

TOWN OF ST. JAMES
PLANNING BOARD MEETING MINUTES
November 03, 2025

The St. James Planning Board held a Meeting on November 03, 2025, at 1:30 p.m. in the Earl Dye Council Chamber at Town Hall.

Board Members Present: Chair Merry MacBarb, Regular Board Members Duane Stewart, Bill Kozub, Richard Ishler, and Alternate Member Barry Fulton.

Others Present: Town Manager Jeff Repp, Assistant Zoning Administrator Jamie Burns, Councilman Jim Board, Wes MacLeod and Ron Satterfield with Anchorpoint Planning, Ward and Smith attorneys, Sam Franck, Dana Lingenfelter, and Emily Sullivan, Jay Atkinson of St. James Properties, Neal Robinette of C.F. Smith Property Group, David Hopkins of RiverBrook Builders, Civil Engineer John Tunstall, and many residents.

Absent: Board Member Trent Pohlar

CALL TO ORDER

Chair Merry MacBarb called the meeting to order at 1:31 p.m. Roll call was conducted by going around the table, with members stating their name.

APPROVAL OF AGENDA

Board Member Bill Kozub made the motion to approve the agenda. Alternate member Barry Fulton seconded the motion. The agenda was approved without discussion. The motion passed unanimously (Vote: 4-0)

APPROVAL CONSENT AGENDA

Board Member Kozub made a motion to approve the consent agenda which consisted of the June 3, 2025, Planning Board Meeting Minutes.

BOARD / STAFF REPORTS

None.

OLD BUSINESS

None.

NEW BUSINESS

a. Initial Conditional Zoning Application and the Conditional Rezoning Application Submitted by Ward and Smith, P.A.

Chairwoman MacBarb opened discussion on the conditional zoning and conditional rezoning application submitted by Ward and Smith, P.A. She noted that revised application materials, including changes to Exhibit 3, had been received only that morning and that several issues remained unresolved. She identified stormwater management as the most significant outstanding concern, specifically noting that the applicant's proposed retention standard of a 25-year storm event was inadequate given the flooding impacts the area experienced during Hurricanes Isaias and Florence.

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Town Manager Jeff Repp clarified that the Planning Board is bound by the stormwater management ordinance currently in force in the Town of St. James, which by reference adopts the Brunswick County ordinance. Staff noted that the Board cannot impose conditions beyond what current law permits, and that any change to the stormwater standard would require Town Council to adopt a new ordinance. Councilman Jim Board, who also serves on the Brunswick County Planning Board, indicated that in his experience, the Brunswick County Planning Board has consistently requested that all new developments design to a 100-year storm standard, even though the existing county Unified Development Ordinance (UDO) formally requires only 25-year compliance, and developers have been agreeable to that request.

Town Consultant Wes MacLeod provided a procedural overview for the benefit of those in attendance. He explained that the application was a conditional zoning request for approximately 1,900 units to be located in the vicinity of Town Hall. He noted that the proposal was related to a development previously approved by Brunswick County, and that the applicants were seeking similar layout and design as what was approved at the county level, with the intent of annexing the land into the Town of St. James.

Mr. MacLeod explained that conditional zoning establishes initial zoning through a concept plan, which stipulates the proposed uses within defined areas of the property. He noted that conditional zoning allows applicants to request waivers, modifications, or exemptions from the town's current development regulations, and that in turn the town may propose corresponding adjustments. He emphasized that under North Carolina law, the town cannot unilaterally mandate a condition that is not agreeable to the applicant. He also noted that any rezoning in North Carolina requires a public hearing, and that adjacent property owners would receive mailed notification. He outlined the four options available to the Board: table the application to a future date, recommend denial, recommend approval as submitted, or recommend approval subject to modifications. Any final approval would require a public hearing and a vote by Town Council.

Attorney Sam Franck of Ward and Smith, P.A., presented on behalf of the applicants, which include Canal Associates, D.R. Development Corp., Harbor Development Corp., and the Town of St. James.

