersection. Additionally, a traffic circle will help decrease the negative aesthetic impact of the expansive mass of concrete and asphalt currently planned; and

**WHEREAS**, the current design of the Providence Road widening project severely limits access to the existing business district in the Town Center. Construction of a connector street will provide businesses with better traffic flow and greatly enhances ingress and egress; and

**WHEREAS**, funding for the construction of the Relocation of Highway 84 (Rea Road Extension) was anticipated to be a public/private endeavor. Approximately \$2.3 million of public money has been budgeted by NCDOT for Horizon Year 2013; and

**WHEREAS**, the development of the tract in its entirety has been delayed indefinitely. It appears construction is unlikely to occur before 2013 at which time the public money allocated to the project will likely be returned unused to the Department of Transportation General Fund,

**NOW THEREFORE BE IT RESOLVED** the Town Council requests NCDOT allow the option to shift funds from the Rea Road Extension project to improvements to the downtown traffic grid. Specifically, to design and build a connector road from Providence Road across to Weddington-Matthews Road and a traffic circle at the intersection of Highway 84 and Weddington-Matthews Road.

Adopted this 13<sup>th</sup> day of July, 2009.

\_\_\_\_\_  
Nancy D. Anderson, Mayor

Attest:

\_\_\_\_\_  
Amy S. McCollum, Town Clerk

## Benefits Recommendations

We conducted a review of selected benefits of the same organizations surveyed for the salary survey. We have a few changes to recommend for your consideration based on prevalent local practice:

*Vacation accrual:* We recommend you consider the following as competitive amounts of annual leave accruals:

|                      |                               |
|----------------------|-------------------------------|
| 1 year               | 10 days (same as current)     |
| at 3 years           | 12 days instead of 10 current |
| at 5 years           | 14 days instead of 10 current |
| at 10 years          | 18 days instead of 15 current |
| at 15 years          | 20 days (same as current)     |
| at 20 and more years | 20 days (same as current)     |

*Sick Leave:* all of the other area local governments surveyed, as well as 83% of NC municipalities provide 12 days of sick leave accrual, while the Town provides 10. We recommend consideration of 12 days. (An advantage for long-term employees is that unused sick leave counts as service toward retirement creditable service.)

*Death benefit:* the NC Local Government Retirement System provides a death benefit of one times salary up to \$50,000 for covered employees after one year of service, and we recommend this for your consideration. The contribution percentage for retirement benefits is increased slightly to provide this benefit.

*Payment of a portion of dependent health:* According to survey information several of the employers in your area provide a partial payment toward dependent coverage – 34% is the average amount paid. This is a costly benefit but you may wish to consider some partial offset for dependent coverage.

*Probationary increase:* 70% of municipalities provide some increase for employees who successfully complete probation, and several of those in your area do so as well. We recommend 5% for your consideration.



# TOWN OF WEDDINGTON MEMORANDUM

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**DATE:** 7/13/2009  
**TO:** NANCY ANDERSON, MAYOR  
TOWN COUNCIL  
**CC:** AMY MCCOLLUM, TOWN CLERK  
**FROM:** JORDAN COOK, ZONING ADMINISTRATOR/PLANNER  
**RE:** UPDATE FROM PLANNING/ZONING OFFICE

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Below is a brief description of the Downtown Development Master Plan consultant recommendation from Town Staff and the Downtown Development Committee:

- The Downtown Development Committee and Town Staff recommend that the Town of Weddington contract the services of HadenStanziale for the Downtown Master Plan.
- The Town initially received 12 proposals for the Downtown Master Plan after sending out the RFP on May 5, 2009.
- These 12 proposals were narrowed down to only 7 proposals after town staff review. The 5 that were eliminated did not have enough “rural and/or small” downtown experience.
- LA Smith, Jerry McKee and Jordan Cook then reviewed the remaining 7 proposals and choose 4 for interviews.
- The three individuals mentioned above along with Jan Taylor (Downtown Development Committee) and Scott Buzzard (Planning Board and Downtown Development Committee) interviewed the 4 consulting firms on June 23rd and 24th.
- The interview committee narrowed the selection down to HNTB (Donal Simpson) and HadenStanziale.
- After a lengthy discussion and note sharing the interview committee recommended HadenStanziale.
- HadenStanziale reduced their fees from \$69,500 to \$57,500 by removing the transportation/parking study and only doing a market research snapshot rather than study.
- The consultant will be contacted and begin drafting a contract if approved tonight.

## GENERAL TERMS AND CONDITIONS

The General Terms and Conditions outlined below are part of the attached letter agreement and are hereby incorporated by reference:

1. The Owner shall provide *HadenStanziale* with program information regarding the requirements and objectives for the Project. Additionally, *HadenStanziale* shall be entitled to rely upon the accuracy of any services, information, and survey reports supplied by the Owner or by others.
2. *HadenStanziale* reserves the right to amend its billing rates on annual basis and any revision to the billing rate schedule shall be made part of this agreement.
3. In addition to professional fees outlined in the attached letter agreement, the Owner shall pay all reimbursable expenses which are defined as actual expenditures made by *HadenStanziale*, their employees, or professional consultants in the interest of the project and include expense of transportation and living when traveling in connection with the project; long distance calls and telegrams; and expense of reproductions, postage and handling of drawings and specifications, excluding those for office use and presentation to the Owner. Reimbursable expenses will be calculated as actual cost plus a ten percent (10%) administrative fee.
4. All fees and reimbursable expenses will be invoiced bi-weekly and are payable upon receipt. In the event payment is not, however, received within thirty (30) days of invoice date, the past due balance will be subject to an interest penalty of one and one-half percent (1-1/2%). Invoices which remain outstanding shall be subject to interest at the rate of one and one-half percent (1-1/2%) per month. In the event payment is not made within sixty (60) days, *HadenStanziale* will stop work on the project until payment is received. Stoppage of work by *HadenStanziale* will not be deemed as a default under the terms of this letter agreement. In some cases, an additional fee will be required to stop and restart work due to non-payment.
5. The Owner agrees that this letter agreement shall be interpreted according to the laws of the State of North Carolina, and agrees to reimburse *HadenStanziale* for reasonable attorney fees that it may expend in enforcing this letter agreement.
6. Payment of the advance deposit, if required, and signature of the letter agreement will signify the Owner's acceptance of all the Terms and Conditions stated herein and the Owner warrants that the necessary funds are available to pay *HadenStanziale* for the services and expenses outlined in the letter agreement and that these funds are not encumbered or contingent upon subsequent sales, approvals, permits or financing commitments.

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# TOWN OF W E D D I N G T O N

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## MEMORANDUM

**TO:** Mayor and Town Council

**FROM:** Amy S. McCollum, Town Administrator/Clerk

**DATE:** July 9, 2009

**SUBJECT:** Consideration of the Reduction of the Road Performance Letters of Credit for the Bromley Subdivision – Maps 2 and 3

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Bonnie Fisher with US Infrastructure, Inc. has advised per the attached letters that the current road performance letter of credit for the Bromley Subdivision, Map 2 can be reduced from \$55,317.00 to \$10,446.00 and for Map 3 can be reduced from \$50,613.00 to \$16,134.00.

The Town is currently holding the following for the Bromley Subdivision:

|   |             |
|---|-------------|
| Bromley Subdivision - Map 2 (Road Improvements) | \$55,317.00 |
| Bromley Subdivision – Map 3 (Road Improvements) | \$50,613.00 |

Please let me know if you have any questions. Thank you.



**US INFRASTRUCTURE OF CAROLINA, INC.**  
**CONSULTING ENGINEERS**

June 19, 2009

Ms. Amy McCollum  
Town of Weddington  
1924 Weddington Road  
Weddington, NC 28104

SUBJECT: Bromley Subdivision – Performance Bond Reduction for Map 2  
USI Project No. 080224-12

Dear Amy:

USI conducted a field review of the Bromley subdivision on June 18, 2009 to verify the satisfactory completion of construction activities for the purpose of reducing the developer's performance bond amount for Map 2. Our inspection found that approximately 102 linear feet of roadway remains to be completed, and one erosion control basin is still in place to control sedimentation until the surrounding site has been stabilized. Therefore, we recommend  $\$6,964.00 \times 1.5 = \$10,446.00$  as the reduced amount for the performance bond (see Attachment 1).

If you have any questions, please contact us at 704-342-3007.

Sincerely,

**US Infrastructure of Carolina, Inc.**

Bonnie A. Fisher, P.E.  
Senior Engineer

Attachment

cc: Ken Dowd, The Dowd Company



# Pace Development Group

## PERFORMANCE BOND SUMMARY SHEET

**PROJECT:** Bromley - Map 2 (Reduced Amount)  
**Size/No. Lots:** 24.093 ACRES/ 10 LOTS  
**Owner:** PDH, LLC  
**Engineer:** Yarbrough - Williams & Assoc., Inc.  
**Date:** 01/02/2008

| Cost to Complete                      | Quantity    | Unit Price      | % Complete | Cost Remaining              |
|---------------------------------------|-------------|-----------------|------------|-----------------------------|
| Storm Drainage                        | 1 L/S       | n/a             | 99%        | w/ below                    |
| 15" RCP                               | 215 LF      | \$19.50         | 100% 0%    | \$4,193 0                   |
| Catch Basins                          | 2 EA        | \$1,500.00      | 100% 0%    | \$3,000 0                   |
| Curb and Gutter (Including All Types) | 157 3405 LF | \$12.00 various | 95% 100%   | \$1384 - \$0                |
| Road Base & Pavement                  | 272 4664 SY | \$15.00         | 94% 80%    | \$4060 - \$8,400            |
| Sidewalk                              | 1704 LF     | \$10.20         | 100% 0%    | \$17,384 0                  |
| Seeding                               | 1 L/S       | n/a             | 100% 0%    | \$3,405 0                   |
| Street Signs                          | 2 EA        | \$250.00        | 100% 0%    | \$500 0                     |
| <i>Sediment Basin Removal</i>         | 1 EA        | \$1000.00       | 0%         | \$1000 -                    |
| <b>TOTAL COST TO COMPLETE</b>         |             |                 |            | <b>\$16,764.00 \$36,878</b> |
| <b>COMPLETION BOND TOTAL @ 150%</b>   |             |                 |            | <b>\$10,442.00 \$55,317</b> |

\*

BF  
6/18/09



**US INFRASTRUCTURE OF CAROLINA, INC.**  
**CONSULTING ENGINEERS**

June 19, 2009

Ms. Amy McCollum  
Town of Weddington  
1924 Weddington Road  
Weddington, NC 28104

SUBJECT: Bromley Subdivision – Performance Bond Reduction for Map 3  
USI Project No. 080224-12

Dear Amy:

USI conducted a field review of the Bromley subdivision on May 7 and June 18, 2009 to verify the satisfactory completion of construction activities for the purpose of reducing the developer's performance bond amount for Map 3. Our inspection found that all roadway items have been completed. We also found that one erosion control sediment basin is still in place, and the associated storm drainage flared end section and pipe will need to be installed after the basin is removed. The basin has been left in place to control erosion and sedimentation until the surrounding site has been completely developed and stabilized. Therefore, we recommend  $\$10,756.00 \times 1.5 = \$16,134.00$  as the reduced amount for the performance bond (see Attachment 1).

If you have any questions, please contact us at 704-342-3007.

Sincerely,

**US Infrastructure of Carolina, Inc.**

Bonnie A. Fisher, P.E.  
Senior Engineer

Attachment

cc: Ken Dowd, The Dowd Company

## Pace Development Group

### PERFORMANCE BOND SUMMARY SHEET

**PROJECT:** Bromley - Map 3 (Reduced Amount)  
**Size/No. Lots:** 25.849 ACRES/ 24 LOTS  
**Owner:** PDH, LLC  
**Engineer:** Yarbrough - Williams & Assoc., Inc.  
**Date:** 01/02/2008

| Cost to Complete                      | Quantity | Unit Price | % Complete | Cost Remaining                       |
|---------------------------------------|----------|------------|------------|--------------------------------------|
| Storm Drainage                        | 1 L/S    | n/a        | 100%       | w/ below                             |
| 24" RCP                               | 208 LF   | \$27.00    | 0%         | \$5,616                              |
| Storm Manhole                         | 1 EA     | \$1,450.00 | 0%         | \$1,450                              |
| 24" FES 23C                           | 1 EA     | \$550.00   | 0%         | \$550                                |
| 18" FES 30                            | 1 EA     | \$500.00   | 100% - 0%  | \$500 c                              |
| Rip Rap at FES                        | 1 L/S    | n/a        | 0%         | \$2,140                              |
| Curb and Gutter (Including All Types) | 3846 LF  | various    | 100%       | \$0                                  |
| Road Base & Pavement                  | 5261 SY  | \$15.00    | 100%       | \$0                                  |
| Sidewalk                              | 1901 LF  | \$10.20    | 100% - 0%  | \$19,390 c                           |
| Seeding                               | 1 L/S    | n/a        | 100% 0%    | \$3,846   c                          |
| Street Signs                          | 1 EA     | \$250.00   | 100% 0%    | \$250 c                              |
| <i>Sediment Basin Removal</i>         | 1 EA     | \$1000.00  | 100% 0%    | \$1000                               |
| <b>TOTAL COST TO COMPLETE</b>         |          |            |            | <del>10,750.00</del> <b>\$33,742</b> |
| <b>COMPLETION BOND TOTAL @ 150%</b>   |          |            |            | <del>16,134.00</del> <b>\$50,8</b>   |

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BT  
6/18/09

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**TOWN OF  
WEDDINGTON**

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**MEMORANDUM**

**TO:** Mayor and Town Council

**FROM:** Amy S. McCollum, Town Administrator/Clerk

**DATE:** July 9, 2009

**SUBJECT:** Appointment to Planning Board, Historic Preservation Commission and Alternate to the Board of Adjustment

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There is a vacancy on the Planning Board due to the resignation of Sarah Lowe. I have attached applications for your consideration. Ms. Lowe's term on the Board would have expired in December of this year. Individuals serving on the Planning Board also serve on the Board of Adjustment and Historic Preservation Commission for a four-year term. The person that you appoint to the Planning Board would serve as an alternate on the Board of Adjustment.

