



**TOWN OF GRANITE QUARRY
BOARD OF ALDERMEN
REGULAR MEETING MINUTES
Monday, October 11, 2021
7:00 p.m.**

Present: Mayor Bill Feather, Mayor Pro Tem John Linker, Alderman Jim Costantino, Alderman Kim Cress, Alderman Doug Shelton

Staff: Town Manager Larry Smith, Town Clerk Aubrey Smith, Town Attorney Chip Short, Finance Officer Shelly Shockley, Fire Chief/ Public Works Director Jason Hord, Police Chief Mark Cook, Town Planner Steve Blount, Police Sergeant Richard Tester

Call to Order: Mayor Feather called the meeting to order at 7:00 p.m.

Determination of Quorum: Mayor Feather determined there was a quorum present.

Moment of Silence: Mayor Feather led a moment of silence.

Pledge of Allegiance: The Pledge of Allegiance was led by Mayor Feather.

1. Approval of the Agenda

ACTION: Alderman Costantino made a motion to approve the agenda. Mayor Pro Tem Linker seconded the motion. The motion passed 4-0.

2. Approval of the Consent Agenda

A. Approval of the Minutes

1) Regular Meeting Minutes September 13, 2021

B. Departmental Reports

C. Financial Reports

D. 2022 Board of Aldermen Meeting Schedule and Town Hall Holiday Closing Schedule

ACTION: Mayor Pro Tem Linker made a motion to approve the consent agenda. Alderman Shelton seconded the motion. The motion passed 4-0.

3. Citizen Comments – There were no citizen comments.

4. Guests and Presentations – There were no guest presentations.

5. Town Events

- **Granite Fest** - Saturday, October 16, 2021 3:00 p.m. at Granite Civic Park

6. Town Manager's Update

Manager Smith reviewed highlights from items on his report in the agenda packet. He stated the refurbishment of Engine 572, reported on in a recent update, had since been scheduled. He also mentioned that the Fire Department Auxiliary Port-a-Pit sold 500 plates and the Lake Park lights are now fixed.

Alderman Shelton asked for an update on the easement issues at Balfour Quarry. Manager Smith responded that the property owner was researching for a potential easement where the area was cleared on town property after none had been found by the Town Manager, the Town Attorney, Duke Energy, or Rowan County. The property owner has been asked not to clear any more of the property. Alderman Shelton asked about recruiting efforts for committees and Clerk Smith shared efforts were ongoing and that committee members had been asked to help recruit also.

Board members asked about Village at Granite updates. Planner Blount responded that LGI's engineer is working on final drawings that will be submitted in the near future. Phase III, which includes plans for townhomes on the front of the property, is in the approval process.

Old Business

7. Discussion

Bike Park Lease Agreement

Mayor Feather asked the Board members how they would like to proceed.

ACTION: Mayor Pro Tem Linker made a motion to accept the Granite Quarry Athletic Club's request to rescind the Lease Agreement and allow the Club 30 days to remove any of its personal materials it may want from the property. Alderman Cress seconded the motion. The motion passed 4-0.

Mayor Pro Tem Linker asked Attorney Short about liability issues. Attorney Short was in favor of putting up "No Trespassing" signs. Alderman Shelton asked if the Board really wanted to stop the bike trails from being used. Mayor Pro Tem Linker recommended putting up "No Trespassing" signs now and then discussing the property during the next Planning Retreat. Alderman Costantino was in favor of discussing use of the property and its potential in the future. Alderman Cress stated his biggest concern was the town's liability. Alderman Shelton stated that he was in agreement with ending the contract, but his concern was posting public property. He further stated that he didn't see the liability being any greater than that of any other town property.

Attorney Short stated that whether there was increased liability was a question for the town's insurance company. He suggested discontinuing use of the property until it was inspected, determined to be safe, and had been reviewed with the insurance company.