Mr. Franck explained that the subject property is located along NC 211, directly across from the entrance to St. James Plantation. The land was currently approved under Planned Unit Development (PUD) zoning by Brunswick County for substantially the same uses being proposed to the town. The applicants seek to bring the land under the Town's jurisdiction through annexation and conditional zoning. He presented the proposed concept site plan, which reflects a mixed-use development of approximately 1,902 units comprising single-family, multifamily, and townhome residential uses alongside commercial uses including restaurant, grocery, retail, medical, and professional services. Commercial pods (CN 1–4) are oriented along the NC 211 corridor, with residential uses positioned further back from the road and separated from commercial areas by a natural wetlands buffer running east to west through the site. Mr. Franck cited the Town's comprehensive plan, as specifically contemplating this type of mixed-use development on the north side of NC 211, and that the plan anticipates a net fiscal benefit to the

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Town from increased tax revenues exceeding the cost of new municipal services. He also highlighted the community survey results which showed that residents most wanted to see restaurants, retail, convenience stores, professional services entertainment, and financial services to the area surrounding St. James, all of which the proposed development was designed to support. Mr. Franck concluded his presentation by stating that this project translates the goals of the town's comprehensive plan into a cohesive mixed-use community that will strengthen the town's economic base, provide greater diversity and breadth of housing choices, and enhance overall livability. He formally requested that the board recommend approval of the initial conditional zoning and the conditional rezoning.

Mr. Repp explained to the Board that the applicants are asking for variances from the Town's UDO. The UDO would apply to them, but if the variances are recommended and approved by Town Council those would be what staff would use to review plans and approve them going forward. He recommended going through each condition in Exhibit 3 to discuss any questions or concerns.

The Board proceeded through the applicant's proposed conditions (Exhibit 3) item by item.

Condition 1 –Consistency with Concept Plan

Mr. MacLeod introduced Condition 1, which requests that future site plans, consistent with the approved concept plan, be reviewed and approved administratively, outside of Planning Board or Town Council oversight. Mr. Franck explained that the rationale was to avoid the burden on both local government and the developer of going through formal public hearing processes for administrative matters. Board members discussed concerns that changes would be handled administratively rather than going to the Planning Board, avoiding public hearing and limiting public input. Mr. Franck noted that for truly administrative decisions, public input would not be persuasive. Mr. MacLeod offered an example that if the number of units were to exceed 1,902, the entire process would need to unfold again with a required public hearing. Mr. Repp noted that the town already has experience with a similar development agreement model within St. James, where staff approved changes within established parameters. Alternate member Fulton indicated that he was comfortable with administrative flexibility, provided it remained within the framework of the conditions established.

Condition 2 – Flexibility in Development

Chairwoman MacBarb noted that the revised Exhibit 3 now expressly carved out CN 1, 2, 3, and 4 as specifically commercial designations that could not be converted to residential use. Mr. Franck clarified that mixed-use development, such as multifamily residential above commercial use, is optional on the commercial pods. Commercial pods could not be swapped for a residential pod, or vice versa.

Mr. Satterfield asked whether the condition as written would allow commercial uses to be placed in areas currently designated as residential or multifamily. Mr. Franck responded that converting all residential pods to commercial would require returning to the full approval process. He noted that CN 5 could potentially be swapped with a residential pod under the current language. Mr.

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MacLeod suggested that CN 5 and CN 6 be specifically addressed in the condition to provide clarity. Mr. Franck noted that CN 6 involved Town-owned land and would require deference to the Town's wishes. It was recommended that it be clarified that CN 5 and multifamily may be interchanged, but it may not be interchanged with other residential. The applicant was in agreement to make that conceptual change.

Mr. MacLeod requested that it be clarified that upper-story residential units are inclusive of the 1,902 unit maximum. Mr. Franck noted that the condition was absolute and would clarify.

Condition 3 – Sales and Marketing

Mr. Franck explained that Condition 3 pertained to the ability to market and sell units within the development. The applicant requested flexibility to operate sales offices and model homes throughout the life of the project. Chairwoman MacBarb inquired about the number of sales offices. Mr. Franck acknowledged that the number would likely vary over the life of the project and could exceed one, particularly given the distinct residential and commercial uses. The Board reached consensus to allow flexibility without imposing a maximum number.

