



MINUTES

The Holly Springs Town Council and Planning Board met in a joint workshop session on Tuesday, October 29, 2024 at the Law Enforcement Center. Mayor Mayefskie presided, calling the meeting to order at 6:00 p.m. A quorum was established as the Mayor, four Council members, and seven Planning Board Members were present in the room as the meeting opened.

Council Members Present: Mayor Sean Mayefskie, Mayor Pro Tem Dan Berry, Council members, Danielle Hewetson, Annie Drees, and Chris Deshazor.

Council Members Absent: Council member Tim Forrest.

Planning Board Members Present: Ernie Carpico, Van Crandall, Joanna Holder, Rick Madoni, Joseph Cuccurullo, Thomas Urquhart, and Sara Kempin

Planning Board Members Absent: Josh Prizer, Roger Bess

Staff Members Present in the room: Randy Harrington, Town Manager; Linda McKinney, Town Clerk (recording the minutes); Daniel Weeks, Assistant Town Manager; Scott Chase, Assistant Town Manager; John Schifano, Town Attorney; Elizabeth Goodson, Sean Ryan, James Smith, Chris Taylor, Connor Ryan, Christopher Garcia, Brett Gosney, Daniel Pope, Cheryl Caines, Catherine Jacobs, Elliot Blonshine, Julie Nicewinter, Mackenzie Fretz, and Nikki St. Pierre, Development Services;

Mayor Mayefskie called the meeting to order at 6:00 p.m.

1. Welcome and Introductions: Mayor Mayefskie welcomed everyone and started the introductions.

2. Guided Discussion

Sean Ryan, Development Services, said that tonight was a forum for Council and Planning Board to discuss decision making, information sharing, and strategic direction. He outlined the differing responsibilities of the governing body versus an advisory board like the Planning Board and outlined the three areas of discussion on tonight's agenda.

a. Decision Making Alignment

Mr. Ryan said that in legislative cases NCGS 160D states that the Planning Board shall make a written recommendation to the governing board, but that the governing board is not bound by said recommendations. In quasi-judicial decisions, the statute states that while the Planning Board may provide a preliminary forum for review, "no part of the forum or recommendation may be used as a basis for the deciding board." He said that statistically, for cases between January 1, 2022 and September 1, 2024, Planning Board and Council have been aligned 94% of the time. He asked if this met expectations.

Council member Deshazor said he finds the discussions of Planning Board to be very helpful. Mr. Carpico said that 94% is a pretty high number. He asked what the differences were when the boards are not in agreement. Mr. Ryan said we would touch on that in a later section

of the discussion, but it is related to scope, and the different scope of Planning Board decisions versus Council decisions.

Ms. Holder said a high alignment was a good thing. Planning Board is there to provide guidance and if the percentage were lower Planning Board would not be doing their job. Mr. Madoni said that he thinks Council gets more information than Planning Board. Some of the things we complain about, the applicant then adjusts before bringing their project to Council, so he was surprised alignment was that high. Council member Hewetson said if it was much higher she would worry that Council wasn't doing their job. Having some discrepancy means we're looking at things deeply. Mr. Crandall said that if we are all following general statutes, then it should be a high percentage of alignment. John Schifano, Town Attorney, said that with legislative decisions there is no statutory requirement. You are passing a law. So there's no statute directing you. You have discretionary action so the 6% difference is discretion. Elizabeth Goodson, Development Services, said we might talk later about when you might want alignment to be different and when the same.

b. Information Sharing and Analysis

Ms. Goodson said that this section would be to outline how information and analyses is shared with both groups. She said that in general both groups get the same information. If there is additional information to Council it is generally in reaction to what was said at Planning Board.

Ms. Goodson said that using numbers from 2023 there were 97 general inquiries in the course of that year. These lead to 27 sets of "sketch plans" or "pre-submittals" where an applicant has decided a project is viable enough to proceed to the next step. From those, 23 proceeded to the stage where plans are submitted, and of those 23, 17 projects were approved. She said that most of the changes in staff reports between Planning Board and Town Council is due to reactions the applicant heard at Planning Board and adjusted before going to Council.

