**Caswell County Planning Board Meeting**

**November 27, 2018**

Members Present:

Russell Johnston *Chairman*, Ron Richmond, Ray Shaffner, Keith Blalock, Michael Poteat *Vice-Chairman*, Steve Harris, Jason Daniel, and Don Swann.

Members Absent:

Commissioner William Carter.

Mr. Johnston called the meeting to order at 1:00p.m.

Approval of the Agenda

Mr. Swann motioned to approve the agenda, seconded by Mr. Daniel. The motion carried unanimously.

Public Comments

There were no public comments.

Approval of Minutes

Mr. Harris motioned to approve the August 28, 2018 minutes, seconded by Mr. Daniels. The motion carried unanimously.

New Business

*Review of UDO Section 9, Part 2*

Mr. Johnston questioned if manufactured homes were listed under section 9. Mr. Hoagland replied yes. Mr. Johnston questioned if there were any improvements or changes that needed to be made. Mr. Hoagland replied no, but the board may want to consider to adopting an eviction standard. It could be within the mobile home regulations because he has run into some issues with this in the past. Mr. Johnston questioned about the issues that came up. Mr. Hoagland replied that the issues where settled in court. Mr. Johnston questioned if it was something that the board should implement in the UDO far under statutes. Mr. Hoagland replied yes, this was added to the agenda to continue going through the UDO to see if there are any changes that the board would like to make. Mr. Johnston agreed to continue going through the UDO and questioned the board if they wanted to continue this process.

Mr. Shaffner stated that in article 9.21 at a previous meeting in 2013, which he thought the board had determined, due to some issues that other counties have had, that the UDO would not state an age limit on a mobile home that could move into the county or within the county. Article 9 section 9.21.1 states “No manufactured home older than 1976 shall be allowed to move into Caswell County. Manufactured homes which, at the time of construction, were not built to the standards of the national Manufactured Housing Construction and Safety Standards Act of 1974 (effected 1976) are prohibited within Caswell County under this article.”

Mr. Johnston stated that the old rule was ten years outside the county and twenty years inside the county. Mr. Shaffner questioned the revision and thought there was a stipulation that every mobile home moved should be inspected by the Building Inspector at the owner’s expense. Mr. Johnston stated that he did recall that. Mr. Shaffner stated that he thought the board was avoiding looking at the year of a mobile home, because a fairly new mobile home could be in worse shape than an older mobile home; having the homes inspected would solve this issue.

Mr. Poteat stated that he recalled the board discussing this and that it would be left to the Building Inspector to make that call. One reason the board decided on taking the age of a home out of article because of a court case that happed at a bordering county. Mr. Shaffner agreed that there were two court cases and the county lost. Mr. Poteat stated, because one of the mobile homes was older and in better shape than a new home.

Mr. Richmond questioned, was one of the issues the masonry foundation. Mr. Shaffner stated no, that is Article 9 section 9.21.3.

Mr. Johnston stated, currently any new home construction must be inpected by the Building Inspector.

Mr. Shaffner stated, then it got down to who had to pay for the inspection, that the board had took it to the Board Commissioners and that it would be the owners responsibility to get the home inspected.

Mr. Hoagland stated that working with Mark Jones, the current Building Inspector on a daily basis, that he does not like to see homes built before 1980 which is more restrictive than the 1976 act. Mr. Shaffner stated that the issue was with the type of wiring. Mr. Hoagland stated, he has had some inquires about re-wiring mobile homes per the UDO, and if a manufactured home built in 1968 will not be able to be removed it off the premises, but if they can leave it and renovate it. Mr. Shaffner stated, originally mobile homes outside the county were more restrictive than mobile homes within the county.

Mr. Johnston questioned the board if they should get the Building Inspectors opinion. Mr. Blaclock stated that he did not agree with that because, we would be going by one man’s opinion.

Mr. Hoagland questioned would it be wise to ask the Building Inspector about what the State Laws are on manufactured homes. Mr. Shaffner agreed. Mr. Blaclock stated yes, Mark Jones would know the State Laws as far as wiring but, we are talking about at the County level not the State level. Mr. Shaffner stated that the board would still get with Mark Jones. Mr. Blaclock disagreed.

Mr. Harris questioned how often we have an older mobile home that wants to move into the county. Mr. Hoagland replied not often.