Condition 4 – Parking Space Width/Drive Aisles (9 feet).

Mr. Franck explained the reduction from 10-foot to 9-foot parking space width was driven in part by the primary anchor tenant and in part because larger spaces generate more impervious surface. Mr. MacLeod informed the Board that state law now preempts local governments from requiring parking spaces wider than 9 feet. No objections were raised.

Condition 5 – Parking Area Interior Landscaping

Mr. Franck explained that Condition 5 proposed exempting larger parking areas (those exceeding 40,000 square feet) from the requirement for landscaped islands at regular intervals. He noted that this was partly driven by the grocery store anchor tenant, which needed unobstructed access for cart management and proximity of parking to the storefront. He also argued that larger open spaces throughout the development provided a better sense of place and likely a greater percentage of green space overall.

Mr. MacLeod asked whether canopy or shade trees would be incorporated in the larger parking area. Consultant Ron Satterfield noted that the existing UDO section 10.9.3(a) already requires all parking spaces to be within 60 feet of the trunk of a canopy tree or thirty feet from small trees, which was agreed to be a more effective standard than specifying a sum total of trees. The Board had no objections and were agreeable to move forward.

Condition 6 – Street Buffer Widths

Mr. Franck addressed Condition 6 which proposed reducing the required street buffer from 20 feet to 10 feet. He clarified that this was a buffer (landscaping between uses), not a building setback, and that the reduction was partly a design preference and partly because the goal of the development was integration between commercial and residential uses, not isolation. He noted that the natural wetland buffer between the overall commercial and residential sections served a

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separation function, and that a fully opaque buffer along NC 211 was undesirable since some visibility of the commercial operations from the road was beneficial.

Councilman Jim Board recommended the inclusion of an opacity standard. Mr. Satterfield reviewed the existing planting requirements under the UDO, noting that even without a set opacity standard, there were requirements for trees and shrubs per 100 linear feet of frontage. Mr. Franck clarified that the applicant was not proposing any reduction in the planting requirements, only a reduction in the width of the landscape strip where those plantings would occur. The Board reached general consensus that retaining existing planting requirements within a 10-foot landscape buffer was acceptable.

Condition 7 – Street Right-of-Way Width

Mr. Franck explained that Condition 7 proposed reducing the right-of-way width for collector streets from 70 feet to 60 feet, and for other internal streets from the standard width of 60 feet to 50 feet. Mr. Franck explained that internal streets within a mixed-use development function differently from typical thoroughfare collector streets, and that wider roads made speed management more difficult and created an impression of excessive pavement.

Staff clarified that the primary roads intended to be dedicated to the Town would be constructed to NCDOT standards, which would govern their actual construction width. Mr. MacLeod confirmed that all streets, including internal ones, would be built to minimum NCDOT construction standards. Internal streets are proposed to be privately maintained by HOAs. Mr. Franck indicated that the number of HOAs had not yet been determined but that internal roads would not be the responsibility of the Town. Fire department review would occur through the Technical Review Committee (TRC) process when detailed plans are submitted.

Condition 8 –Uniform Setback Standards for Attached Residential Dwellings

Mr. Franck introduced Condition 8, which proposed a uniform side setback of 5 feet with 10 feet of separation between principal structures applicable to all residential types, including duplexes and triplexes, to ensure design harmony.

There was a brief discussion regarding whether the original plan approved from Brunswick County in 2018 was still valid and not expired. The position of the applicant is that the developmental approval remains active and current.

David Hopkins of River Brook Builders addressed the reasoning for the change from the original request of 20 feet to 10 feet of separation between principal structures. He explained that the existing UDO has different setback standards for duplexes and other types, the condition sought to apply a consistent standard across all types in the interest of uniformity. Board Member Stewart raised concerns about fire safety for two-story structures at a 10-foot separation. It was confirmed that fire marshal review at the TRC stage would address those concerns.