Ms. Goodson outlined the timeline of public input, from neighborhood meeting to staff review, to public hearing, to Planning Board meeting, to Council meeting. She said the move of the public hearing to before Planning Board may make for fewer changes between Planning Board and Town Council because the applicant would have received feedback sooner. She outlined the new Planning Board Action Report which is being provided to Council, focusing specifically on the issues and concerns discussed and the Plan Consistency Statement with summary of vote.

Ms. Goodson said that Planning Board does not get public comment as frequently as Council does. She said this might be a good time to discuss what Council does with public comments and how Planning Board can use that information.

Mr. Carpico said historically Planning Board gets very little public input and it would be helpful to us to receive that feedback. This will help the Planning Board make better decisions. Ms. Holder asked if notices go out when there is an adjacent neighborhood affected. Ms. Goodson said notice is tied to the public hearing, so moving the hearing will get those notices out earlier.

Mayor Mayefskie said some of the information may not be readily available and the applicant may change what's there. He asked how we get that information out to the public. Ms. Goodson said with the hearing before the Planning Board action the public will have the agenda packet and all the information in it. There won't be much time between the public hearing and the Planning Board meeting. Mr. Ryan said it depends on how substantial the change is. If it is substantial it will go on the development web page. A large change could also slow the process, making it go to a later set of meetings. And if they spoke at the public hearing the Town Clerk will have their contact information. Mr. Schifano said there can be another neighborhood meeting required if the change is substantial. Council member Drees said public input does not directly change her evaluation, but it gives her details to dig into to see how they affect the project. Council member Hewetson said public input should be used, but there are certain patterns that she notices, and they can affect her decision less, depending on the type of

development and where it is located. It should be used, but you have to use discretion on how to use it. Mr. Carpico said we will always get the “not in my backyard” comments; they won’t necessarily sway our decision. Ms. Kempin said that she has seen developers use the process and the input from neighbors to help them design what they bring before Planning Board and Town Council. Ms. Goodson said part of the reason for the multiple steps is so an applicant can address the concerns they hear from the public.

Council member Deshazor said he has learned in the last few months that residents will email a blanket email to all the elected officials, and we all respond in a different way. If you talk to the residents, you’re going to get different perspectives. We have to hear the residents, but they come to Council more than they do to Planning Board, and they may come to some of us but not all of us. That is still information.

Randy Harrington, Town Manager, said one of the challenges Council faces is weighing the private interest versus the public impact. Also, residents do not always have an awareness of what long-term plans are. That’s another piece Council has to weigh. Planning Board doesn’t have this tool, but Council can defer action. It’s a tool they have to negotiate, or to convey a message that there is potential, but the project is not there yet. It can be an effective tool.

Ms. Goodson outlined the Communication Protocol Policy of 2005 and its order of communication from Board member to Board Chair to Department Director to Town Manager to Town Council, and asked if this policy still met expectations. Mayor Mayefskie said he was aware of it working in the opposite direction. Mr. Schifano said we are a public body – everything we do is public and nothing is secret, but we have to run efficiently, so this policy was developed to make things move smoothly. It keeps things from being discussed among two individuals rather than between the two groups as a whole. It is a way of thinking about how we can communicate effectively. If something is important to the whole group, we want to make sure that there aren’t factions forming and that communications flows through the chairs. He said if it needed to be tweaked, it was Council’s policy, but it has served us well to this point. Ms. Holder said it was a great protocol and was contingent on trust. She trusts the Board Chair to communicate anything she shares. Council member Drees said she was glad we were sharing this.