Please let me know if you have any questions. Thank you.

**APPLICATION TO SERVE ON APPOINTED BOARDS,  
COMMITTEES OR COMMISSIONS**

BOARD APPLYING FOR: Planning Board Member

NAME: Cynthia Brown

ADDRESS: 405 Timber Lane

ADDRESS: \_\_\_\_\_ YEARS IN WEDDINGTON since 3/05

TELEPHONE: (HOME) 7042467022 OFFICE/MOBILE 7043078641

(FAX) \_\_\_\_\_

E-MAIL address: sol@cindieebrown.com

EDUCATION: Assoc. Occupational Studies

OCCUPATION: Realtor

Please list civic and fraternal organizations in which you participate in Union County:

National Domestic Abuse Foundation  
HAB-A-Heart (enables adult handicap persons - teaching work skills + job placement)

Please explain your interest in serving on the above named board:

I would like to become more involved in my community

Any other comments:

Date: Aug 26, 08 Signature: CB

Note: Information provided in this application is considered a matter of public record. It may, therefore, be subject to disclosure upon request pursuant to North Carolina's Public Records Law. N.C.G.S., Section 132-1, et seq.

Return to: Amy McCollum, Town Clerk, Town of Weddington, 1924 Weddington Road, Weddington, NC 28104

FOR OFFICE USE ONLY: Date Received: 8-26-08

APPLICATION TO SERVE ON APPOINTED BOARDS,  
COMMITTEES OR COMMISSIONS

BOARD APPLYING FOR: Planning Board

NAME: Christopher Michael Jones

ADDRESS: 4012 Blossom Hill Drive, Weddington, NC 28104

ADDRESS: \_\_\_\_\_ YEARS IN WEDDINGTON 1 (14 years in Union City)

TELEPHONE: (HOME) 704-443-7352 OFFICE/MOBILE 704-526-7449

(FAX) 704-264-2476

E-MAIL address: Chris5507@carolina.rr.com

EDUCATION: B.S. Appalachian State University

OCCUPATION: Senior Vice President, Bank of America

Please list civic and fraternal organizations in which you participate in Union County:

None in Union County

currently member of Finance Dept Advisory Board at  
Appalachian State University

Please explain your interest in serving on the above named board:

I have experience with residential and commercial real estate in  
Monroe, and can bring educated view and experience to  
Weddington.

Any other comments:

I would expect to not deal in any real estate in  
Weddington while on the board (other than living in current residence) to  
ensure no conflict of interest

Date: 8/30/08

Signature: Chris M. Jones

Note: Information provided in this application is considered a matter of public record. It may, therefore, be subject to disclosure upon request pursuant to North Carolina's Public Records Law. N.C.G.S., Section 132-1, et seq.

Return to: Amy McCollum, Town Clerk, Town of Weddington, 1924 Weddington Road, Weddington, NC 28104

FOR OFFICE USE ONLY: Date Received: 9/10/08

**APPLICATION TO SERVE ON APPOINTED BOARDS,  
COMMITTEES OR COMMISSIONS**

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BOARD APPLYING FOR: Weddington Town Planning Board

NAME: John Giattino

ADDRESS: 610 Maple Valley Court, Weddington, NC, 27104

ADDRESS: \_\_\_\_\_ YEARS IN WEDDINGTON 1

TELEPHONE: (HOME) (704) 246-4327 OFFICE/MOBILE (704) 715 4821

(FAX) \_\_\_\_\_

E-MAIL address: JGIATTINO@CAROLINA.RR.COM

EDUCATION: B.S. Computer Science 1990 / M.S. Computer Science 1993 / Statue University of New York at Buffalo

OCCUPATION: Senior Vice President Wachovia Corporation – IT Management

Please list civic and fraternal organizations in which you participate in Union County:

WCAA Soccer  
Cub Scouts

Please explain your interest in serving on the above named board:

When I was a child my family moved from Queens, NY to what was at that time the rural rich landscape of Long Island NY, largely due to the thoughtless over urbanization and short sighted planning of our surrounding town and community within Rockaway Beach, Queens. When my family arrived on Long Island in 1972 it was very much like Union County is today, pockets of urban development communities with plenty of open spaces along with farming communities. For the 38 years that I lived there I saw our town and other towns continue to have an influx of population and growth as we are seeing here in Union County today. For many years Long Island was ranked one of the "best places to live" due to its abundance of natural resources, open spaces, growing economy and desirable location. The unbridled growth forced for the rapid urbanization of town infrastructure and development. Our State, County, and Town officials and planners did not make well thought out decisions for development that would not only satisfy the growth but ensure the long term effects of their decisions would not compromise the natural resources, beauty, and quality of life that so many people were planning on leverage for their families. Often reactionary decisions were made in order to keep up with the rapid influx population. Ultimately many incorrect decisions impacted virtual every facet of life on Long Island, taxes skyrocketed to

**APPLICATION TO SERVE ON APPOINTED BOARDS,  
COMMITTEES OR COMMISSIONS**

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**BOARD APPLYING FOR: Planning Board**

**NAME: Chad Emerine**

**ADDRESS: 953 Eagle Rd, Weddington, NC 28173**

**YEARS IN WEDDINGTON: 2 years in December 2008**

**TELEPHONE: (HOME) 704-243-1465 OFFICE/MOBILE 704-989-6879**

**(FAX) 704-243-1465**

**E-MAIL ADDRESS: [chademer@gmail.com](mailto:chademer@gmail.com)**

**EDUCATION: MBA Wake Forest University**

**OCCUPATION: Sr. Planning Manager**

**Please list civic and fraternal organizations in which you participate in Union County: My children are involved in sports at WCWAA.**

**Please explain your interest in serving on the above named board: I have lived in the area for 9 years and moved to Weddington with the intention to stay until long after retirement. I want to help Weddington grow within the citizen's and town council's vision for Weddington. I feel my work experience can help the planning board evaluate proposals and make clear and useful recommendations to the town council.**

**Any other comments: I want to help Weddington grow and keep its position as a desired place to live in the Charlotte/Monroe area as it has been for many years.**

**Date: October 29, 2008 Signature: \_\_\_\_\_**

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**Note: Information provided in this application is considered a matter of public record. It may, therefore, be subject to disclosure upon request pursuant to North Carolina's Public Records Law. N.C.G.S., Section 132-1, et seq.**

**Return to: Amy McCollum, Town Clerk, Town of Weddington, 1924 Weddington Road, Weddington, NC 28104**

**FOR OFFICE USE ONLY: Date Received: 10/6/08**



**APPLICATION TO SERVE ON APPOINTED BOARDS,  
COMMITTEES OR COMMISSIONS**

BOARD APPLYING FOR: Planning Board

NAME: Janice G. Propst

ADDRESS: 531 Weddington Road

ADDRESS: Weddington NC 28104 YEARS IN WEDDINGTON 10 years <sup>currently</sup> 1998-2008  
12 years 1960-1972  
total of 22 years

TELEPHONE: (HOME) (704) 849 6759 OFFICE/MOBILE (704) 578 5029  
(PAX) 704 849 6759

E-MAIL address: janice.propst@windstream.net

EDUCATION: BS/Communications /Minors: Business administration  
Art

OCCUPATION: marketing / sales

Please list civic and fraternal organizations in which you participate in Union County:

Organized Friends of Weddington

Please explain your interest in serving on the above named board: My family has been a part of this community for five generations. I want to help shape the towns future and preserve our quality of life through proper planning.

Any other comments:

Date: Sept 30, 2008

Signature: Janice G. Propst

Note: Information provided in this application is considered a matter of public record. It may, therefore, be subject to disclosure upon request pursuant to North Carolina's Public Records Law. N.C.G.S., Section 132-1, et seq.

Return to: Amy McCollum, Town Clerk, Town of Weddington, 1924 Weddington Road, Weddington, NC 28104

FOR OFFICE USE ONLY: Date Received: 10/10/08

**APPLICATION TO SERVE ON APPOINTED BOARDS,  
COMMITTEES OR COMMISSIONS**

BOARD APPLYING FOR: PLANNING BOARD

NAME: HEATH SESSIONS

ADDRESS: 199 WEDDINGTON CHURCH RD.

ADDRESS: WEDDINGTON, NC 28104 YEARS IN WEDDINGTON 1

TELEPHONE: (HOME) \_\_\_\_\_ OFFICE/MOBILE 704 807 1575

(FAX) 803 818 5814

E-MAIL address: HEATHSESSIONS@AOL.COM

EDUCATION: 4yr HISTORY DEGREE (MINOR IN SOUTHERN STUDIES) FROM UNIV. OF

OCCUPATION: CHIEF OPERATING OFFICER & COLLECTIVE ASSET PARTNERS

*SOUTH CAROLINA*

Please list civic and fraternal organizations in which you participate in Union County:

I DO NOT BELONG TO ANY CIVIC ORGANIZATIONS IN UNION COUNTY.

Please explain your interest in serving on the above named board:

MY INTEREST IN THE PLANNING BOARD IS SIMPLY THAT OF PUBLIC SERVICE.  
I HOPE TO BRING MY KNOWLEDGE & EXPERIENCE IN REAL ESTATE DEVELOPMENT  
TO THE BOARD.

Any other comments:

Date: 10/8/08

Signature: 

Note: Information provided in this application is considered a matter of public record. It may, therefore, be subject to disclosure upon request pursuant to North Carolina's Public Records Law. N.C.G.S., Section 132-1, et seq.

Return to: Amy McCollum, Town Clerk, Town of Weddington, 1924 Weddington Road, Weddington, NC 28104

FOR OFFICE USE ONLY: Date Received: 10/8/08

07/07/2009 10:10 FAX 7046442022 CRAIG & LORRAINE HORN 001

**APPLICATION TO SERVE ON APPOINTED BOARDS,  
COMMITTEES OR COMMISSIONS**

BOARD APPLYING FOR: Planning Board  
NAME: D. CRAIG HORN  
ADDRESS: 5909 Bluebird Hill Lane  
ADDRESS: \_\_\_\_\_ YEARS IN WEDDINGTON 41  
TELEPHONE: (HOME) 704-844-9960 OFFICE/MOBILE 301-332-0749  
(FAX) 704-844-2822  
E-MAIL address: dcraighorn@carolina.rr.com  
EDUCATION: Approx 3 yr college  
OCCUPATION: Retired Food Broker

Please list civic and fraternal organizations in which you participate in Union County:

UC Fire Commission  
UC Repub Men's Club

Please explain your interest in serving on the above named board:

Desire to be involved in community  
3 terms elected to City Council in Laurel, MD (1974-79)  
President of Prince Georges County (MD) Municipal Assn  
Chairman, Citizens Advisory Committee

Any other comments:

Laurel City Council had Planning and zoning Authority  
therefore experience in zoning matters, hearings + decisions.

Date: 7 July 2009

Signature: 

Note: Information provided in this application is considered a matter of public record. It may, therefore, be subject to disclosure upon request pursuant to North Carolina's Public Records Law. N.C.G.S., Section 132-1, et seq.

Return to: Amy McCollum, Town Administrator, Town of Weddington, 1924 Weddington Road, Weddington, NC 28104

FOR OFFICE USE ONLY: Date Received: 7/8/09

APPLICATION TO SERVE ON APPOINTED BOARDS,  
COMMITTEES OR COMMISSIONS

BOARD APPLYING FOR: PARKS AND RECREATION

NAME: DAVID WAYNE ARONE

ADDRESS: 3302 QUAIL RIDGE LANE

ADDRESS: WEDDINGTON NC 28104 YEARS IN WEDDINGTON 20

TELEPHONE: (HOME) 704-846-4974 OFFICE/MOBILE 704-770-7359 (C)  
OFFICE (FAX) 704-972-0216 704-972-0217 (O)

E-MAIL address: DARONE@CAROLINA.PR.COM

EDUCATION: ASSOC. MECH ENG., BACHLORS BUSINESS

OCCUPATION: MANAGER <sup>TEXTILE</sup> EQUIPMENT REPAIR SHOP - SAURER INC.