Mr. MacLeod suggested that the conditions be clarified to mean an absolute five-foot setback—ground to sky—with no exceptions for HVAC units, uncovered porches, or eaves. Mr. Franck agreed to this clarification.

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The meeting recessed for a five-minute break at 2:52 p.m. and reconvened at 3:00 p.m.

Condition 9 – Multifamily Parking Requirements

Mr. Franck explained that Condition 9 proposed a parking ratio of 1.8 spaces per unit for multifamily development, consistent with the Brunswick County standard of 1.75. Councilman Jim Board raised concerns about visitor parking availability based on personal experience with a development at a 1.8 ratio. Mr. Franck noted that the risks that over-building produces excess asphalt while insufficient parking would directly harm marketability of homes. The Board expressed no formal objection to the 1.8 ratio.

Condition 10 – Single-Family and Duplex Parking Requirements

Mr. Franck explained Condition 10, which proposed that garage spaces count toward the parking ratio of two-parking space per dwelling unit requirement. The Board raised no objection.

Condition 11 – Commercial Parking

Mr. Franck proposed a minimum commercial parking ratio of 1 space per 200 square feet of gross enclosed floor area with no maximum. He noted that this was driven in part by the anchor tenant and in part by what the developer believed was the appropriate commercial standard. Mr. Satterfield clarified that the town currently has a maximum parking standard of 110 percent, above which pervious materials are required, and asked whether the applicant was also requesting that maximum be waived. Mr. Franck confirmed the intent was that no maximum would apply. No objections were raised.

Condition 12 – Minimum Lot Width and Corner Lot Standard

Mr. Franck explained that Condition 12 proposed that corner lots not be required to meet the standard of 1.5 times the minimum lot width (40 feet), provided such lots maintain adequate building envelope and comply with applicable front and side setback requirements. He explained that the intent was to maintain harmony and avoid the design awkwardness of oversized corner lots. Mr. MacLeod recommended removing the language referring to "adequate building envelope" and replacing it with a straightforward requirement that all such lots comply with applicable front and side setbacks. Mr. Franck was in agreement.

Condition 13 – Stormwater Management Standards

This condition, identified by Chairwoman MacBarb at the outset as the most significant unresolved issue, received extended discussion. Mr. Franck proposed applying the same stormwater standard currently applicable to the Brunswick County approved development—a 25-year storm event—to the town-approved development. He noted that since the town references the county's stormwater ordinance, this should be the same standard that would apply in the town.

Councilman Board spoke at length about the inadequacy of the 25-year standard given the flooding experienced in the area. He strongly recommended that the 100-year storm event standard be applied. He noted that the county planning board has consistently requested this from

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developers over the past year, and that the county's updated UDO was expected to codify the 100-year standard.

Civil Engineer John Tunstall explained the proposed design approach, which uses pre- and post-development attenuation for the one-year, two-year, ten-year, and twenty-five-year storm events and applies NOAA Atlas 14 precipitation model data—which produced slightly higher rainfall figures than the county's current ordinance. He noted that the 25-year storm under Atlas 14 was 9.01 inches over 24 hours, compared to the county's current figure of 8.5 inches, and that the 100-year storm under Atlas 14 was 12.4 inches per 24 hours, compared to the county's current figure of 10 inches. He further stated that retention ponds were checked at the 100-year level to ensure they would not overtop.

Mr. MacLeod sought to clarify the distinction, noting that the applicant was proposing to design to approximately nine inches over twenty-four hours, while the 100-year recommendation would require designing to twelve inches. Mr. Franck proposed that rather than debate the point at the meeting, the board make its recommendation as it sees fit, with the developer evaluating what could be agreed to before the matter went to Town Council.

The board confirmed its position that stormwater management should conform to the 100-year storm standard. Mr. MacLeod noted the modification to Condition 13 as: compliance with 12-inch storage over a 24-hour period.

Condition 14 – Tree Preservation and Timbering Activities

Mr. Franck introduced Condition 14, explaining that the town's existing code did not contemplate the scale of tree removal and timbering associated with a development of this scale. He noted that a vast majority of the site had been subject to a forestry plan and timbered on a regular basis. He clarified that the condition was about trees to be removed, not trees to be planted. The condition as proposed would permit clearing in the ordinary course of large-scale development, while preserving the quality of trees to be replanted.