Mayor Pro Tem Linker suggested, based on Attorney Short's advice, that Manager Smith reach out to the insurance company about the property and then the Board decide the next step. Alderman Shelton questioned whether the property should be posted pending that review. Manager Smith stated that the property was not the same as town parks because the Town did not construct, does not inspect, and does not maintain the trails. The stream crossing and emergency response issues are also concerns.

ACTION: Alderman Shelton made a motion to post the property pending review (*with insurance*). Mayor Pro Tem Linker seconded the motion. The motion passed 4-0.

New Business

8. Public Hearing UDO Text Amendment Residential Fence Standards

Planner Blount reviewed the proposed text amendment regarding residential fence standards to the Unified Development Ordinance that was included in the agenda packet.

Opened: Mayor Feather opened the public hearing at 7:23 p.m.

Comments: None

Closed: Mayor Feather closed the public hearing at 7:23 p.m.

The Board asked questions regarding fences for swimming pools and fence maintenance requirements. Planner Blount responded with examples of what would and would not be acceptable. Alderman Shelton stated he felt the amendment was intrusive and would make a large number of fences in the town and ETJ non-conforming.

Staff recommended that the Board make a motion to adopt Ordinance 2021-17 to amend the text of the Unified Development Ordinance for residential fence standards and approve the statement of consistency and reasonableness as written.

ACTION: Alderman Costantino made a motion to approve the changes (*Ordinance 2021-17 to amend UDO text for residential fence standards*). Mayor Pro Tem Linker seconded the motion. The motion passed 3-1 with Alderman Shelton opposed.

Statement of Consistency and Reasonableness:

In voting to adopt the proposed text amendment to the Unified Development Ordinance, the Granite Quarry Board of Aldermen does find this decision to be in the best interest of the public and to be consistent in general with policies stated in the Town's Comprehensive Plan.

ACTION: Mayor Pro Tem Linker made a motion to approve the statement of consistency and reasonableness as written. Alderman Costantino seconded the motion. The motion passed 3-1 with Alderman Shelton opposed.

9. Public Hearing UDO and Code of Ordinance Text Amendment Driveway Standards

Planner Blount reviewed the proposed text amendments to driveway standards included in the agenda packet. Two options were presented. Planner Blount handed out a correction to page 3 of Option 1.

Opened: Mayor Feather opened the public hearing at 7:42 p.m.

Comments:

- Mike Brinkley, 115 South Jack Street – spoke as a Planning Board member and requested that the text amendment be sent back to the Planning Board for further review.

Closed: Mayor Feather closed the public hearing at 7:43 p.m.

ACTION: Alderman Costantino made a motion to send it (*text amendments to driveway standards*) back to the Planning Board. Alderman Shelton seconded the motion. The motion passed 4-0.

Board Comments

- Alderman Cress complimented the Lake Park and stated that they did a great job and he's heard several good things from residents about the improvements.
- Alderman Shelton thanked the Planning Board for their hard work.

10. Mayor's Notes

A. Wednesday	October 13
B. Thursday	October 14
C. Saturday	October 16
D. Monday	October 18
E. Tuesday	October 19
F. Thursday	October 21
G. Wednesday	October 27
H. Monday	November 1
I. Tuesday	November 2

Announcements and Date Reminders

5:00 p.m.	Centralina Board of Delegates Meeting (<i>virtual</i>)
6:00 p.m.	Community Appearance Commission
3:00 p.m.	Granite Fest
5:00 p.m.	Parks, Events, and Recreation Committee
3:30 p.m.	Revitalization Team
7:30 a.m.	Rowan Chamber Power in Partnership
5:30 p.m.	Cabarrus-Rowan County MPO TAC (<i>virtual</i>)
6:00 p.m.	Planning Board
	Election Day

Adjournment

ACTION: Mayor Pro Tem Linker made a motion to adjourn. Alderman Costantino seconded the motion. The meeting ended at 7:51 p.m.