Please list civic and fraternal organizations in which you participate in Union County:

- ACTIVE MEMBER & PAST PRESIDENT: THE WEDDINGTON OPTIMIST CLUB
- PROPERTY DIRECTOR OF WEDDINGTON OPTIMIST PARK
- CITIZEN MEMBER + PAST CHAIR: U.C. PARKS + REC. ADVISORY COMMITTEE

Please explain your interest in serving on the above named board:

\* WEDDINGTON IS AT A CROSSROADS. EITHER WE PLAN TO PRESERVE SOME OF OUR OPEN SPACE OR WE WILL END UP WITH WALL TO WALL HOUSES, SHOPS AND ROADS.

Any other comments:

\* I KNOW FUNDING IS AN ISSUE, I WOULD LIKE TO EXPLORE PARTNERSHIPS, GRANTS AND OTHER CREATIVE OPTIONS.

Date: MAY 22, 2007 Signature: [Signature]

Note: Information provided in this application is considered a matter of public record. It may, therefore, be subject to disclosure upon request pursuant to North Carolina's Public Records Law. N.C.G.S., Section 132-1, et seq.

Return to: Amy McCollum, Town Administrator, Town of Weddington, 1924 Weddington Road, Weddington, NC 28104

FOR OFFICE USE ONLY: Date Received: 5/25/07

**APPLICATION TO SERVE ON APPOINTED BOARDS,  
COMMITTEES OR COMMISSIONS**

BOARD APPLYING FOR: Parks & Recreation or Landscape Review  
NAME: Barbara Harrison  
ADDRESS: 2001 Belle Forest Ct.  
ADDRESS: Waxhaw YEARS IN WEDDINGTON 3  
TELEPHONE: (HOME) 704-846-4919 OFFICE/MOBILE 704-241-5040  
(FAX) \_\_\_\_\_

E-MAIL address: BHarrison@msu.com  
EDUCATION: BS in Math  
OCCUPATION: retired executive

Please list civic and fraternal organizations in which you participate in Union County:

HOA President of Stratford on Providence

Please explain your interest in serving on the above named board:

Would like to see a park in Waxhaw

Any other comments:

Date: 9/13/2007 Signature: Barbara Harrison

Note: Information provided in this application is considered a matter of public record. It may, therefore, be subject to disclosure upon request pursuant to North Carolina's Public Records Law. N.C.G.S., Section 132-1, et seq.

Return to: Amy McCollum, Town Administrator, Town of Waxhaw, 1924 Waxhaw Road,  
Waxhaw, NC 28104

FOR OFFICE USE ONLY: Date Received: \_\_\_\_\_

APPLICATION TO SERVE ON APPOINTED BOARDS,  
COMMITTEES OR COMMISSIONS

BOARD APPLYING FOR: Parks and Recreation Advisory Board

NAME: Heather Perryman

ADDRESS: 7147 Stirrup Ct.

ADDRESS: Weddington, NC 2804 YEARS IN WEDDINGTON 7

TELEPHONE: (HOME) 704-846-4660 OFFICE/MOBILE 980-721-6722

(FAX) N/A

E-MAIL address: hperryman@carolina.rr.com

EDUCATION: Some College

OCCUPATION: Home Maker

Please list civic and fraternal organizations in which you participate in Union County:

Make prayer bears for dental mission in Monroe.

Please explain your interest in serving on the above named board:

I enjoy family events especially being outdoors.  
Would love the opportunity to bring our community  
closer together.

Any other comments:

Nope in the near future we will have a  
park in Weddington that has walking trails, movies on  
the lawn, possibly "kiddie rides" (merry-go-round etc... over →

Date: November 5, 2008 Signature: [Handwritten Signature]

Note: Information provided in this application is considered a matter of public record. It may, therefore, be subject to disclosure upon request pursuant to North Carolina's Public Records Law. N.C.G.S., Section 132-1, et seq.

Return to: Amy McCollum, Town Clerk, Town of Weddington, 1924 Weddington Road, Weddington, NC 28104

FOR OFFICE USE ONLY: Date Received: 11/7/08

**APPLICATION TO SERVE ON APPOINTED BOARDS,  
COMMITTEES OR COMMISSIONS**

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BOARD APPLYING FOR: Parks & Recreation Advisory Board

NAME: Jim Bell

ADDRESS: 1341 Longleaf Court, Weddington

ADDRESS: \_\_\_\_\_ YEARS IN WEDDINGTON: Moved here in 1999

TELEPHONE: (HOME): 704-321-5508 OFFICE/CELL: 704-287-5420

(FAX): 704-561-7800 / office

E-MAIL address: jbell@media-comm.com also jbell01@alltel.net

EDUCATION: 2 years of business/music at Belmont University in Nashville TN

OCCUPATION: Network Television Editor/ Producer

Please list civic and fraternal organizations in which you participate in Union County:

Please explain your interest in serving on the above named board:

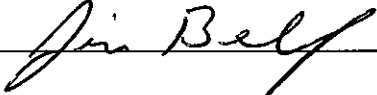
Any other comments:

Although I do not belong to any civic or fraternal organizations in Union County, I would like to get more involved in my community. I am active outside and partake of the various Park and Recreational activities in the area and surrounding counties and state.

On a different note of involvement, I am the Vice President of the Home Owners Association for one of my condo properties at Myrtle Beach. Even there I feel a need to be a part of and show responsibility for the running, up keep and management of the development.

Also, years ago I was on Sue Myrick's family issues committee which met down town Charlotte. This was a great experience in itself. We looked at family and social issues in the community and ways, if any, there could be better resolutions in family legal situations.

If I can assist you in anyway, even outside of this board or on another board please feel free to call. Thanks so much!!

Date: 12-18-08 Signature: 

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Note: Information provided in this application is considered a matter of public record. It may, therefore, be subject to disclosure upon request pursuant to North Carolina's Public Records Law. N.C.G.S., Section 132-1, et seq.

Return to: Amy McCollum, Town Clerk, Town of Weddington, 1924 Weddington Road, Weddington, NC 28104

FOR OFFICE USE ONLY: Date Received: 12/22/08

July 8, 2009

Dear Weddington Town Council Members,

This week Mayor Anderson contacted me to see if I would still have an interest in serving on the Weddington Planning Board. I would be honored to serve in that position. I would also be honored to take over the position from a long time Weddington resident Sarah Lowe. Sarah has loved and served this community in many capacities for years, and I share her love for this town and it's heritage.

I think you all know my regard for this community. You have all witnessed my dedication and work ethic to protect its residents and the quality of life that we all cherish. I would consider it an honor to serve this community further.

If you have any particular question that you feel you would like to ask me, please give me a call or send me an email.

Thank you for your time and consideration for a position on the Weddington Planning Board.

Respectfully yours,

Janice Propst  
531 Weddington Road  
Weddington, NC 28104  
Cell 704 578-5029  
Home: 704 849-6759  
Email: [Janicepropst@windstream.net](mailto:Janicepropst@windstream.net)



| <b>SCHEDULE OF FEES<br/>ZONING AND SUBDIVISION ADMINISTRATION</b>  |  |
|--|--|
| Code of Ordinances   | \$175.00 plus shipping and handling                                    |
| Zoning Confirmation  | \$5.00   |
| <b><u>Floodplain Development Review</u></b>  | <b><u>Reimbursement of Engineering Fees</u></b>                        |
| Application for temporary structure permit (Section 58-13(1) & 58-13(2))   | \$50.00  |
| Application for temporary use permit for sales for civic organizations, etc... (Section 58-13(3)a)   | \$25.00  |
| Application for temporary use permit for public events (Section 58-13(3)b)   | \$100.00   |
| Application for permit for subdivision sales office  | \$100.00   |
| Application for conditional use permit in hardship cases (Section 58-14a)  | \$250.00   |
| Application for conditional use permit for mobile classrooms (Section 58-14c)  | \$350.00 + Notification  |
| Application for conditional use permit (Section 58-81)   | \$650.00 + Notification  |
| Application for conditional zoning district (Section 58-271)   | \$1,500.00   |
| Application for temporary sign permit (Section 58-151)   | \$25.00 – Non-profit organizations as recognized by the IRS are exempt |
| Application for permanent sign permit (Section 58-147 thru 58-153)   | \$35.00  |
| Application for zoning permit  |  |
| a. Residential   | \$100.00   |
| b. Non-residential   | \$250.00   |
| c. Non-residential – up-fit  | \$50.00  |
| d. Accessory or Agricultural   | \$25.00  |
| e. Additions   |  |
| 1. Minor, no more than 25% or 500 square feet total (unheated)   | \$25.00  |
| 2. Minor, no more than 25% or 500 square feet total (heated)   | \$50.00  |
| 3. Major   | \$100.00   |
| Application for renewal of zoning permit:  | \$100.00   |
| Application for certificate of compliance:   |  |
| a. Residential   | \$100.00   |
| b. Non-residential   | \$250.00   |
| c. Accessory or Agricultural   | No Charge  |
| d. Additions   |  |
| 1. Minor, no more than 25% or 500 square feet total  | No Charge  |
| Application for variance (Section 58-234) and Modification of Subdivision Ordinance (Section 46-15)  | \$650.00 + Notification  |
| Appeal of decision of zoning officer to Board of Adjustment (Section 58-208(6), 58-209(4)) and Application to Board of Adjustment for interpretation of ordinance) | \$200.00   |
| Application for amendment to zoning ordinance/Zoning Map Change  | \$650.00 + Notification  |
| Approval of changes to subdivision lots  |  |
| Per each subdivision   |  |
| a. 1 to 2 lots   | \$100.00   |
| b. 3 to 5 lots   | \$200.00   |
| c. 6 to 10 lots  | \$300.00   |
| Telecommunication Tower Engineering and Surveying Fee  | Cost to Town + \$650.00 administrative fee                             |
| Annual Biosolids Land Application Permit Fee   | \$30.00 for the first acre and \$20.00 for each additional acre        |
| Notification of Affected Property Owners   |  |
| 21-50  | \$50.00  |

|   |                  |
|---|------------------|
| 51-100  | \$100.00         |
| Over 100  | \$200.00         |
| <b>SUBDIVISION FEES</b>   |                  |
| <b>MINOR SUBDIVISION</b>  |                  |
| Preliminary Plat Submittal - Subdivision Containing Up to 3 Lots    | \$150.00 per Lot |
| Pre-Submittal Sketch for Easement Lot                               | \$100.00         |
| Final Plat Submittal - Subdivision Containing Up to 3 Lots          | \$50.00 per Lot  |
| <b>MAJOR SUBDIVISIONS</b>   |                  |
| Residential Conservation District (R-CD) Pre-Sketch Plan Conference | \$150.00         |
| Sketch Plan Review  | \$250.00 per Lot |
| Preliminary Plat Submittal  | \$250.00 per Lot |
| Final Plat Submittal  | \$100.00 per Lot |
| Site or Field Inspection  | \$70.00/hr.      |
| Copying Fee   | \$.05 per copy   |

7/13/09

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# TOWN OF WEDDINGTON

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## MEMORANDUM

**TO:** Mayor and Town Council

**FROM:** Amy S. McCollum, Town Administrator/Clerk

**DATE:** July 9, 2009

**SUBJECT:** Consideration of Release of Water Construction Money for Williamsburg, Phase I and Reduction of the Water and Sewer Letter of Credit for Williamsburg, Phase II

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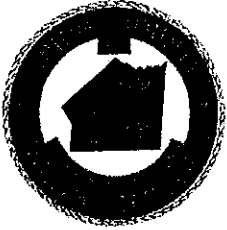
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Mr. Mike Garbark with Union County Public Works has advised per the attached letters that the current water construction money for Williamsburg, Phase I can be released and the water and sewer letter of credit can be reduced from \$41,950.00 to \$4,195.00.

The Town is currently holding the following for Williamsburg, Phase I and II:

|  |             |
|--|-------------|
| Williamsburg, Phase I – Water Construction | \$3,148.20  |
| Williamsburg, Phase II – Water and Sewer   | \$41,950.00 |

Please let me know if you have any questions. Thank you.



## UNION COUNTY PUBLIC WORKS

---

To: Mary Jo Gollnitz  
Town of Weddington  
1924 Weddington Road  
Matthews, NC 28104

From: Mike Garbark, P.E. *MMB*  
Union County Public Works

Date: July 1, 2009

Re: Record Map – Williamsburg. Phase I

Union County Public Works Department has inspected the materials and workmanship of the water and sewer distribution systems which has been installed in the above mentioned subdivision. We find this project to be in substantial compliance and intent of the approved plans and specifications and hereby recommend releasing the current letter of credit (\$3,148.20) for this project.

If you have any questions don't hesitate to call me at (704) 296-4239 or Mitchell Cockerham at (704) 296-4237.

NMG/mbc

cc: Bill Nolan (Hemphill Nolan Group) – Via Fax (704) 843-5741  
Bob Davis – (R.D. Davis Consulting Engineers) –Via Fax (704) 541-3323  
[RDDDavis@carolina.rr.com](mailto:RDDDavis@carolina.rr.com)



## UNION COUNTY PUBLIC WORKS

---

To: Mary Jo Gollnitz  
Town of Weddington  
1924 Weddington Road  
Matthews, NC 28104

From: Mike Garbark, P.E. *MG*  
Union County Public Works

Date: July 7, 2009

Re: Record Map – Williamsburg. Phase 2

Union County Public Works Department has inspected the materials and workmanship of the water and sewer distribution systems which has been installed to serve the above mentioned subdivision to date. We hereby recommend **reducing** the current letter of credit to cover the remaining water and sewer construction cost to 10% in the amount of \$ 4195.00.