Mr. MacLeod noted that the condition included a provision to retain twenty-five feet of existing vegetation along the NC 211 frontage until site plans for those tracts were approved. Alternate member Fulton asked whether there was a calculation of trees to be removed versus replaced. Mr. Franck acknowledged that no tree survey had been conducted given the size of the site, and that any such analysis would be based on sampling.

There was discussion regarding the issue of clear-cutting, which members anticipate would be one of the most significant community concerns. Mr. Franck reiterated that the developers have no intention of clear-cutting the site, pointing to the wetlands — which will remain substantially undisturbed except at road crossing locations — and to St. James Plantation itself as a demonstration of the developers' standard of practice.

There was discussion whether a formal tree clearing plan should be submitted to the Town prior to commencement of any clearing activity, particularly for residential areas. Mr. Franck acknowledged that notice could be provided and that he was amenable to a condition requiring the

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wetland areas outside of road crossings to be maintained in a materially natural state but was reluctant to agree to a new plan review obligation that does not otherwise exist.

The Board agreed that at minimum a wetland tree preservation condition and a potential notice requirement were appropriate. They additionally requested a plan be submitted specific to residential areas. Alternate member Fulton suggested clearing everything north of Road D, which is R1 around the clubhouse and R5 (wooded area in back). Staff indicated they would come back with a recommendation regarding residential tree preservation requirements after internal discussion.

Mr. Franck noted that the applicant was amenable to a condition that trees within the wetlands area and outside an improved impact area are left in a materially natural condition. The applicant was agreeable to notice being required for tree removal, but not agreeable to the recommendation that an additional plan be provided prior to commencing clearing activity.

Wellhead Protection: A condition related to wellhead protection areas was deleted in the revised submission. Mr. Franck explained that after discussion with staff, the concern was identified as being specifically about underground fuel storage tanks, and that rather than address it through a wellhead protection condition, the applicant had simply omitted gas stations and fuel storage as permitted uses in the commercial pods. The Board agreed to add a condition (Condition 31) prohibiting underground fuel storage tanks within the commercial areas, recognizing that the Town has not adopted the county's wellhead protection overlay.

Condition 15 – Open Burning.

Mr. Franck explained that Condition 15 (renumbered in the revised submission) addresses open burning, noting that the town's fire protection ordinance is oriented toward scenarios with smaller-scale developments and not large-scale development. He proposed a compromise to isolate the location of the burning for the debris, allowing burning of debris to be limited to the residential areas set back from NC 211, while burning in commercial areas would be done in burn boxes rather than open piles or pits. He noted that timbering companies removing material from the site would be expensive and would cause substantial surface damage.

Mr. Repp indicated that the matter needed to be deferred pending consultation with the town attorney, as it is unclear whether the Planning Board has authority to recommend exemptions from the town's separate burning ordinance through a zoning condition. Mr. Franck acknowledged that he and the town attorney had been in discussion, and that he had proposed a draft text amendment for her review to grant express authority for such a variance. Mr. Franck suggested the board make a substantive recommendation on the condition contingent on the town attorney confirming the authority to do so. The Board was in agreement to remove this condition from the current recommendation pending legal guidance. Mr. Franck specifically noted the applicant's disagreement with removing condition 15, stating he believed the town had authority to implement it and would work with town counsel to ensure proper authorization.

At 3:45 p.m. Board Member Bill Kozub indicated that he had to leave and was excused from the meeting.

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Conditions 16 – Building Façade Design (UDO Section 9.4)

Mr. Franck introduced Condition 16, which addresses the design and façade of the commercial structures.

Mr. Franck explained that Condition 16a proposed that architectural enhancement requirements apply to facades facing a public right-of-way, with side and rear facades not facing a public right-of-way exempt. Chairwoman MacBarb suggested adding clarifying language to the effect that side or rear facades shall not be subject to the same requirements “unless they face the public right-of-way”. Mr. Franck was agreeable to adding that language.