Respectfully Submitted,

Aubrey Smith

Town Clerk

ORDINANCE NO. 2021-17

AN ORDINANCE AMENDING TEXT OF THE TOWN OF GRANITE QUARRY'S UNIFIED DEVELOPMENT ORDINANCE

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF GRANITE
QUARRY:**

Section 1. Text related to residential fence standards will be revised as follows:

8.4.2 Residential Fence Standards.

A. Installation of Fences.

1. A zoning permit is required for all fences. The property owner shall submit a sketch plan along with the permit application showing the fence location, heights, building materials, setbacks from property lines, etc. The following standards shall apply to all fences.

Table 8.4: Fence Height Restrictions

Front Yard Fence Max. Height	Side Yard Fence Max. Height	Rear yard fence Max. Height
3'	6'	6'

2. Requests may be made to the Zoning Administrator for fences of more than the maximum height limit due to site constraints such as topography for a determination if the fence meets the intent of the ordinance.
3. Fence installation must meet building setbacks when property is adjacent to a public street.
 - a. Maximum 3-foot-tall decorative fences may be installed at property owner's side of sidewalk (if sidewalks do not exist, setback shall be measured to where a sidewalk might be added in the future) on front and side yards adjacent to public streets.
 - b. 6-foot-tall fences are allowed facing the front yard when attached to the front building corners and run parallel to the front face of the building. They may not protrude further into the front yard than the face of the building.
4. Fences must be installed with the finished side out, facing the perimeter of the lot.
 - a. Fences must be set back from property lines an amount adequate (min. 3') to provide for maintenance without trespassing on neighboring property.
5. Corner lot installations must not obstruct vision as stated in guidelines of Chapter 3, section 3.4(D).

B. Prohibited fences.

1. Chain link and/or metal-slat in front yard.

Fences and walls constructed of chain link or metal slats shall be prohibited within the front yard, and/or side yard of corner lots in all residential zoning districts.

2. Barbed wire and above ground electrified fences.

Except as needed for Agriculture uses, major utilities, government facilities, and other public safety uses, barbed wire fences and above ground electrified fences are prohibited in all zoning districts. Underground electric fences designed for control of domestic animals are permitted but must be setback from sidewalks (if sidewalks do not exist, setback shall be measured from where a sidewalk might be added in the future) by at least 10 feet and signs must be provided spaced no more than 50' apart indicating dogs are controlled by an underground electric fence.

3. Debris, junk, rolled plastic, sheet metal, plywood or other waste materials.

Fences or walls made of debris, junk, rolled plastic, sheet metal, plywood or waste materials are prohibited in all zoning districts, unless such materials have been recycled and reprocessed into building materials marketed to the general public and resemble new building materials.

4. Other materials that might not normally be used for fencing that are determined objectionable by the Zoning Administrator

C. Maintenance of Fences.

All fences and walls shall be maintained in good repair and in a safe and attractive condition, including but not limited to replacement of missing, decayed or broken structural and decorative elements. All fences and walls shall receive regular structural maintenance to prevent and address sagging and weathering of surfaces visible from the public right-of-way. Any deteriorated, damaged or decayed fence materials shall be promptly repaired, and any fence or wall post or section that leans more than 20 degrees from vertical shall be promptly repaired to correct that condition. Grass, shrubs, vines, etc. growing along both sides of the fence line must be maintained by the property owner. Fences must be set back from property lines an amount adequate (min. 3') to provide for maintenance without trespassing on neighboring property.


D. Exceptions

In no instance shall fencing around stormwater retention or detention facilities as required by this Ordinance be prevented by this section.

Section 2. All ordinances in conflict herewith are repealed to the extent of any such conflict.

Section 3. This ordinance is effective on the 11th day of October 2021.





William D. Feather, Mayor

ATTEST:

APPROVED AS TO FORM:


Aubrey Smith, Town Clerk


Carl M. Short, Town Attorney