Mr. Shaffner stated this issue originally started when landowners would put up a temporary mobile home until construction of their new home is complete. Mr. Blaclock stated they would ask for that when they asked for a variance. Mr. Shaffner stated that variances was given to homes that do not have to be permanently skirted for temp site mobile homes. The State set that for a three year period and it should not take that long to build a site built home. Mr. Blaclock stated it takes longer to build now due to financing. Mr. Shaffner stated that the variance under current state statue in the UDO allows them to setup a mobile home with temporary skirting up to three years, then after that they can ask for a variance or for an extension. Mr. Johnston stated, under this provision it states certain mobile homes have to meet the Standards of Manufactured Housing Construction Safety Standards Act of 1976. Mr. Shaffner stated yes, there was just an issue with the age. Mr. Hoagland stated that he would check into some of the court cases, legality, and North Carolina building codes depending on the pleasure of the board. Mr. Johnston questioned what the pleasure of the board was. Mr. Blaclock made a motion to leave Article 9.21 as it is, seconded by Mr. Richmond. The motion carried by a vote of 6 to 1, with Mr. Shaffner voting no.

Mr. Johnston stated, if there are any changes made in State Laws then the changes will be made. Mr. Shaffner stated that there have been a lot of changes since 2013 when the UDO was adopted.

Mr. Johnston questioned the board if they wanted to take some time and go over Article 9 and bring it back to the next meeting.

Mr. Hoagland stated that he receives questions on skirting very frequently. Mr. Johnston questioned what kind of concerns are you hearing or questions. Mr. Hoagland replied there are new materials that are non-combustible, light weight and lower cost. Mr. Johnston replied as it states now the County only uses brick or concrete. Mr. Hoagland replied yes.

Mr. Daniel questioned if they are considering using masonry board. Mr. Hoagland replied possibly. Mr. Johnston stated that one reason it failed before at the Commissioners meeting was due to late of presentation of the temporary Building Inspector that the County had at the time. Mr. Hoagland stated that the county possibly set the standard for brick and concrete to improve the standards. Mr. Daniel stated that the board thought that the masonry foundation was such a high expense for something that deprecates so rapidly. Mr. Poteat questioned, should the board take it back to the Commissioners. Mr. Johnston agreed that Mr. Hoagland should get the Building Inspectors opinion on the skirting and take it back to the Commissioners. Mr. Shaffner stated when the original ordinance was done they did not have the alternative skirting, you only had two options fiberglass, or brick. Mr. Hoagland stated they have removed materials that are non-combustible and light weight. Mr. Shaffner stated, that in the past a representative from Clayton Homes came before the board and showed them examples and the Planning Board approved them but, the Commissioners voted against it. Mr. Daniel stated that he is in favor of bringing it back to the board. This is a rural county and we don’t have apartments where young people starting out can live. Most young people start out in a mobile home and we need to have different options for them. Mr. Blaclock stated that the board has discussed in the past if a couple wants to rent a lot to place their mobile home on and spend roughly $5,000 on the skirting. Then years later they relocate the mobile home but they $5,000 worth of skirting is left behind and agreed with Mr. Daniel that the County needs to provide more options. Mr. Daniel replied the board could get a representative from Clayton Homes in Roxboro. They have come to meetings in the past and they could show all the new products they have to offer. Mr. Harris stated he had seen in other Counties where they use the concrete board and he thought it looked good. Mr. Shaffner agreed, to get in touch with the Building Inspector and to get his opinion on the new skirting and possibly take it to the Commissioners. Mr. Johnston stated that if the State Laws approve some of the materials it will more in likely be approved by the Commissioners. Mr. Johnston stated to Mr. Hoagland, get in touch with the Building Inspector and see what the State codes will allow, depending on the pleasure of the board. Mr. Hoagland questioned if the board wanted him to prepare anything for the next meeting. Mr. Daniel stated that he would also like to know other surrounding Counties regulations.

Mr. Shaffner questioned the length of the temporary site placement for mobile homes, did it need to be three years. Mr. Blaclock stated to leave it three years.

*UDO Plat Recording Amendment*

Mr. Hoagland stated that it has been brought to his attention from surveyors, when you have a lot that is sometimes under ten acres or over and it’s an older lot that has no previous existing map. The goal in changing the policy would be to avoid non-conforming situations and the property disputes in the future; should there be a provision in the UDO for the County to survey the property or use the current map that exists and allowed it to be subdivided. Creating an official map would prevent non-conforming situations and would make it easier for the Tax Office, Register of Deeds, and the property owners.

Mr. Daniel questioned, what if the surrounding properties surveys are up to date, will the survey still be required. Mr. Hoagland replied, if all parcels around the unmapped parcel are mapped….