Condition 16b proposed that the requirements for building articulation (bump-outs and modulation for facades exceeding thirty-five feet in length) not apply to sides and rears of buildings that did not face a public right-of-way.

Mr. Franck explained that Condition 16c related to the level of window transparency required for commercial buildings and was driven directly by the anchor grocery tenant. He noted that the carve-out was limited to buildings over 25,000 square feet, making it unlikely that any other tenant would be affected. Board members had no objections.

Condition 17 - Rooftop Equipment Screening

Mr. Franck described Condition 17 as a standard requirement in municipalities with significant commercial development, aimed at preserving sightlines and preventing views of mechanical equipment on top of a building. Board members had no questions or objections.

Condition 18 - Signage

Franck explained Condition 18a, which proposed additional wall signage allowances for grocery store uses, noting it was driven by the anchor tenant and consistent with typical signage for grocery stores in similar settings. Councilman Board raised a concern, noting that the Town Council had recently denied additional signage to a neighboring church to remain compliant with the UDO, and questioned whether allowing an exception here could create inconsistency. Mr. Franck clarified that it is limited to grocery store use only and would not have applied in the church scenario. The board accepted this.

Condition 18b addressed signage for multi-tenant commercial buildings, proposing that each tenant in a multi-tenant building of three stories or less be permitted one wall sign, and that end-cap and freestanding tenants be permitted wall signs on up to three building elevations subject to a cumulative limitation. Mr. Satterfield noted that the current UDO standard allows one sign per building. The board recognized that the multi-tenant format of the proposed development justified more detailed signage provisions and raised no objections.

Condition 18c addressed monument signs, proposing an eighteen-foot height limit. Mr. Franck noted that this was consistent with or less than the height of the existing sign near the road. He indicated that the condition established specific parameters for monument sign size, frequency, and location, partly driven by the anchor tenant and partly by the commercial developer's

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experience. Mr. Franck confirmed that the signs would be located outside of the right-of-way for NCDOT.

Mr. Franck noted that Conditions 18c and 18d address smaller monument signs for the individual outparcels. There were no questions from the board. Mr. MacLeod confirmed the condition would remain as proposed.

Condition 19 – Lighting Fixture Heights

Mr. Franck explained that Condition 19 proposed capping parking area light fixtures at 40 feet and pedestrian/multiuse path lighting at 15 feet.

Condition 20 – Site Lighting for Commercial Areas

The board reviewed multiple technical specifications for lighting and agreed on the following modifications:

- Item 20a was changed from “may be LED” to “shall initially be LED” to account for future technology advancements. Additionally, the language “at the option of Developer” would be removed.
- Item 20f was modified to include language requiring “all parking lighting shall use appropriate shielding to reduce impact on neighboring residential uses” to address concerns about light trespass.
- Items 20i through 20p were removed as they were deemed unnecessary for town regulation.

Condition 21 – Double Frontage Lots

Mr. Franck explained this provision would allow double frontage residential lots along Committee Drive where the road layout necessitated having roads close together. The board had no objections.

Condition 22 – Connective Ratio

The requested reduction from 1.0 to 0.6 for the connectivity ratio from 1.0 to 0.6 generated significant discussion. Councilman Board questioned the intent, as the UDO currently requires a ratio of 1.0. Mr. Satterfield explained that connectivity ratios are designed to encourage connected roads and discourage cul-de-sacs and dead-end streets. Mr. Franck stated that residential designers had recommended the lower ratio due to the larger scale development, smaller homes, and nature of the street layout, though he could not provide detailed technical justification. Mr. Repp requested a written explanation for this change be submitted before the next meeting and Mr. Franck agreed to provide this documentation by close of business Wednesday.