If you have any questions don't hesitate to call me at (704) 296-4239 or Mitchell Cockerham at (704) 296-4237.

NMG/mbc

cc: Bill Nolan (Hemphill Nolan Group) – Via Fax (704) 843-5741  
Bob Davis – (R.D. Davis Consulting Engineers) –Via Fax (704) 541-3323  
[RDDDavis@carolina.rr.com](mailto:RDDDavis@carolina.rr.com)

**TOWN OF WEDDINGTON  
RESOLUTION OF SUPPORT  
CAROLINA THREAD TRAIL  
R-2009-02**

**WHEREAS**, the Town of Weddington is committed to maintaining and enhancing quality of life for its citizens and recognizes that the Carolina Thread Trail will contribute to quality of life by weaving together communities via a regional network of trails and greenways eventually connecting fifteen counties and millions of citizens; and

**WHEREAS**, many communities in our region have taken a lead in planning and/or building local trails and greenways, and those efforts can be greatly enhanced by being connected to a larger regional network of trails; and

**WHEREAS**, trails and their green buffer areas will help improve the quality of the air we breathe by preserving trees and vegetation and by promoting non-motorized transportation, and will enhance the quality of our water through natural buffers and mitigation of storm water run-off; and

**WHEREAS**, trails and greenways provide key amenities to neighborhoods and safe areas for our citizens and children to travel, exercise, play and connect with nature away from heavily trafficked areas; and

**WHEREAS**, trails have significant impact on the economic viability of the region through increased levels of tourism, enhanced property values, added jobs related to the construction of and along the trail, as well as enhanced ability to attract and retain businesses to the region due to improved quality of life; and

**WHEREAS**, trails and greenways are freely accessible community assets offering opportunities for recreation and exercise to everyone, including children, youth and families, and provide safe places for people to experience a sense of community and create stronger social and family ties; and

**WHEREAS**, there is no second chance to protect the Carolinas' great resources in this unique way for our children, grandchildren and great grandchildren, and the cost of these invaluable resources will only increase in the future; and

**WHEREAS**, private funding is available to communities from the Carolina Thread Trail for planning and construction of regional trails, and this private funding will leverage public funding from federal, state and various sources.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Town of Weddington supports the Carolina Thread Trail and is committed in concept to working with neighboring communities and with the Carolina Thread Trail to plan, design and build a system of trails that will connect our communities, people and special regional points of interest for years to come.

Adopted this 9<sup>th</sup> day of March, 2009.

---

Nancy D. Anderson, Mayor

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Amy S. McCollum, Town Clerk

**From:** Travis Morehead [[travis@carolinathreadtrail.org](mailto:travis@carolinathreadtrail.org)]

**Sent:** Wednesday, June 10, 2009 3:15 PM

**To:** 'Amy Helms'; 'Amy McCullom'; 'Bjorn Hansen'; 'Cheri Clark'; 'Cheryl Bennet'; 'Dana Stoogenke'; 'David Grant'; 'Dorine (Weddington)'; 'Dryw Blanchard'; 'Greg Mahar'; 'Hillary Price'; 'Lynne Hair'; 'Martel'; 'Mary Jo Gollnitz'; 'Sonya Gaddy'; 'Stiwinter'; 'Town of Wesley Chapel'; 'Tracy Helms'; 'Vicky Brooks'; 'Wayne Herron'; 'Shelley Maness'; 'Bjorn Hansen'

**Subject:** Carolina Thread Trail

Good Afternoon,

The Union County Board of County Commissioners approved a Resolution of Support for the Carolina Thread Trail on June 1<sup>st</sup>. For the municipalities that choose to participate in the process, could you begin to think of and contact a citizen or community leader to serve on the Carolina Thread Trail Steering Committee as a representative from your community. I'd like to try and schedule an organizational meeting in August in order to introduce everyone to The Thread and the planning process. It would be great to have your governing board endorse this person as a duly appointed representative...but it's not required. Let me know your thoughts and suggestions. Thanks.

**Travis K. Morehead, AICP, Carolina Thread Trail Community Coordinator**

**Catawba Lands Conservancy**

*Leading the Carolina Thread Trail*

105 W. Morehead Street

Charlotte, NC 28202

T| 704.376.2556 ext. 216

F| 704.342.3340

<http://www.carolinathreadtrail.org>

<http://www.catawbalands.org>



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TOWN OF  
**WEDDINGTON**

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1924 Weddington Road • Weddington, North Carolina 28104

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM  
TOWN OF WEDDINGTON, NORTH CAROLINA  
R-2009-12**

**North Carolina  
County of Union**

**Road Description: Lake Forest Drive, Ridgelake Drive, Maple Valley Court, Weddington Lake Drive, Topsail Court in the Lake Forest Subdivision in Union County, NC.**

**WHEREAS**, the attached petition has been filed with the Town Council of the Town of Weddington, Union County, requesting that the above described roads, the location of which has been indicated in red on the attached map, be added to the Secondary Road System; and,

**WHEREAS**, the Town of Weddington is of the opinion that the above described roads should be added to the Secondary Road System, if the roads meet minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

**NOW, THEREFORE**, be it resolved by the Town of Weddington of the County of Union that the Division of Highways is hereby requested to review the above-described roads, and to take over the roads for maintenance if it meets established standards and criteria.

Adopted this 13<sup>th</sup> day of July, 2009.

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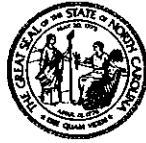
Nancy D. Anderson, Mayor

Attest:

---

Amy S. McCollum, Town Clerk





STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY PERDUE  
GOVERNOR

P. O. BOX 25201, RALEIGH, NC 27611-5201  
June 15, 2009

EUGENE A. CONTI JR.  
SECRETARY

Ms. Amy McCollum  
Town of Weddington  
1924 Weddington Road  
Weddington, NC 28104

Subject: Request for SR-2 Resolution for Lake Forest Drive, Ridgelake Drive, Maple Valley Court, Weddington Lake Drive, Topsail Court in The Lake Forest Subdivision in Union County.

Dear Ms. Amy McCollum,

We have been petitioned to add the subject road to the State Maintained Road System. This road can be recommended for addition upon receipt of a resolution from the Town of Weddington approving the addition.

Therefore, our office requests your assistance in obtaining a resolution (SR-2). Please provide an approved Form SR-2 if this request is acceptable to the Town.

Thank you for your prompt attention to this matter. If you have any questions, please feel free to call me at 704-289-1397.

Sincerely,

A handwritten signature in cursive script that reads "Calvin Treadaway (CET)".

Calvin Treadaway  
Transportation Technician II

CET/lhj

cc: File

**North Carolina Department of Transportation  
Division of Highways  
Petition for Road Addition**

**ROADWAY INFORMATION:** (Please Print/Type)

County: UNION Road Name: PLEASE SEE ATTACHED  
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: LAKE FOREST Length (miles): 1+

Number of occupied homes having street frontage: 62 Located (miles): 0.1

miles N  S  E  W  of the intersection of Route HWY. 84 and Route COX ROAD  
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of LAKE FOREST in UNION County, do hereby request the Division of Highways to add the above described road.

**CONTACT PERSON:** Name and Address of First Petitioner. (Please Print/Type)

Name: ALAN KERLEY Phone Number: 704-971-8854

Street Address: 700 FOREST POINT CIRCLE, S-102, CHARLOTTE, NC 28273

Mailing Address: SAME

**PROPERTY OWNERS**

| <u>Name</u>                 | <u>Mailing Address</u>   | <u>Telephone</u>    |
|-----------------------------|--|---------------------|
| <u>ORLEANS HOMEBUILDERS</u> | <u>700 FOREST POINT CIRCLE<br/>S-102<br/>CHARLOTTE, NC 28273</u> | <u>704-357-6632</u> |
|                             |  |                     |
|                             |  |                     |
|                             |  |                     |
|                             |  |                     |
|                             |  |                     |

**INSTRUCTIONS FOR COMPLETING PETITION:**

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach four (4) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

**FOR NCDOT USE ONLY:** Please check the appropriate block

- Rural Road   
  Subdivision platted prior to October 1, 1975   
  Subdivision platted after September 30, 1975

**REQUIREMENTS FOR ADDITION**

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 (see page 29 for Statute) states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

| <u>ROAD NAME</u>      | <u>HOMES</u> | <u>LENGTH</u> | <u>ROAD NAME</u> | <u>HOMES</u> | <u>LENGTH</u> |
|-----------------------|--------------|---------------|------------------|--------------|---------------|
| LAKE FOREST DRIVE     | 21           | 1500          |                  |              |               |
| RIDGELAKE DRIVE       | 16           | 900           |                  |              |               |
| MAPLE VALLEY COURT    | 10           | 900           |                  |              |               |
| WEDDINGTON LAKE DRIVE | 38           | 1900          |                  |              |               |
| TOPSAIL COURT         | 8            | 300           |                  |              |               |
|                       |              |               |                  |              |               |
|                       |              |               |                  |              |               |
|                       |              |               |                  |              |               |
|                       |              |               |                  |              |               |
|                       |              |               |                  |              |               |
|                       |              |               |                  |              |               |



# TOWN OF WEDDINGTON MEMORANDUM

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**DATE:** 7/13/2009  
**TO:** NANCY ANDERSON, MAYOR  
TOWN COUNCIL  
**CC:** AMY MCCOLLUM, TOWN CLERK  
**FROM:** JORDAN COOK, ZONING ADMINISTRATOR/PLANNER  
**RE:** UPDATE FROM PLANNING/ZONING OFFICE

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- The Temporary Moratorium expires tonight, 18 months after its adoption on January 14, 2008.
- The Helms Property Conditional Zoning/Rezoning proposal is currently unable to proceed with their CZ Rezoning to an MX district. The Town of Weddington Code of Ordinances only allows a rezoning to MX if the Land Use Plan is designated for future retail/office development. The current Land Use Plan designates this property as Traditional Residential. Therefore a Land Use Plan change must occur before the applicant can proceed with the rezoning. This project was submitted prior to the adoption of the moratorium and is exempt from its provisions.
- The Sewer Connection Text Amendment is currently on hold and being reviewed by the Town Attorney and Town Staff. There has been several discussions with Union County Public Works, other North Carolina municipalities, the Town Attorney and Planning Board regarding this text amendment. Several concerns over the proposed text amendment (requiring the developer to connect to public sewer lines) have been raised and further discussions with the Town Council are warranted.
- The WCWAA Appeal hearing has been moved to a Special Meeting on Monday, August 3 at 6:00pm.

**Weddington Events by Nature**

June 2009

| Nature                   | # Events |
|--------------------------|----------|
| 911 HANG UP              | 10       |
| 911 MISDIAL              | 2        |
| 911 SILENT OPEN LINE     | 2        |
| ABANDONED VEHICLE        | 1        |
| ACCIDENT HIT AND RUN PD  | 2        |
| ACCIDENT PD              | 18       |
| ACCIDENT WITH INJURIES   | 1        |
| ALARMS                   | 50       |
| ANIMAL BITE REPORT       | 1        |
| ANIMAL COMPLAINT SERVICE | 4        |
| ANIMAL LOST STRAY        | 6        |
| ASSAULT SIMPLE           | 1        |
| ASSIST EMS OR FIRE       | 2        |
| ASSIST OTHER AGENCY LAW  | 1        |
| ATTEMPT TO LOCATE        | 3        |
| BOLO                     | 3        |
| BURGLARY HOME OTHER      | 3        |
| BURGLARY VEHICLE         | 9        |
| BUSINESS CHECK           | 10       |
| CALL BY PHONE            | 2        |
| CARDIAC RESPIRATORY      | 2        |
| DEBRIS IN ROADWAY        | 1        |
| DELIVER MESSAGE          | 2        |
| DISTURBANCE OR NUISANCE  | 10       |
| DOMESTIC DISTURBANCE     | 7        |
| ESCORT                   | 1        |
| FIREWORKS VIOLATION      | 1        |
| FOLLOW UP INVESTIGATION  | 8        |
| FRAUD DECEPTION FORGERY  | 3        |
| FUEL SPILL               | 1        |

| Nature                           | # Events |
|----------------------------------|----------|
| <b>FUNERAL ESCORT</b>            | 2        |
| <b>GENERAL ASSIST FOR OTHERS</b> | 1        |
| <b>HARASSMENT STALKING</b>       | 1        |
| <b>ILLEGAL DUMPING</b>           | 1        |
| <b>IMPROPERLY PARKED</b>         | 2        |
| <b>INTOXICATED DRIVER</b>        | 1        |
| <b>INVESTIGATION</b>             | 2        |
| <b>JUVENILE COMPLAINT</b>        | 1        |
| <b>LARCENY THEFT</b>             | 7        |
| <b>LOST OR FOUND PROPERTY</b>    | 2        |
| <b>MEET REQUEST NO</b>           | 1        |
| <b>MISSING OR FOUND PERSON</b>   | 1        |
| <b>MOTORIST ASSIST</b>           | 1        |
| <b>NOISE COMPLAINT</b>           | 5        |
| <b>PREVENTATIVE PATROL</b>       | 34       |
| <b>PROP DAMAGE VANDALISM</b>     | 3        |
| <b>PSYCHIATRIC ABNORMAL</b>      | 2        |
| <b>PUBLIC SERVICE</b>            | 2        |
| <b>PUBLIC WORKS CALL</b>         | 4        |
| <b>REFERAL OR INFORMATION</b>    | 3        |
| <b>REPOSESSION OF PROPERTY</b>   | 3        |
| <b>RESIDENTIAL CHECK</b>         | 6        |
| <b>SERVE WARRANT</b>             | 2        |
| <b>SHOTS FIRED SEEN UNSEEN</b>   | 3        |
| <b>SPEEDING VEHICLE</b>          | 2        |
| <b>SUSPICIOUS CIRCUMSTANCES</b>  | 2        |
| <b>SUSPICIOUS PERSON</b>         | 5        |
| <b>SUSPICIOUS VEHICLE</b>        | 16       |
| <b>TRAFFIC HAZARD</b>            | 6        |
| <b>TRAFFIC STOP</b>              | 18       |
| <b>TRAFFIC VIOLATION</b>         | 1        |
| <b>TRESPASSING UNWANTED</b>      | 5        |
| <b>UNCONSCIOUS FAINTING</b>      | 1        |

| Nature                         | # Events    |
|--------------------------------|-------------|
| <b>UNLOCK REQUEST</b>          | 1           |
| <b>WEATHER REPORTS HAZARDS</b> | 2           |
| <b>WELL BEING CHECK</b>        | 1           |
|                                | <hr/> <hr/> |
|                                | 317         |