Council member Deshazor brought up how the Planning Board representative shares information at Council meetings. Ms. Goodson asked him to share what would be most helpful. Council member Deshazor said he wants to hear what the discussion was about; was everyone for it; if not, how many dissented? That is good for Council to see. Council member Drees said that it is helpful if an issue is talked about, like tree preservation, that the conclusion be included, if there was one. Mayor Mayefskie asked if Planning Board meetings were videotaped. Mackenzie Fretz, Development Services, said they are videoed and saved until the minutes are approved and then the recording is deleted. Mayor Mayefskie asked if there was a way for Council to view the video. Mr. Harrington said it was doable. Council member Deshazor said that was not what he was asking for. He was looking at what a Planning Board representative reports at the Council meetings. Mr. Carpico asked if Council member Deshazor wasn’t getting the information he needed and was asking for a more consistent presentation. Council member Deshazor said he doesn’t need them to be consistent; he likes the different flavors. But he wanted to know if everyone is getting what they need. Ms. Goodson said the outcome of the Planning Board is the result of the vote, so that is what is reported in the staff report. Mr. Crandall discussed his process when he is the representative at a Town Council meeting. MPT Berry said he is getting what he needs from the report and the presenter. He is most interested in the dissent and the “why” of the dissent. He wants to be sure those voices are being heard, so please call out, if it is not unanimous, why the dissenting votes were cast.

c. Council Direction for Planning Board

Mr. Ryan, said this last section was to explore how the Planning Board can strengthen their advisory role for Town Council decision making. He discussed the streamlined staff reports

that provide a simplified and predictable format with maps and charts for easier reading. In addition, staff provides analysis of policy, plans, and adequacy of public infrastructure and services. He said staff has implemented recommendations based on the ordinance and policy compliance and best practices.

Mr. Ryan said that, using the same cases between January 1, 2022 and September 1, 2024, 69% of the time Planning Board's recommendation was unanimous, 17% of the time there was one dissent, and 15% of the time there were multiple dissents. He asked Council what story they thought it told if the vote was unanimous versus if there were dissents. Council member Hewetson said a unanimous vote feels easier, that there is less to read into the report. A unanimous Planning Board vote that matches the recommendation by staff gives her less of a feeling that she's missing something. If there is dissent she wants to know why the dissent and what they are thinking. MPT Berry said there are nine members on Planning Board and there should be different opinions. There are nine for a reason: you know different people; you live in different areas. Dissent is an important part of the process and he wants to see that. Council member Deshazor said that if Planning Board's recommendation is unanimous and he disagrees, then he really wonders. He said don't be afraid to dissent. It is helpful to the process.

Mr. Ryan said the Planning Board's scope of decision making was limited to whether a project was consistent with the Comprehensive Plan, whereas Council's scope included also whether a project is reasonable and in the public interest, and whether it meets broader town goals and strategies.

Mr. Crandall said sometimes when presentations come to Planning Board they are in a raw form. The slides are lacking some information or granularity, and the Planning Board will address those things, and when it comes before Council, the presentation can look really different. Mr. Ryan said you are observing our process at work. The applicant is getting feedback and concerns from you, and making sure that their plan addresses those concerns, or if the plan already does, that they highlight it better in their next presentation. With the public hearing moved before the Planning Board meeting, we may see those types of changes between the public hearing presentation and the Planning Board presentation.

Mr. Cuccurullo asked for greater clarity in Planning Board's role of using the Comprehensive Plan in decision making and how it intersects with the UDO. Mr. Ryan said the Comprehensive Plan is the big picture. It is where we are trying to go as a community. It is visionary and aspirational and does not bear the weight of law. The UDO is how we get there, and it is an ordinance. We often have that discussion around conditional zoning districts. Is the request of the applicant reasonable when compared with the Comprehensive Plan, does what they are asking for meet that vision? When you align those two things you can strengthen your advisory role.

Council member Drees asked if members felt more pressured not to dissent when there is a meeting with only five Planning Board members present. Mr. Carpico said it is unfortunate when we don't have all nine present. Five is a quorum but we don't have the vigorous discussions. Ms. Holder said she was comfortable dissenting even if there were just three members present. Mr. Crandall said we haven't had many meetings with just five. Ms. Kempin said all of our members feel free expressing themselves no matter how many are present. Mr. Crandall said there is generally a lot of dialogue. Mr. Carpico said more is better.