Condition 23 – Maximum Height for Commercial Areas

Mr. Franck explained that Condition 23 proposed increasing the maximum height in commercial areas from 50 to 60 feet. He explained that this would provide flexibility for medical uses and the opportunity to incorporate a mixed-use within vertical structures. When asked about the number

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of stories, Mr. Franck indicated a 60-foot building would typically accommodate five stories. Councilman Board raised concerns about fire department access, noting that buildings over 60 feet would require fire department approval due to ladder truck access requirements. Mr. MacLeod clarified that the maximum height would be capped at 75 feet, which Mr. Franck confirmed.

Condition 24 – Minimum Stacking Space

The board discussed minimum stacking space requirements for drive-through facilities. Mr. Franck clarified that the minimum dimensions of 8 feet by 22 feet were for vehicle queuing, not commercial deliveries.

Condition 25 – Loading Spaces—Commercial

Condition 25 proposed designating loading spaces based on the size of the building, with smaller commercial spaces not requiring loading spaces. The proposal would exempt buildings under 7,000 square feet from required loading spaces and require only one space for buildings between 7,000 and 40,000 square feet. The board viewed this as reasonable given it would be driven by tenant needs.

Condition 26 – Drive-Thru Facilities

Mr. Franck explained that Condition 26 requested that drive-through facilities be permitted without limitation. Councilman Board expressed concern about potential traffic issues. Mr. Satterfield read the specific code provisions being exempted, which addressed building placement relative to drive-throughs, buffering requirements and stacking standards. Mr. Franck explained that the relatively tight outparcels necessitated flexibility in drive-through placement. He emphasized that there is no commercial appeal to having excessive drive-through facilities and that street frontage aesthetics remained important for the development's success. Board member Ishler noted that stacking requirements must be reasonable to prevent backup into thoroughfares. The board ultimately accepted the provisions with the understanding that traffic flow onto public streets would still be prohibited.

Condition 27 – Intersections

Mr. Franck explained that Condition 27 proposed reducing the minimum distance between intersections from the current code requirement of 200 feet to 50 feet to allow for more creative residential street layouts. Mr. Franck pointed to the R2 section's horseshoe configuration as an example where closer intersection spacing would enable better design while providing natural traffic calming. After discussion about safety concerns, the board agreed to limit this variance to allow no more than four instances of the 50-foot separation throughout the residential pods, with all other intersections maintaining the 200-foot separation.

Condition 28 – Future Connections/Blocks

Mr. Franck explained that the concept of future connections makes less sense in a large planned development where interconnections are already designed into the plan.

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Condition 29 – Multifamily Use

Mr. Franck explained that Condition 29 requested that blocks of townhomes with up to 7 attached units not be classified as multifamily under the code, allowing them to be permitted in residential areas. Mr. MacLeod suggested adding clarifying language: “townhouses up to 7 units attached are permitted in areas designated for residential use”. The board agreed with this modification.

Condition 30 – Multi-Use Path

Mr. Franck explained that Condition 30 requested flexibility to place the multi-use path on either side of the road. Mr. MacLeod requested adding a condition that a multi-use path shall be provided on at least one side of roads A, B, C, D, and E. Mr. Franck was in agreement.

Underground Storage Tanks

A new condition (Condition 31) was proposed prohibiting underground fuel storage tanks. Mr. MacLeod clarified the intent was to prevent gas-station type installations while not restricting residential propane tanks. Mr. Franck requested time to propose the specific language needed to differentiate between commercial fuel storage and operational needs.

After Mr. MacLeod and Mr. Franck reviewed all proposed clarifications and changes to conditions, Mr. Repp outlined the procedural next steps. The planning board will reconvene on November 12th at 10:00 a.m. to review a written recommendation incorporating all discussed modifications. Mr. Franck agreed to provide the requested clarifications on the connectivity ratio and proposed language for the underground storage tank restrictions by close of business on Wednesday.

The tentative date for the public hearing before the town council was identified as December 3rd, pending no delays in the process.

PUBLIC COMMENT

None.

ADJOURNMENT

Alternate Member Fulton made a motion to adjourn and reconvene the meeting on November 12, 2025, at 10:00 a.m.

The meeting was adjourned at 4:52 p.m.

Respectfully Submitted,

Approved,

Jamie Burns
(Asst. Zoning Admin. / Town Clerk)

(Chair)