# Providence VFD Public Safety Report

## June 2009

### Monthly Call Responses –

Mecklenburg County – Fire: 10      EMS: 8      Total: 18

Union County - Fire: 19      EMS: 5      Total: 24

Monthly Total: 42

### Monthly Training Hours-

Fire-194 Hrs.

EMS-69 Hrs. 2 Classroom Lectures.

### Run Times:

6A-12N: 28.6%      12n-6P: 30.95%      6P-12M: 28.6%      12M-6A: 11.9%

### Run Data:

Avg. Turnout: 2 minutes

Avg. Response Time: 4.54 minutes

Avg. On Scene Time: 29.43 minutes

Avg. Members On Scene: 5 members



# Providence VFD Public Safety Report

June 2009



Providence had two significant events, 6/19/09 a stolen vehicle fire at Ayala Ct. 6/29/09 a Commercial Structure Fire at 3212 Campus Ridge Road.

Respectfully Submitted,

Chief David Banick

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Providence VFD  
5025 Hemby Road  
Weddington, NC 28104

Providence Volunteer Fire Department

Balance Sheet

As of June 30, 2009

|                                 | <u>Jun 30, 09</u>          |
|---------------------------------|----------------------------|
| <b>ASSETS</b>                   |                            |
| Current Assets                  |                            |
| Checking/Savings                |                            |
| CD - BBT - 0108/0094            | 174,494.87                 |
| CD - Bldg - FirstCharter - 9788 | 107,170.66                 |
| CD - Truck - FirstCharter -9787 | 107,170.66                 |
| Checking Accounts               |                            |
| BB&T Checking-5119              | 61,807.86                  |
| BOA Bus Economy - 8095          | 10,079.21                  |
| BOA Payroll-7449                | 10,693.28                  |
| Total Checking Accounts         | <u>82,580.35</u>           |
| Firemen Relief-BOA-8254         | 23,770.68                  |
| Total Checking/Savings          | <u>495,187.22</u>          |
| Total Current Assets            | 495,187.22                 |
| Fixed Assets                    |                            |
| Air Packs                       | 23,285.12                  |
| Commercial Protector System     | 2,112.50                   |
| Dexter T-400 Washer\Extractor   | 3,611.00                   |
| Fire Fighter Main Equipment     | 2,448.00                   |
| Groban Electric Generator       | 5,000.00                   |
| Ladder Truck Building           | 32,452.08                  |
| Total Fixed Assets              | <u>68,908.70</u>           |
| Other Assets                    |                            |
| 1996 Internat'l #32             | 119,365.76                 |
| 1999 SouthCo #322               | 274,231.58                 |
| 2002 Ford #326                  | 44,029.33                  |
| 2003 Red Diamond #324           | 240,302.00                 |
| 2006 KME Pumper #321            | 400,555.50                 |
| Building                        | 346,812.09                 |
| Equip                           | 27,615.37                  |
| Land                            | 12,590.00                  |
| X Accum Depr                    | -382,682.00                |
| Total Other Assets              | <u>1,082,819.63</u>        |
| <b>TOTAL ASSETS</b>             | <b><u>1,646,915.55</u></b> |
| <b>LIABILITIES &amp; EQUITY</b> |                            |
| Liabilities                     |                            |
| Current Liabilities             |                            |
| Other Current Liabilities       |                            |
| Building Reserv                 | 25,000.00                  |
| Equip Reserve                   | 86,329.69                  |
| Fighters' Fund                  | 522.44                     |
| Loan Reserve                    | 5,000.00                   |
| Relief Fund                     | 10,379.25                  |
| 2100 - Payroll Liabilities      | <u>3,151.65</u>            |

**Providence Volunteer Fire Department**  
**Balance Sheet**  
As of June 30, 2009

|                                       | <u>Jun 30, 09</u>          |
|---------------------------------------|----------------------------|
| Total Other Current Liabilities       | <u>130,383.03</u>          |
| Total Current Liabilities             | 130,383.03                 |
| Long Term Liabilities                 |                            |
| 2006 Project Fund Loan                | 74,997.70                  |
| Bank Of America Loan                  | <u>103,325.30</u>          |
| Total Long Term Liabilities           | <u>178,323.00</u>          |
| Total Liabilities                     | 308,706.03                 |
| Equity                                |                            |
| 3900 - Retained Earnings              | 1,381,156.39               |
| Net Income                            | <u>-42,946.87</u>          |
| Total Equity                          | <u>1,338,209.52</u>        |
| <b>TOTAL LIABILITIES &amp; EQUITY</b> | <b><u>1,646,915.55</u></b> |

**Providence Volunteer Fire Department  
Income & Expense Budget Performance  
June 2009**

|                                       | <u>Jun 09</u>   | <u>Budget</u>    | <u>\$ Over Budget</u> | <u>Jul '08 - Jun 09</u> | <u>YTD Budget</u> | <u>\$ Over Budget</u> | <u>Annual Budget</u> |
|---------------------------------------|-----------------|------------------|-----------------------|-------------------------|-------------------|-----------------------|----------------------|
| <b>Ordinary Income/Expense</b>        |                 |                  |                       |                         |                   |                       |                      |
| <b>Income</b>                         |                 |                  |                       |                         |                   |                       |                      |
| <b>110 - Subsidies</b>                |                 |                  |                       |                         |                   |                       |                      |
| 111 - Mecklenburg Cty                 | 0.00            | 7,291.67         | -7,291.67             | 87,500.00               | 87,500.00         | 0.00                  | 87,500.00            |
| 112 - Union County                    | 1,800.00        | 1,750.00         | 50.00                 | 21,600.00               | 21,000.00         | 600.00                | 21,000.00            |
| 114 - Town of Weddington - Paid Staff | 0.00            | 12,500.00        | -12,500.00            | 151,675.00              | 150,000.00        | 1,675.00              | 150,000.00           |
| <b>Total 110 - Subsidies</b>          | <b>1,800.00</b> | <b>21,541.67</b> | <b>-19,741.67</b>     | <b>260,775.00</b>       | <b>258,500.00</b> | <b>2,275.00</b>       | <b>258,500.00</b>    |
| <b>120 - Dues &amp; Fees</b>          |                 |                  |                       |                         |                   |                       |                      |
| 121 - Union County Fire Fees          | 155.00          | 4,333.34         | -4,178.34             | 58,620.28               | 52,000.00         | 6,620.28              | 52,000.00            |
| <b>Total 120 - Dues &amp; Fees</b>    | <b>155.00</b>   | <b>4,333.34</b>  | <b>-4,178.34</b>      | <b>58,620.28</b>        | <b>52,000.00</b>  | <b>6,620.28</b>       | <b>52,000.00</b>     |
| <b>130 - Vol Donations</b>            |                 |                  |                       |                         |                   |                       |                      |
| 131 - Memorials                       | 0.00            | 41.67            | -41.67                | 400.00                  | 500.00            | -100.00               | 500.00               |
| 132 - Grants                          | 0.00            | 0.00             | 0.00                  | 0.00                    | 0.00              | 0.00                  | 0.00                 |
| 134 - Other                           | 85.00           | 166.66           | -81.66                | 5,003.00                | 2,000.00          | 3,003.00              | 2,000.00             |
| <b>Total 130 - Vol Donations</b>      | <b>85.00</b>    | <b>208.33</b>    | <b>-123.33</b>        | <b>5,403.00</b>         | <b>2,500.00</b>   | <b>2,903.00</b>       | <b>2,500.00</b>      |
| <b>140 - Other Income</b>             |                 |                  |                       |                         |                   |                       |                      |
| 142 - Fire Fighters' Relief Fund      | 0.00            | 0.00             | 0.00                  | 4,479.01                | 0.00              | 4,479.01              | 0.00                 |
| 143 - Fuel Tax Refund                 | 215.02          | 83.34            | 131.68                | 835.21                  | 1,000.00          | -164.79               | 1,000.00             |
| 144 - Sales Tax Refund                | 0.00            | 250.00           | -250.00               | 5,385.61                | 3,000.00          | 2,385.61              | 3,000.00             |
| 145 - Interest                        | 5,455.14        | 666.67           | 4,788.47              | 7,921.29                | 8,000.00          | -78.71                | 8,000.00             |
| 147 - Medic-EMS Reimbursement         | 287.70          | 833.34           | -545.64               | 14,318.40               | 10,000.00         | 4,318.40              | 10,000.00            |
| 148 - Firemen Relief Interest         | 4.49            | 0.00             | 4.49                  | 54.48                   | 0.00              | 54.48                 | 0.00                 |
| 149 - Accrued Interest                | -48.32          | 0.00             | -48.32                | -42.95                  | 0.00              | -42.95                | 0.00                 |
| <b>Total 140 - Other Income</b>       | <b>5,914.03</b> | <b>1,833.35</b>  | <b>4,080.68</b>       | <b>32,951.05</b>        | <b>22,000.00</b>  | <b>10,951.05</b>      | <b>22,000.00</b>     |
| <b>Total Income</b>                   | <b>7,954.03</b> | <b>27,916.69</b> | <b>-19,962.66</b>     | <b>357,749.33</b>       | <b>335,000.00</b> | <b>22,749.33</b>      | <b>335,000.00</b>    |
| <b>Expense</b>                        |                 |                  |                       |                         |                   |                       |                      |
| <b>200 - Administration</b>           |                 |                  |                       |                         |                   |                       |                      |
| 210 - Fire Chief Discretionary        | 140.76          | 166.67           | -25.91                | 2,262.75                | 2,000.00          | 262.75                | 2,000.00             |
| 211 - Bank Charges & Credit Card Fees | -10.00          | 41.66            | -51.66                | 66.41                   | 500.00            | -433.59               | 500.00               |
| 212 - Prof Fees                       | 300.00          | 333.34           | -33.34                | 3,600.00                | 4,000.00          | -400.00               | 4,000.00             |
| 214 - Off Supplies                    | 159.97          | 208.34           | -48.37                | 2,147.12                | 2,500.00          | -352.88               | 2,500.00             |
| 215 - Printing/Newsletter             | 439.22          | 208.34           | 230.88                | 439.22                  | 2,500.00          | -2,060.78             | 2,500.00             |
| 216 - Postage                         | 23.76           | 41.66            | -17.90                | 417.35                  | 500.00            | -82.65                | 500.00               |
| 217 - Dues, Subscriptions, & Internet | 3,250.00        | 41.66            | 3,208.34              | 4,031.60                | 500.00            | 3,531.60              | 500.00               |
| 218 - Fire Fighters' Association      | -25.00          | 83.34            | -108.34               | 283.00                  | 1,000.00          | -717.00               | 1,000.00             |
| 219 - Miscellaneous                   | -1,163.84       | 416.66           | -1,580.50             | 4,372.44                | 5,000.00          | -627.56               | 5,000.00             |
| <b>Total 200 - Administration</b>     | <b>3,114.87</b> | <b>1,541.67</b>  | <b>1,573.20</b>       | <b>17,619.89</b>        | <b>18,500.00</b>  | <b>-880.11</b>        | <b>18,500.00</b>     |
| <b>220 - Insurance</b>                |                 |                  |                       |                         |                   |                       |                      |
| 223 - Vol. Fire Fighters' Workers Com | 0.00            | 0.00             | 0.00                  | 3,930.00                | 0.00              | 3,930.00              | 0.00                 |
| 224 - Commercial Package              | 0.00            | 1,833.34         | -1,833.34             | 20,535.00               | 22,000.00         | -1,465.00             | 22,000.00            |
| <b>Total 220 - Insurance</b>          | <b>0.00</b>     | <b>1,833.34</b>  | <b>-1,833.34</b>      | <b>24,465.00</b>        | <b>22,000.00</b>  | <b>2,465.00</b>       | <b>22,000.00</b>     |
| 225 - Drug Testing/Background Check   | 0.00            | 41.66            | -41.66                | 245.00                  | 500.00            | -255.00               | 500.00               |
| <b>230 - Taxes</b>                    |                 |                  |                       |                         |                   |                       |                      |
| <b>231 - Sales Taxes</b>              |                 |                  |                       |                         |                   |                       |                      |
| 232 - Meck CO.                        | 192.50          | 83.34            | 109.16                | 3,567.04                | 1,000.00          | 2,567.04              | 1,000.00             |
| 233 - Union County                    | 0.00            | 41.66            | -41.66                | 9.21                    | 500.00            | -490.79               | 500.00               |
| <b>Total 231 - Sales Taxes</b>        | <b>192.50</b>   | <b>125.00</b>    | <b>67.50</b>          | <b>3,576.25</b>         | <b>1,500.00</b>   | <b>2,076.25</b>       | <b>1,500.00</b>      |
| 234 - Transportation                  | 0.00            | 41.66            | -41.66                | 0.00                    | 500.00            | -500.00               | 500.00               |
| 236 - Property Tax                    | 0.00            | 83.34            | -83.34                | 50.00                   | 1,000.00          | -950.00               | 1,000.00             |

