

Planning Commission Meeting Minutes

March 22, 2022

5:30pm

Public Meeting for Comprehensive Plan

Roll call was taken by Chairman Paul Zimmerman. Those in attendance are Chairman Paul Zimmerman, Ms. Dawn Grohs, Mr. Michael Flynn, Mr. Ken Hornowski, Mr. Jonathan Kanipe, Mr. Harry Buckner, and Mr. Billy Clarke.

Mr. Zimmerman said the purpose of this public meeting is to get resident input. Towns and villages are not allowed to enforce their own zoning regulations unless they have public input, a town survey, and a ten-year comprehensive plan that has been adopted by council. This has to be done by July 1st. The survey was used to create the ten-year plan.

The survey was conducted in November of 2021, 238 households responded. The overall score was 84. This is outstanding. A typical score around the United States is 74. The average of all the attributes listed in the survey is 75. Mr. Zimmerman said what people should know is the ratings for being a place proud to live in is 89. The police department received a rating of 93 and the public works department. The rating for protecting trees and tree canopies is 74. The lowest rating was having plans to guide future development and being consistent with enforcing zoning ordinances. There were average ratings on having parks that are being enjoyed by the community. Effective speed management received a score of 69 and social activities for the Town received a score of 68. Guidelines for buffering between neighbors was also rated quite low.

56% of people said they would like to see more walking trails throughout Town. The number of people were equal when it came to seeing more speed humps vs less speed humps. Many people wanted to see more planting of hardwood trees as well.

Another question asked by the Board is what their overall opinion about the Town of Biltmore Forest is. There were many different answers and this information is available on the Town's website for those that would like to view it.

Many people suggested having sidewalks throughout town and vegetation blocking views for drivers as a hazard. Clearing side easements would help tremendously. Speeding throughout Town

also came up for many. Another resident said the digital speed monitor should not have been taken down from Chauncey Circle and would like to see it on this street permanently.

Overall, residents' noted they are proud to live in the Town of Biltmore Forest and many gave high ratings to the police department, public works, and administration for their friendliness, openness, and high efforts.

Mr. Zimmerman said the public could now state their questions and comments. Ms. Angela Newnam asked how many people filled out on paper vs. online. Mr. Zimmerman said 35 people filled out the survey on paper and Mr. Zimmerman entered the results on the computer verbatim.

Mr. Michael Flynn reviewed the first three goals, which is to maintain our open and transparent Board of Commissioners, Town Administration, and the other committees. The strategy for these would be to maintain and improve the Town website to make it easier to find meeting dates, maintain easy access to the Town Manager, continue to have time at each meeting for public comment, and continue the newsletter to residents.

Mr. Flynn also said people are very appreciative of the policing in Biltmore Forest and that they should maintain this effectiveness. Some strategies for this are to maintain a visible presence at key intersections, evaluate alternative methods to reduce speed, support residents for special needs, and continue to support Asheville Police Department on issues that affect Biltmore Forest.

Regarding Public Works, they should maintain the current level of brush, leaf, and trash services while ensuring employee safety and health. They should also continue to maintain the clearing of public spaces, improve stormwater runoff and improve road safety conditions.

Mr. Phil Hardin asked how to formulate input or feedback. Mr. Kanipe said the Board and/or Jonathan will gladly take additional information after the meeting and Mr. Hardin can email them at any time with additional input.

Ms. Dawn Grohs spoke about the trees and the quote from 1925 in the sales brochure from Biltmore Estate Company when they were selling lots in Biltmore Forest. "Biltmore Forest is a community of beautiful homes set against majestic trees and spacious grounds." Thankfully, 100 years later, this can still be said. If we want to keep forest in Biltmore Forest, we should plant a significant amount of hardwood trees with the Town planting trees on public land and making about fifty hardwood trees available for homeowners to plant each year.

Mr. Drew Stephens said he respectfully disagrees that hardwood trees should not be the focus and would like to see conifer and deciduous trees. The evergreens buffer noise all year. Mr. Stephens was also concerned about the loss of trees on Hendersonville Road. There is more noise and more light coming in.