Mr. Madoni asked when the new process, with the hearing prior to the Planning Board meeting, would start. Mr. Ryan said probably around February or March as developers are allowed to choose the old way if they applied prior to the change. Staff is trying to steer them in that direction.

3. Open Discussion

Mr. Cuccurullo asked Council about their vision for the Town over the next 20 years. From the point of view of looking at upcoming projects, it would be good to have personal insight into where Council, the manager, and staff are on the main areas of focus for the next 20 years or so. Ms. Goodson said this is a big topic but there may be some who could try to address this. She said the Comprehensive Plan is a very large document, so think about how to use that tool. Council member Hewetson said that density is one of the big things in the Comprehensive Plan with areas of higher and lower density in different areas of town. MPT Berry said it's a balance and you will get different answers from everyone. He said the UDO was redone recently and we adopted it to agree with the new Comprehensive Plan. It is very much based on the character of the proposals. This was meant for us to be able to work with developers and get more public benefit out of development. That is what he is looking for in a Conditional District Zoning project. We can try to move them in one direction or another. We have base districts which are "by right" but we get more bang for buck out of Conditional Districts when we can get things done. We have so many "islands" that are not connected to each other. We can get things from a developer that help pay for infrastructure and provides a public benefit down the road. He said he voted against the Comprehensive Plan in 2019 because the southwest part of town was designated mixed-use and he didn't think the infrastructure could support it. He said he will never vote for a rezoning in that area because he doesn't think the infrastructure supports it. But every one of us will have a different view on what we want to get out of development.

Council member Hewetson said for her, what MPT Berry said is a catch-22. If you wait for infrastructure before development, it will never happen. In her mind development brings the infrastructure. She thinks that it comes back to the public interest. Is it going to bring something to the community that is beneficial and helps bring that infrastructure. So her decision would be based on what the applicants are bringing that is for the public good. She said that infrastructure comes with development, not before. The right kind of development can lessen the impact on the taxpayer.

Council member Drees said that ideally she would like Planning Board to make their decision independently of their prediction of Council's decision. Take the Comprehensive Plan into account and make your own decision.

Council member Deshazor said we all have our own ideas, but Planning Board should read their packet and talk to people and see what they are thinking. We all have different views. To him walkability and connectivity are priorities. Density gets a bad name, but it brings affordability. Don't vote on what you think Council would like. Vote your conscience and what you think is consistent with the Comprehensive Plan.

Mr. Cuccurullo said it was not his suggestion that they would temper their votes to Council's preferences, but understanding those preferences helps them. He said they can tailor their questions to applicants based on Council's priorities. These are things that can help them formulate questions, and tailor good reports to Town Council as the Planning Board Representative. It can help us vet projects at a higher level.

Council member Deshazor said his preference changes according to where in town a project is. Every development is different. Density has to be in the right place. Council member Drees said we're going to ask our questions; ask the ones you want. She said she prefers that Planning Board put their own expertise and their own visions into what they want to ask.

Mr. Crandall spoke about the benefits of roundabouts which he feels could provide more safety and traffic flow. Staff said that they consider all types of intersections and reminded him

that DOT roads require DOT approval, that roundabouts require more land, but that they are considered for those locations where it is the best option.

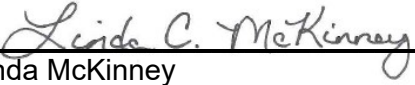
Mr. Madoni said if Council had an issue or wasn't hearing what they wanted to hear, to please bring it to the Planning Board. Ms. Kempin said this meeting was very useful. Council member Drees said if they have questions, to please reach out. We should follow the communication process, but if you have questions about why we voted, reach out.

Mr. Crandall recommended the UDO be amended to include a visual art plan.

4. Adjournment:

Motion to adjourn was made by MPT Berry seconded by Council member Deshazor and passed with a unanimous vote. The October 29, 2024 joint meeting of the Holly Springs Town Council and Planning Board was adjourned at 7:24 pm.

Respectfully Submitted on Tuesday, November 19, 2024.



Linda McKinney
Town Clerk