**Providence Volunteer Fire Department  
Income & Expense Budget Performance  
June 2009**

|   | <u>Jun 09</u>   | <u>Budget</u>   | <u>\$ Over Budget</u> | <u>Jul '08 - Jun 09</u> | <u>YTD Budget</u> | <u>\$ Over Budget</u> | <u>Annual Budget</u> |
|---|-----------------|-----------------|-----------------------|-------------------------|-------------------|-----------------------|----------------------|
| 237 - Freight                                     | 0.00            | 41.67           | -41.67                | 0.00                    | 500.00            | -500.00               | 500.00               |
| <b>Total 230 - Taxes</b>                          | <b>192.50</b>   | <b>291.67</b>   | <b>-99.17</b>         | <b>3,626.25</b>         | <b>3,500.00</b>   | <b>126.25</b>         | <b>3,500.00</b>      |
| <b>240 - Interest Expense</b>                     |                 |                 |                       |                         |                   |                       |                      |
| 242 - Bank of America Tanker Loan                 | 486.13          | 495.84          | -9.71                 | 5,833.56                | 5,950.00          | -116.44               | 5,950.00             |
| 243 - 2006 KME Truck Loan                         | 1,134.85        | 1,129.16        | 5.69                  | 13,618.20               | 13,550.00         | 68.20                 | 13,550.00            |
| <b>Total 240 - Interest Expense</b>               | <b>1,620.98</b> | <b>1,625.00</b> | <b>-4.02</b>          | <b>19,451.76</b>        | <b>19,500.00</b>  | <b>-48.24</b>         | <b>19,500.00</b>     |
| <b>250 - Principal Payments (Long Term)</b>       |                 |                 |                       |                         |                   |                       |                      |
| 252 - Bank of America Tanker Loan                 | 1,656.09        | 1,666.67        | -10.58                | 19,873.08               | 20,000.00         | -126.92               | 20,000.00            |
| 253 - 2006 KME Truck Loan                         | 1,931.40        | 1,958.34        | -26.94                | 23,176.80               | 23,500.00         | -323.20               | 23,500.00            |
| <b>Total 250 - Principal Payments (Long Term)</b> | <b>3,587.49</b> | <b>3,625.01</b> | <b>-37.52</b>         | <b>43,049.88</b>        | <b>43,500.00</b>  | <b>-450.12</b>        | <b>43,500.00</b>     |
| <b>300 - Build Maintenance</b>                    |                 |                 |                       |                         |                   |                       |                      |
| 310 - Cleaning                                    | 0.00            | 41.66           | -41.66                | 500.00                  | 500.00            | 0.00                  | 500.00               |
| 320 - Landscaping & Lawn Care                     | 425.00          | 166.66          | 258.34                | 2,680.00                | 2,000.00          | 680.00                | 2,000.00             |
| 330 - Trash and Landfill                          | 0.00            | 41.66           | -41.66                | 440.99                  | 500.00            | -59.01                | 500.00               |
| 340 - Pest Control                                | 0.00            | 41.66           | -41.66                | 228.00                  | 500.00            | -272.00               | 500.00               |
| 350 - Maintenance Supplies                        | 758.88          | 250.00          | 508.88                | 4,466.67                | 3,000.00          | 1,466.67              | 3,000.00             |
| 351 - Furniture                                   | 0.00            | 208.34          | -208.34               | 0.00                    | 2,500.00          | -2,500.00             | 2,500.00             |
| 360 - Repairs                                     | 0.00            | 416.66          | -416.66               | 19,296.92               | 5,000.00          | 14,296.92             | 5,000.00             |
| <b>Total 300 - Build Maintenance</b>              | <b>1,183.88</b> | <b>1,166.64</b> | <b>17.24</b>          | <b>27,612.58</b>        | <b>14,000.00</b>  | <b>13,612.58</b>      | <b>14,000.00</b>     |
| <b>400 - Utilities</b>                            |                 |                 |                       |                         |                   |                       |                      |
| 410 - Electric                                    | 720.72          | 541.66          | 179.06                | 7,303.34                | 6,500.00          | 803.34                | 6,500.00             |
| 420 - Natural Gas                                 | 23.15           | 208.34          | -185.19               | 2,460.15                | 2,500.00          | -39.85                | 2,500.00             |
| 430 - Telephone                                   | 198.82          | 375.00          | -176.18               | 6,561.40                | 4,500.00          | 2,061.40              | 4,500.00             |
| 440 - Water                                       | 28.77           | 41.66           | -12.89                | 555.03                  | 500.00            | 55.03                 | 500.00               |
| <b>Total 400 - Utilities</b>                      | <b>971.46</b>   | <b>1,166.66</b> | <b>-195.20</b>        | <b>16,879.92</b>        | <b>14,000.00</b>  | <b>2,879.92</b>       | <b>14,000.00</b>     |
| <b>500 - Fire Fighters' Equip/Training</b>        |                 |                 |                       |                         |                   |                       |                      |
| <b>510 - Clothing</b>                             |                 |                 |                       |                         |                   |                       |                      |
| 511 - Turn Out Gear                               | 0.00            | 0.00            | 0.00                  | 66.98                   | 0.00              | 66.98                 | 0.00                 |
| 512 - Dress Uniforms                              | -136.18         | 104.16          | -240.34               | 2,216.16                | 1,250.00          | 966.16                | 1,250.00             |
| 513 - Clothing - Other                            | 0.00            | 104.16          | -104.16               | 3,224.00                | 1,250.00          | 1,974.00              | 1,250.00             |
| <b>Total 510 - Clothing</b>                       | <b>-136.18</b>  | <b>208.32</b>   | <b>-344.50</b>        | <b>5,507.14</b>         | <b>2,500.00</b>   | <b>3,007.14</b>       | <b>2,500.00</b>      |
| <b>520 - Equipment</b>                            |                 |                 |                       |                         |                   |                       |                      |
| 521 - Radios\ Pagers - New                        | 0.00            | 0.00            | 0.00                  | 1,710.26                | 0.00              | 1,710.26              | 0.00                 |
| 522 - Radios\ Pagers - Maintenance                | 170.00          | 83.34           | 86.66                 | 343.50                  | 1,000.00          | -656.50               | 1,000.00             |
| 523 - Equipment - New                             | 0.00            | 833.34          | -833.34               | 3,473.75                | 10,000.00         | -6,526.25             | 10,000.00            |
| 524 - Equipment - Maintenance                     | 199.80          | 333.34          | -133.54               | 3,659.64                | 4,000.00          | -340.36               | 4,000.00             |
| 525 - Firefighting Supplies                       | 0.00            | 416.66          | -416.66               | 178.76                  | 5,000.00          | -4,821.24             | 5,000.00             |
| <b>Total 520 - Equipment</b>                      | <b>369.80</b>   | <b>1,666.68</b> | <b>-1,296.88</b>      | <b>9,365.91</b>         | <b>20,000.00</b>  | <b>-10,634.09</b>     | <b>20,000.00</b>     |
| 526 - PPE (Personal Protective Equip)             | 103.00          | 1,250.00        | -1,147.00             | 12,741.91               | 15,000.00         | -2,258.09             | 15,000.00            |
| <b>530 - Medical</b>                              |                 |                 |                       |                         |                   |                       |                      |
| 532 - Supplies                                    | 1,098.28        | 41.66           | 1,056.62              | 3,157.66                | 500.00            | 2,657.66              | 500.00               |
| 533 - Waste                                       | 0.00            | 41.66           | -41.66                | 614.25                  | 500.00            | 114.25                | 500.00               |
| <b>Total 530 - Medical</b>                        | <b>1,098.28</b> | <b>83.32</b>    | <b>1,014.96</b>       | <b>3,771.91</b>         | <b>1,000.00</b>   | <b>2,771.91</b>       | <b>1,000.00</b>      |
| <b>540 - Training</b>                             |                 |                 |                       |                         |                   |                       |                      |
| 541 - Seminars                                    | 238.08          | 208.34          | 29.74                 | 238.08                  | 2,500.00          | -2,261.92             | 2,500.00             |
| 542 - Books                                       | 0.00            | 41.66           | -41.66                | 107.20                  | 500.00            | -392.80               | 500.00               |
| 543 - PR Literature                               | 0.00            | 166.66          | -166.66               | 2,594.45                | 2,000.00          | 594.45                | 2,000.00             |
| 544 - Other                                       | 135.00          | 83.34           | 51.66                 | 381.98                  | 1,000.00          | -618.02               | 1,000.00             |
| <b>Total 540 - Training</b>                       | <b>373.08</b>   | <b>500.00</b>   | <b>-126.92</b>        | <b>3,321.71</b>         | <b>6,000.00</b>   | <b>-2,678.29</b>      | <b>6,000.00</b>      |

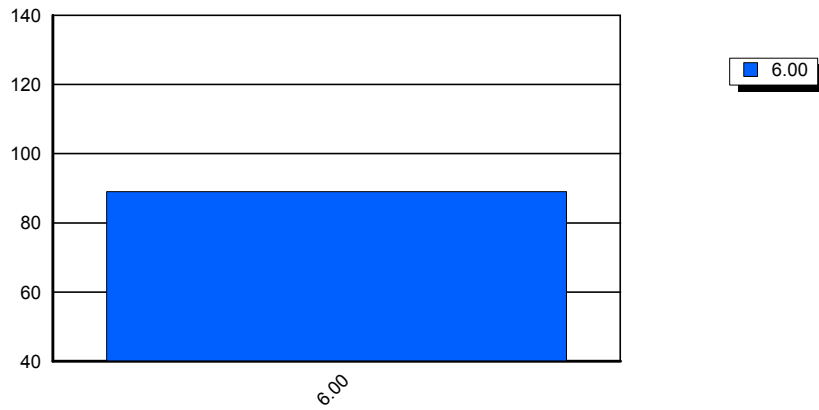
**Providence Volunteer Fire Department  
Income & Expense Budget Performance  
June 2009**