Mr. Brent Ford said one of the comments he has heard over the years is Biltmore Forest is "dark." Vanderbilt Road at Arboretum Road is an example of a place that is not dark and the area is well maintained and "clean." There are other places where it is too thick, there are trees and vines, and nothing can be seen. It would be nice to see through the forest and lose a tree or two to open things up for a sense of grandeur.

Ms. Angela Newnam said if one cuts down too many trees at one time, there are risks. Whatever is cut down, one will lose more than they realize. Ms. Newnam said it should reflect this in the tree ordinance. Ms. Newnam explained what the insurance company also says regarding removal of trees.

Ms. Louise Brackett asked if the Biltmore Estate could clean up along Vanderbilt Road or if anyone could clean this area up.

Mr. Brent Ford asked if all the land on Cedarcliff Road could be cleaned up also. Mr. Kanipe said all these areas are part of the Biltmore Estate up until the right-of-way.

Ms. Diane Zimmerman mentioned people replacing Dogwoods with hardwoods and they only have a twenty-year lifespan. It would good to replace it with something more permanent.

Ms. Megan Dugan would like to see ivy eradication and that the Town should develop an eradication program.

Mr. Chuck Hutchison said the questions seems slanted to what we already have not what would you like to see. Mr. Hutchison said we should enhance the beauty we already have and take it to the next level.

Mr. Phil Hardin spoke about fences causing problems by enclosing the animals.

Ms. Newnam asked if the Town considered changing the policy on the caliper of the trees. Mr. Zimmerman said we haven't gotten to this yet but will propose information like this to the Board of Commissioners.

Mr. Ken Hornowski talked about walking and biking safety and how to improve this. Possible solutions are to identify streets with the highest level of pedestrian usage and increase police presence and speed enforcement on those streets. Also to work with the Board of Commissioners to evaluate the possibility of dedicated bike or pedestrian path on Vanderbilt or Stuyvesant Roads, per the 2022 Transportation Study. Another suggestion is to work with homeowners whenever possible, remove landscaping that encroaches the 5 or 10 foot setback and/or reduces line-of-site visibility for drivers and walkers--- giving pedestrians a place to step off the road as necessary. Evaluate and improve the condition of the road berms and setbacks to eliminate drop-offs and ruts. Plant grass as necessary to eliminate mud.

Ms. Brackett would like to see two speed bumps between Buena Vista and Busbee Road.

Mr. Hardin asked about speed limits and speed bumps.

Ms. Diane Zimmerman said they put in a huge culvert by her house and there is a twenty-five foot drop. The only thing protecting this is a bunch of bushes. Ms. Zimmerman asked if a stone wall could be put in this area for safety purposes. Mr. Harry Buckner said this is certainly a safety concern and they will look at this.

Ms. Newnam asked how an Ordinance is written or changed. Mr. Kanipe explained the process. There are two separate portions to the Town's Code of Ordinances. The first is the Town Code, which covers non-land use regulated things. This is adopted by the Board of Commissioners and can be changed at any meeting. The Land Use planning requires a much more thorough process of review. This would go to the Planning Commission first and they have to find the proposed Ordinance is consistent with the Town's Comprehensive Plan. The recommendation then goes to the Board of Commissioners where a Public Hearing is held.

Mr. Hornowski discussed speeding and control speeding by reducing the average speed on Town streets. One of the ideas was to add stop signs at intersections where they are needed and have been approved, e.g. Busbee and Vanderbilt. Another suggestion was to increase enforcement of existing speed limits and finally increased presence of speed monitors where speeding is a problem.

Mr. David Nelson said the fine for speeding in Europe is hundreds of Euros and maybe this should be considered and send a message. Chief Beddingfield said it is actually regulated by the State and the court costs is approximately \$150. The elected District Attorney doesn't want us to enforce unless it is 12-15 mph over the speed limit. Safety is the biggest priority for the police department and they are trying to improve any way they can. There is always room for improvement.