Mr. Poteat questioned, why the size mattered. Mr. Hoagland replied, we could make it applicable to any size lot but there could be an issue if the lot is over ten acres. There is a County and State statute that exempts parcels over 10 acres from subdivision ordinances and rules. The County could look into it, but the expense could get costly when you survey fifty acres or more when and do not need to. Mr. Johnston stated that he understood the burden on the property owners but, did not think we could force someone to survey a portion of their land that they did not want to. Mr. Daniel, stated would that be a part of a loan stipulation that would require the land to be surveyed. Mr. Johnston replied that is a good point, but did not think it was a good idea for a land owner to have to survey there whole property if they are only building on one acre.

Mr. Daniel questioned how accurate are the County tax maps.

Mr. Harris stated you may run into parcels that are over a hundred years old that had landmarks as the boundaries. The cost of a surveyor can be very costly. Mr. Hoagland agreed, and the GIS system has a lot of maps in the system that are not up to date. There are some maps prior to 2014 that are not update also.

Mr. Johnston questioned what the pleasure of the board is, would the board like to continue with this process. Mr. Daniel replied to hold off. Mr. Hoagland suggested the board to continue to think about it.

Planning Department Updates

Mr. Hoagland stated that two new cell towers have been permitted to begin construction at Shaniqua Dr. and Rudd Ridge Rd. Two more towers have been approved within the past few years but not yet built upon.

Mr. Harris questioned are both towers AT&T. Mr. Hoagland replied the one in Yanceyville will be AT&T the tower in Prospect Hill will be Verizon. George Davis is the owner of the cell tower on Shaniqua Dr. he works with a group called Towercom that is out of Durham. Mr. Davis is a former County Planner and now builds cell towers and has also helped pass some State Laws with the General Assembly that govern cell towers. He also spoke with a group called LLC that has their business model basically deploying what is known as Fix It Wireless. This works by having one central location with high speed fibers that run to one location. Then there will be located one to three central antennas, located on a water tower, and from the antenna they send out a high broadband signal to induvial homes and there will be receivers located on the homes.

Mr. Daniel questioned the range of the towers. Mr. Hoagland replied five miles. Mr. Daniel questioned the height. Mr. Hoagland replied 150ft. Mr. Daniel questioned the cost for the consumer. Mr. Hoagland replied they have different packages starting at $45-$100.

Mr. Hoagland stated that he wanted to inform the board that the County Manager has deputized him to take the lead on cell tower/broadband deployment through the County. Also Mr. Davis has spoken to me about some UDO changes our UDO FFC and FFA standards they have already moved on to new standards. Our UDO still references the old standards we could do somethings that clarify. We also could increase the density of cell tower usage and reduce the mile range on towers. Mr. Johnston stated he thought the range between cell towers is ten miles.

Mr. Hoagland stated that if a property owner wanted to have a cell tower on their property we would conduct a Free Land Development to review the process and verify if their property would be eligible for a cell tower. Then we would have an inventory of available land owners who want cell towers.

Mr. Daniel questioned what the standard fee they pay land owners is. Mr. Hoagland replied he was not sure.

Mr. Poteat questioned what the minimum land size that is required is. Mr. Hoagland replied he was not sure. Mr. Harris stated it depends on the height of the tower.

Mr. Johnston stated that there is a way on those providers website to submit an application to have a cell tower placed on your land. Mr. Johnston questioned Mr. Hoagland if he thought Mr. Davis would be interested in attending a meeting. Mr. Hoagland replied yes, he would be interested in attending a meeting. Mr. Johnston stated, is there anything the board could do to help with the application process. Mr. Hoagland replied make sure that all providers know that demand exists.

Mr. Poteat stated, if we need to make any changes to the UDO, the Commissioners would have to approve them. Mr. Hoagland replied correct.

Mr. Johnston questioned, in reference to the LLC, do they have to hook on an existing cell towers or can that hook on water towers. Mr. Hoagland replied yes, they would rather hook up on water towers. Mr. Daniel questioned how many water towers are in Caswell County. Mr. Hoagland replied four. Mr. Johnston stated there are two more potential towers that could be used. Mr. Hoagland replied he did not think the towers had to be located within the county.

Adjournment

Mr. Harris made a motion at 2:15p.m. To adjourn the meeting, seconded by Mr. Swann. The motion carried unanimously.

*The minutes above was recorded by Ashley Kirby, Administrative Assistant*