|  | <u>Jun 09</u>            | <u>Budget</u>           | <u>\$ Over Budget</u>    | <u>Jul '08 - Jun 09</u>  | <u>YTD Budget</u>        | <u>\$ Over Budget</u>   | <u>Annual Budget</u>     |
|--|--------------------------|-------------------------|--------------------------|--------------------------|--------------------------|-------------------------|--------------------------|
| <b>Total 500 - Fire Fighters' Equip/Training</b> | 1,807.98                 | 3,708.32                | -1,900.34                | 34,708.58                | 44,500.00                | -9,791.42               | 44,500.00                |
| <b>600 - Fire Engines</b>                        |                          |                         |                          |                          |                          |                         |                          |
| 620 - '99 Southern Coach Eng #322                | 0.00                     | 291.66                  | -291.66                  | 22,758.97                | 3,500.00                 | 19,258.97               | 3,500.00                 |
| 640 - '03 Red Diamond #324                       | 1,002.94                 | 166.66                  | 836.28                   | 4,174.63                 | 2,000.00                 | 2,174.63                | 2,000.00                 |
| 650 - '02 Ford Quesco Brush #326                 | 174.72                   | 166.66                  | 8.06                     | 758.35                   | 2,000.00                 | -1,241.65               | 2,000.00                 |
| 660 - '95 Intern\Hackney Squad #32               | 0.00                     | 416.66                  | -416.66                  | 1,131.44                 | 5,000.00                 | -3,868.56               | 5,000.00                 |
| 680 - '06 KME Pumper #321                        | 2,633.95                 | 416.66                  | 2,217.29                 | 8,167.08                 | 5,000.00                 | 3,167.08                | 5,000.00                 |
| 681 - Diesel Fuel                                | 0.00                     | 750.00                  | -750.00                  | 10,578.92                | 9,000.00                 | 1,578.92                | 9,000.00                 |
| 682 - Gasoline                                   | 0.00                     | 166.66                  | -166.66                  | 47.00                    | 2,000.00                 | -1,953.00               | 2,000.00                 |
| 683 - Cleaning Supplies                          | 0.00                     | 41.66                   | -41.66                   | 19.90                    | 500.00                   | -480.10                 | 500.00                   |
| 684 - Miscellaneous Parts                        | -10.95                   | 41.66                   | -52.61                   | 633.15                   | 500.00                   | 133.15                  | 500.00                   |
| 685 - Fire Engines - Other                       | -141.12                  | 83.34                   | -224.46                  | -141.12                  | 1,000.00                 | -1,141.12               | 1,000.00                 |
| <b>Total 600 - Fire Engines</b>                  | <u>3,659.54</u>          | <u>2,541.62</u>         | <u>1,117.92</u>          | <u>48,128.32</u>         | <u>30,500.00</u>         | <u>17,628.32</u>        | <u>30,500.00</u>         |
| <b>800 - Paid Firefighters</b>                   |                          |                         |                          |                          |                          |                         |                          |
| 801 - Payroll                                    | 11,731.26                | 11,666.66               | 64.60                    | 150,528.86               | 140,000.00               | 10,528.86               | 140,000.00               |
| <b>807 - Payroll Expenses</b>                    |                          |                         |                          |                          |                          |                         |                          |
| FICA   | 897.48                   | 916.67                  | -19.19                   | 11,515.49                | 11,000.00                | 515.49                  | 11,000.00                |
| FUTA   | 0.00                     | 0.00                    | 0.00                     | 0.00                     | 0.00                     | 0.00                    | 0.00                     |
| SUTA   | 183.02                   | 291.66                  | -108.64                  | 2,531.22                 | 3,500.00                 | -968.78                 | 3,500.00                 |
| 807 - Payroll Expenses - Other                   | 30.78                    | 416.66                  | -385.88                  | 333.45                   | 5,000.00                 | -4,666.55               | 5,000.00                 |
| <b>Total 807 - Payroll Expenses</b>              | <u>1,111.28</u>          | <u>1,624.99</u>         | <u>-513.71</u>           | <u>14,380.16</u>         | <u>19,500.00</u>         | <u>-5,119.84</u>        | <u>19,500.00</u>         |
| <b>Total 800 - Paid Firefighters</b>             | <u>12,842.54</u>         | <u>13,291.65</u>        | <u>-449.11</u>           | <u>164,909.02</u>        | <u>159,500.00</u>        | <u>5,409.02</u>         | <u>159,500.00</u>        |
| <b>Total Expense</b>                             | <u>28,981.24</u>         | <u>30,833.24</u>        | <u>-1,852.00</u>         | <u>400,696.20</u>        | <u>370,000.00</u>        | <u>30,696.20</u>        | <u>370,000.00</u>        |
| <b>Net Ordinary Income</b>                       | <u>-21,027.21</u>        | <u>-2,916.55</u>        | <u>-18,110.66</u>        | <u>-42,946.87</u>        | <u>-35,000.00</u>        | <u>-7,946.87</u>        | <u>-35,000.00</u>        |
| <b>Net Income</b>                                | <u><u>-21,027.21</u></u> | <u><u>-2,916.55</u></u> | <u><u>-18,110.66</u></u> | <u><u>-42,946.87</u></u> | <u><u>-35,000.00</u></u> | <u><u>-7,946.87</u></u> | <u><u>-35,000.00</u></u> |

# WESLEY CHAPEL VFD

7/7/2009

## Count of Alarms Per Month



| <u>FDID</u> | <u>INCIDENT#</u> | <u>EXP</u> | <u>ALARM DATE</u> |
|-------------|------------------|------------|-------------------|
| 09020       | 0903920          | 0          | 06/01/2009        |
| 09020       | 0903924          | 0          | 06/01/2009        |
| 09020       | 0903928          | 0          | 06/01/2009        |
| 09020       | 0903933          | 0          | 06/01/2009        |
| 09020       | 0903943          | 0          | 06/02/2009        |
| 09020       | 0903949          | 0          | 06/02/2009        |
| 09020       | 0903957          | 0          | 06/02/2009        |
| 09020       | 0903958          | 0          | 06/02/2009        |
| 09020       | 0903959          | 0          | 06/02/2009        |
| 09020       | 0903975          | 0          | 06/03/2009        |
| 09020       | 0903977          | 0          | 06/03/2009        |
| 09020       | 0903978          | 0          | 06/03/2009        |
| 09020       | 0903981          | 0          | 06/03/2009        |
| 09020       | 0903985          | 0          | 06/03/2009        |
| 09020       | 0903989          | 0          | 06/03/2009        |
| 09020       | 0903998          | 0          | 06/04/2009        |
| 09020       | 0904005          | 0          | 06/04/2009        |
| 09020       | 0904008          | 0          | 06/04/2009        |
| 09020       | 0904018          | 0          | 06/05/2009        |
| 09020       | 0904031          | 0          | 06/05/2009        |
| 09020       | 0904036          | 0          | 06/05/2009        |
| 09020       | 0904038          | 0          | 06/05/2009        |
| 09020       | 0904044          | 0          | 06/06/2009        |
| 09020       | 0904053          | 0          | 06/06/2009        |
| 09020       | 0904062          | 0          | 06/06/2009        |

| <u>FDID</u> | <u>INCIDENT#</u> | <u>EXP</u> | <u>ALARM DATE</u> |
|-------------|------------------|------------|-------------------|
| 09020       | 0904063          | 0          | 06/07/2009        |
| 09020       | 0904064          | 0          | 06/07/2009        |
| 09020       | 0904072          | 0          | 06/07/2009        |
| 09020       | 0904105          | 0          | 06/08/2009        |
| 09020       | 0904122          | 0          | 06/09/2009        |
| 09020       | 0904125          | 0          | 06/10/2009        |
| 09020       | 0904128          | 0          | 06/10/2009        |
| 09020       | 0904132          | 0          | 06/10/2009        |
| 09020       | 0904131          | 0          | 06/10/2009        |
| 09020       | 0904137          | 0          | 06/10/2009        |
| 09020       | 0904141          | 0          | 06/10/2009        |
| 09020       | 0904157          | 0          | 06/11/2009        |
| 09020       | 0904170          | 0          | 06/11/2009        |
| 09020       | 0904172          | 0          | 06/11/2009        |
| 09020       | 0904177          | 0          | 06/12/2009        |
| 09020       | 0904184          | 0          | 06/12/2009        |
| 09020       | 0904205          | 0          | 06/13/2009        |
| 09020       | 0904210          | 0          | 06/13/2009        |
| 09020       | 0904214          | 0          | 06/13/2009        |
| 09020       | 0904217          | 0          | 06/13/2009        |
| 09020       | 0904229          | 0          | 06/14/2009        |
| 09020       | 0904238          | 0          | 06/14/2009        |
| 09020       | 0904270          | 0          | 06/15/2009        |
| 09020       | 0904272          | 0          | 06/15/2009        |
| 09020       | 0904277          | 0          | 06/15/2009        |
| 09020       | 0904288          | 0          | 06/16/2009        |
| 09020       | 0904297          | 0          | 06/16/2009        |
| 09020       | 0904299          | 0          | 06/16/2009        |
| 09020       | 0904301          | 0          | 06/16/2009        |
| 09020       | 0904315          | 0          | 06/17/2009        |
| 09020       | 0904316          | 0          | 06/17/2009        |
| 09020       | 0904333          | 0          | 06/17/2009        |
| 09020       | 0904342          | 0          | 06/18/2009        |
| 09020       | 0904353          | 0          | 06/18/2009        |
| 09020       | 0904371          | 0          | 06/18/2009        |
| 09020       | 0904383          | 0          | 06/19/2009        |
| 09020       | 0904403          | 0          | 06/20/2009        |
| 09020       | 0904418          | 0          | 06/20/2009        |
| 09020       | 0904423          | 0          | 06/21/2009        |
| 09020       | 0904436          | 0          | 06/21/2009        |
| 09020       | 0904441          | 0          | 06/22/2009        |
| 09020       | 0904450          | 0          | 06/22/2009        |
| 09020       | 0904457          | 0          | 06/22/2009        |



| <u>FDID</u> | <u>INCIDENT#</u> | <u>EXP</u> | <u>ALARM DATE</u> |
|-------------|------------------|------------|-------------------|
| 09020       | 0904463          | 0          | 06/23/2009        |
| 09020       | 0904472          | 0          | 06/23/2009        |
| 09020       | 0904475          | 0          | 06/23/2009        |
| 09020       | 0904477          | 0          | 06/23/2009        |
| 09020       | 0904479          | 0          | 06/23/2009        |
| 09020       | 0904491          | 0          | 06/24/2009        |
| 09020       | 0904494          | 0          | 06/24/2009        |
| 09020       | 0904495          | 0          | 06/24/2009        |
| 09020       | 0904521          | 0          | 06/26/2009        |
| 09020       | 0904557          | 0          | 06/27/2009        |
| 09020       | 0904560          | 0          | 06/27/2009        |
| 09020       | 0904564          | 0          | 06/27/2009        |
| 09020       | 0904563          | 0          | 06/27/2009        |
| 09020       | 0904574          | 0          | 06/28/2009        |
| 09020       | 0904579          | 0          | 06/28/2009        |
| 09020       | 0904606          | 0          | 06/29/2009        |
| 09020       | 0904612          | 0          | 06/29/2009        |
| 09020       | 0904617          | 0          | 06/29/2009        |
| 09020       | 0904625          | 0          | 06/29/2009        |
| 09020       | 0904630          | 0          | 06/30/2009        |
| 09020       | 0904640          | 0          | 06/30/2009        |

**Month Total:** 89

**Grand Total:** 89

## NFIRS Incident Listing Summary Report

- 1 total calls for Incident Type **113** **Cooking fire, confined to container**
- 2 total calls for Incident Type **131** **Passenger vehicle fire**
- 1 total calls for Incident Type **140** **Natural vegetation fire, other**
- 43 total calls for Incident Type **311** **Medical assist, assist EMS crew**
- 2 total calls for Incident Type **322** **Motor vehicle accident with injuries**
- 2 total calls for Incident Type **324** **Motor vehicle accident with no injuries**
- 1 total calls for Incident Type **411** **Gasoline or other flammable liquid spill**
- 2 total calls for Incident Type **412** **Gas leak (natural gas or LPG)**
- 1 total calls for Incident Type **424** **Carbon monoxide incident**
- 1 total calls for Incident Type **440** **Electrical wiring/equipment problem, other**
- 1 total calls for Incident Type **500** **Service Call, other**
- 1 total calls for Incident Type **511** **Lock-out**
- 1 total calls for Incident Type **550** **Public service assistance, other**
- 4 total calls for Incident Type **554** **Assist invalid**
- 3 total calls for Incident Type **600** **Good intent call, other**
- 6 total calls for Incident Type **611** **Dispatched & canceled en route**
- 2 total calls for Incident Type **631** **Authorized controlled burning**
- 9 total calls for Incident Type **735** **Alarm system sounded due to malfunction**
- 2 total calls for Incident Type **736** **CO detector activation due to malfunction**
- 4 total calls for Incident Type **745** **Alarm system activation, no fire - unintentional**

Total Incidents:

**89**

**TOWN OF WEDDINGTON  
REVENUE & EXPENDITURE STATEMENT**

FY 2008-2009

06/01/2009 TO 06/30/2009

|  | <u>CURRENT PERIOD</u> | <u>YEAR-TO-DATE</u> | <u>BUDGETED</u> | <u>% BUDGET</u> |
|--|-----------------------|---------------------|-----------------|-----------------|
| <b>REVENUE:</b>                          |                       |                     |                 |                 |
| 10-3101-110 AD VALOREM TAX - CURRENT     | 1,341.26              | 557,237.17          | 523,000.00      | 107             |
| 10-3102-110 AD VALOREM TAX - 1ST PRIOR Y | 17.15                 | 2,514.41            | 2,000.00        | 126             |
| 10-3103-110 AD VALOREM TAX - NEXT 8 YRS  | 0.00                  | 771.78              | 0.00            | 0               |
| 10-3110-121 AD VALOREM TAX - MOTOR VEH   | 1,847.72              | 25,914.83           | 26,000.00       | 100             |
| 10-3115-180 TAX INTEREST                 | 66.26                 | 1,810.56            | 1,000.00        | 181             |
| 10-3231-220 LOCAL OPTION SALES TAX REV - | 8,129.36              | 89,446.92           | 95,000.00       | 94              |
| 10-3322-220 BEER & WINE TAX              | 0.00                  | 49,283.95           | 38,000.00       | 130             |
| 10-3324-220 UTILITY FRANCHISE TAX        | 103,402.48            | 392,095.19          | 350,000.00      | 112             |
| 10-3333-220 CABLE FRANCHISE REVENUES     | 0.00                  | 7,402.00            | 0.00            | 0               |
| 10-3340-400 ZONING & PERMIT FEES         | 1,825.00              | 16,940.00           | 12,500.00       | 136             |
| 10-3350-400 SUBDIVISION FEES             | 0.00                  | 4,435.00            | 4,000.00        | 111             |
| 10-3830-891 MISCELLANEOUS REVENUES       | 100.00                | 149,147.84          | 147,500.00      | 101             |
| 10-3831-491 INVESTMENT INCOME            | 2,169.72              | 27,698.30           | 27,500.00       | 101             |
| TOTAL REVENUE                            | 118,898.95            | 1,324,697.95        | 1,226,500.00    | 108             |
| AFTER TRANSFERS                          | 118,898.95            | 1,324,697.95        | 1,226,500.00    |                 |
| <b>4110 GENERAL GOVERNMENT</b>           |                       |                     |                 |                 |
| <b>EXPENDITURE:</b>                      |                       |                     |                 |                 |
| 10-4110-126 FIRE DEPT SUBSIDIES          | 0.00                  | 24,675.00           | 24,675.00       | 100             |
| 10-4110-127 FIRE DEPARTMENT GRANT        | 0.00                  | 127,000.00          | 127,000.00      | 100             |
| 10-4110-128 POLICE PROTECTION            | 0.00                  | 199,084.98          | 210,000.00      | 95              |
| 10-4110-192 ATTORNEY FEES                | 16,292.41             | 146,777.77          | 175,000.00      | 84              |
| 10-4110-195 ELECTION EXPENSE             | 0.00                  | 1,669.75            | 6,000.00        | 28              |
| 10-4110-340 EVENTS & PUBLICATIONS        | 1,531.89              | 8,783.08            | 21,000.00       | 42              |
| 10-4110-495 OUTSIDE AGENCY FUNDING       | 0.00                  | 0.00                | 11,000.00       | 0               |
| TOTAL EXPENDITURE                        | 17,824.30             | 507,990.58          | 574,675.00      | 88              |
| BEFORE TRANSFERS                         | -17,824.30            | -507,990.58         | -574,675.00     |                 |
| AFTER TRANSFERS                          | -17,824.30            | -507,990.58         | -574,675.00     |                 |
| <b>4120 ADMINISTRATIVE</b>               |                       |                     |                 |                 |
| <b>EXPENDITURE:</b>                      |                       |                     |                 |                 |
| 10-4120-121 SALARIES - CLERK             | 4,333.34              | 47,649.50           | 50,000.00       | 95              |
| 10-4120-123 SALARIES - TAX COLLECTOR     | 3,051.17              | 30,713.73           | 36,325.00       | 85              |
| 10-4120-124 SALARIES - FINANCE OFFICER   | 896.35                | 9,163.46            | 10,000.00       | 92              |
| 10-4120-125 SALARIES - MAYOR & TOWN COU  | 1,750.00              | 21,000.00           | 21,000.00       | 100             |
| 10-4120-181 FICA EXPENSE                 | 757.90                | 8,304.23            | 9,000.00        | 92              |
| 10-4120-182 EMPLOYEE RETIREMENT          | 945.93                | 10,039.37           | 6,300.00        | 159             |
| 10-4120-183 EMPLOYEE INSURANCE           | 1,121.95              | 13,463.40           | 14,400.00       | 93              |
| 10-4120-184 EMPLOYEE LIFE INSURANCE      | 15.76                 | 189.12              | 230.00          | 82              |
| 10-4120-185 EMPLOYEE S-T DISABILITY      | 22.80                 | 273.60              | 300.00          | 91              |
| 10-4120-186 EMPLOYEE 401K                | 0.00                  | 0.00                | 4,050.00        | 0               |
| 10-4120-191 AUDIT FEES                   | 0.00                  | 7,100.00            | 7,300.00        | 97              |
| 10-4120-193 CONTRACT LABOR               | 35.00                 | 4,967.69            | 10,000.00       | 50              |
| 10-4120-200 OFFICE SUPPLIES - ADMIN      | 1,793.10              | 7,162.36            | 8,500.00        | 84              |
| 10-4120-210 PLANNING CONFERENCE          | 0.00                  | 528.04              | 5,000.00        | 11              |
| 10-4120-321 TELEPHONE - ADMIN            | 116.23                | 1,079.28            | 1,500.00        | 72              |
| 10-4120-325 POSTAGE - ADMIN              | 1,500.00              | 4,776.74            | 4,500.00        | 106             |
| 10-4120-331 UTILITIES - ADMIN            | 255.82                | 4,189.86            | 5,000.00        | 84              |
| 10-4120-351 REPAIRS & MAINTENANCE - BUIL | 3,600.00              | 7,245.42            | 7,500.00        | 97              |

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**TOWN OF WEDDINGTON  
REVENUE & EXPENDITURE STATEMENT**

FY 2008-2009

06/01/2009 TO 06/30/2009

|   | <u>CURRENT PERIOD</u> | <u>YEAR-TO-DATE</u> | <u>BUDGETED</u>    | <u>% BUDGET</u> |
|---|-----------------------|---------------------|--------------------|-----------------|
| 10-4120-352 REPAIRS & MAINTENANCE - EQU   | 1,465.33              | 18,187.14           | 20,000.00          | 91              |
| 10-4120-354 REPAIRS & MAINTENANCE - GRO   | 790.00                | 4,005.00            | 22,500.00          | 18              |
| 10-4120-355 REPAIRS & MAINTENANCE - PES   | 0.00                  | 430.00              | 1,500.00           | 29              |
| 10-4120-356 REPAIRS & MAINTENANCE - CUS   | 400.00                | 5,067.00            | 5,750.00           | 88              |
| 10-4120-370 ADVERTISING - ADMIN           | 76.18                 | 577.41              | 1,500.00           | 38              |
| 10-4120-397 TAX LISTING & TAX COLLECTION  | 45.00                 | 174.90              | 1,500.00           | 12              |
| 10-4120-400 ADMINISTRATIVE:TRAINING       | 265.00                | 5,178.86            | 6,600.00           | 78              |
| 10-4120-410 ADMINISTRATIVE:TRAVEL         | 758.60                | 5,872.11            | 6,500.00           | 90              |
| 10-4120-450 INSURANCE                     | 0.00                  | 17,180.46           | 22,000.00          | 78              |
| 10-4120-491 DUES & SUBSCRIPTIONS          | 120.00                | 13,886.94           | 20,000.00          | 69              |
| 10-4120-498 GIFTS & AWARDS                | 0.00                  | 1,969.51            | 2,500.00           | 79              |
| 10-4120-499 MISCELLANEOUS                 | 293.89                | 5,227.88            | 6,000.00           | 87              |
| 10-4120-500 CAPITAL EXPENDITURES          | 3,836.50              | 12,735.50           | 15,000.00          | 85              |
| <b>TOTAL EXPENDITURE</b>                  | <b>28,245.85</b>      | <b>268,338.51</b>   | <b>332,255.00</b>  | <b>81</b>       |
| <br>                                      |                       |                     |                    |                 |
| <b>BEFORE TRANSFERS</b>                   | <b>-28,245.85</b>     | <b>-268,338.51</b>  | <b>-332,255.00</b> |                 |
| <br>                                      |                       |                     |                    |                 |
| <b>AFTER TRANSFERS</b>                    | <b>-28,245.85</b>     | <b>-268,338.51</b>  | <b>-332,255.00</b> |                 |
| <br>                                      |                       |                     |                    |                 |
| <b>4130 PLANNING &amp; ZONING</b>         |                       |                     |                    |                 |
| <b>EXPENDITURE:</b>                       |                       |                     |                    |                 |
| 10-4130-121 SALARIES - ZONING ADMINISTR   | 4,333.34              | 43,429.10           | 65,575.00          | 66              |
| 10-4130-122 SALARIES - ASST ZONING ADMIN  | 595.55                | 7,562.07            | 9,000.00           | 84              |
| 10-4130-123 SALARIES - RECEPTIONIST       | 1,412.00              | 15,546.01           | 16,475.00          | 94              |
| 10-4130-124 SALARIES - PLANNING BOARD     | 1,250.00              | 16,400.00           | 17,500.00          | 94              |
| 10-4130-125 SALARIES - SIGN REMOVAL       | 306.27                | 4,049.12            | 5,145.00           | 79              |
| 10-4130-181 FICA EXPENSE - P&Z            | 604.12                | 6,890.64            | 8,125.00           | 85              |
| 10-4130-182 EMPLOYEE RETIREMENT - P&Z     | 764.72                | 7,406.91            | 6,325.00           | 117             |
| 10-4130-183 EMPLOYEE INSURANCE            | 945.95                | 10,558.45           | 13,000.00          | 81              |
| 10-4130-184 EMPLOYEE LIFE INSURANCE       | 12.01                 | 155.74              | 200.00             | 78              |
| 10-4130-185 EMPLOYEE S-T DISABILITY       | 6.00                  | 103.20              | 175.00             | 59              |
| 10-4130-186 EMPLOYEE 401K                 | 0.00                  | 0.00                | 4,050.00           | 0               |
| 10-4130-193 CONSULTING                    | 7,500.00              | 43,947.79           | 50,000.00          | 88              |
| 10-4130-194 CONSULTING - COG              | 624.25                | 11,471.65           | 12,500.00          | 92              |
| 10-4130-200 OFFICE SUPPLIES - PLANNING &  | 1,395.75              | 5,690.89            | 5,000.00           | 114             |
| 10-4130-201 ZONING SPECIFIC OFFICE SUPPLI | 0.00                  | 2,114.94            | 3,000.00           | 70              |
| 10-4130-215 HISTORIC PRESERVATION         | 0.00                  | 0.00                | 1,500.00           | 0               |
| 10-4130-220 PARKS & RECREATION            | 0.00                  | 0.00                | 75,000.00          | 0               |
| 10-4130-321 TELEPHONE - PLANNING & ZONI   | 116.23                | 1,079.31            | 1,500.00           | 72              |
| 10-4130-325 POSTAGE - PLANNING & ZONING   | 0.00                  | 926.00              | 3,500.00           | 26              |
| 10-4130-331 UTILITIES - PLANNING & ZONING | 255.85                | 4,190.12            | 5,000.00           | 84              |
| 10-4130-370 ADVERTISING - PLANNING & ZON  | 76.18                 | 803.52              | 2,000.00           | 40              |
| 10-4130-500 CAPITAL EXPENDITURES - P&Z    | 3,836.50              | 12,735.51           | 15,000.00          | 85              |
| <b>TOTAL EXPENDITURE</b>                  | <b>24,034.72</b>      | <b>195,060.97</b>   | <b>319,570.00</b>  | <b>61</b>       |
| <br>                                      |                       |                     |                    |                 |
| <b>BEFORE TRANSFERS</b>                   | <b>-24,034.72</b>     | <b>-195,060.97</b>  | <b>-319,570.00</b> |                 |
| <br>                                      |                       |                     |                    |                 |
| <b>AFTER TRANSFERS</b>                    | <b>-24,034.72</b>     | <b>-195,060.97</b>  | <b>-319,570.00</b> |                 |
| <br>                                      |                       |                     |                    |                 |
| <b>GRAND TOTAL</b>                        | <b>48,794.08</b>      | <b>353,307.89</b>   | <b>0.00</b>        |                 |

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**TOWN OF  
W E D D I N G T O N**

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**TO:** Mayor and Town Council

**FROM:** Kim Woods, Tax Collector

**DATE:** **July 6, 2009**

**SUBJECT:** 2008 Tax Settlement Statement

|                           |                    |
|---------------------------|--------------------|
| 2008 Tax Levy             | \$637,770.22       |
| Discoveries               | 270.22             |
| Interest Charges          | 2,412.60           |
| Refunds                   | 3,868.63           |
| Late List Penalties       | 168.90             |
| Adjust Under 2.00         | (25.96)            |
| Balance Adjustment        | (210.92)           |
| Exemptions                | (32,469.10)        |
| Overpayments              | (391.31)           |
| 2008 Collected            | (560,666.84)       |
| Interest Payments         | (1,572.13)         |
| Penalty Payments          | (101.33)           |
| Releases                  | (2,923.49)         |
| Tax Deferments            | (28,925.51)        |
| Under 2.00 Tax Write-offs | (259.69)           |
|                           |                    |
|                           |                    |
| <b>Total Outstanding:</b> | <b>\$16,944.29</b> |

2008 Collection Percentage 97.37%

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# TOWN OF WEDDINGTON

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## MEMORANDUM

**TO:** Mayor and Town Council

**FROM:** Kim Woods, Tax Collector

**DATE:** July 6, 2009

**SUBJECT:** Monthly Report – June 2009

|  |             |
|--|-------------|
| Adjust Under 2.00  | \$(3.10)    |
| Interest Charges   | \$130.10    |
| Pay Interest & Penalties                                     | \$(71.26)   |
| Refunds  | \$118.90    |
| Releases   | \$(69.71)   |
|  |             |
| Taxes Collected:   |             |
| 2008   | \$(1430.37) |
| 2007   | \$(47.10)   |
| As of June 30, 2009; the following taxes remain Outstanding: |             |
| 2001   | \$9.18      |
| 2002   | \$89.53     |
| 2003   | \$210.27    |
| 2004   | \$290.19    |
| 2005   | \$428.35    |
| 2006   | \$376.64    |
| 2007   | \$1860.18   |
| 2008   | \$16944.29  |
|  |             |
| Total Outstanding:   | \$20208.63  |