Ms. Dugan asked about the "children playing" sign. Mr. Kanipe said they do not want to encourage children to play in the road. Mr. Kanipe said the transportation study takes into account of what the Town wants to do from a design standpoint. Mr. Buckner said those signs were eliminated as inappropriate and recommended they be taken down.

Ms. Sheila Horine said there are certain times of day where people don't see walkers and bikers due to the sun being so bright. Ms. Horine suggested people drive carefully and be aware of their surroundings. Ms. Horine suggested saying something in the newsletter about pedestrians wearing bright clothing. Ms. Dugan also suggested something being put in the newsletter about driver's being cautious around pedestrians as well. Ms. Newnam suggested adding, "crush and run" on the sides of the road. It is safe to walk on and bike on that is not grass. Mr. Hardin also gave ideas for asphalt type materials.

Mr. Michael Flynn discussed the topic of developing new off-street walking paths in Biltmore Forest. Suggestions were to develop a plan for walking paths that join existing parks or allow walking within one park. Also, ensure the paths are easily accessible to people with special needs and have adequate places to rest such as benches or use of existing historical bus stops.

Ms. Laura Wrenn commented about trails and trail ways and had three categories of questions. Looking for verbatim responses to the Planning Committee survey, (this information is available on the Town's website). Ms. Wrenn asked where the forty-nine acres is going to be developed and wanted to know how residents and construction vehicles get in and out of the forty-nine acres as it is being developed. Ms. Wrenn passed out a handout (attached to these minutes) and had fifteen points for the Board to consider. Mr. Zimmerman said with respect to the forty-nine acre lot, they haven't heard anything about what will be done with it. Mr. Kanipe said he met with the owner of the property and there were no plans of developing anything at this time.

Ms. Horine asked about pieces of right-of-ways throughout Town. An example was the Brookside and Westwood Road transition; there is a cut-through over to Greenwood. There are also some tucked in between houses. Mr. Kanipe said there are up to fifteen throughout the Town. These are owned by Biltmore Farms except for the one at the end of Greenwood Place. They may have originally be put there for sewer and utility easements.

Ms. Dawn Grohs discussed the Ordinances and how to make sure existing Zoning Ordinances are equitably enforced. Suggestions are to hire a person who has enforcement as their primary responsibility, ensure the Town management and government will support and encourage enforcement, and develop a clear table of consequences, such as fines, for non-compliance.

Mr. Stephens said he is not interested in hiring someone to work for the Town for enforcement. There are tools and technology to communicate with citizens such as GIS tools. He does not want to see human resources go toward enforcement.

Mr. Brent Ford said he likes the Town is focusing on parks and public spaces but would also like to see entrances of the Town, especially at Busbee and the entrance to the Parkway beautified.

Mr. Art Kiser is embracing the historical legacy is a good idea and listening to others throughout Town. Mr. Kiser also suggested there be term limits and thanked the previous people that have served the Town.

Mr. Daniel Lopez moved in six years ago and moved here because of undisturbed forest. Mr. Lopez is worried about the impact of undeveloped land and the impact on trees and wildlife. Mr. Lopez provided a full report for the Planning Commission that is attached to these minutes.

Mr. Flynn discussed parks and discussed the suggestions for the future. The first goal is to continue plans for Greenwood Park upgrades and other park invasive plant removal, establish a team of residents to evaluate all of the parks and public spaces for upgrades to play structures, electrical, trashcans and water access.

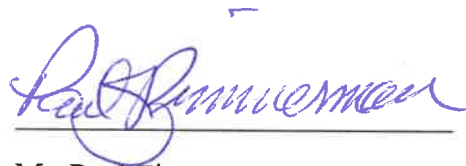
Mr. Zimmerman adjourned the meeting at 7:01 pm.

The next meeting is scheduled for April 26, 2022 at 5:30pm.

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Ms. Laura Jacobs, Town Clerk

Town Clerk

A handwritten signature in blue ink that reads "Paul Zimmerman". The signature is written in a cursive style and is positioned above a horizontal line.

Mr. Paul Zimmerman

Chair
