

**Planning Board Minutes
Regular Meeting
Maggie Valley Town Hall Boardroom
Tuesday, February 18, 2025
5:30pm**

Planning Board Members Present: Chairman Bill Sebastyn, Chuck Cummings, Jared Lee, Randy Blackmon, Eric Helfers, Janet Banks

Members Absent: 0

Staff Present: Sam Cullen, Town Planner and Noah Taylor, Assistant Town Planner

Others Present: Hunter Rogers (Capstone Intern) and Bill Banks

1. Call to Order

The meeting was called to order at 5:29 pm by Chairman Sebastyn. The Pledge of Allegiance was said by all.

2. Oath of Office-

Randy Blackmon was sworn in as a member of the Planning Board on February 18, 2025, at 5:30pm by Assistant Town Planner, Noah Taylor.

3. Roll Call/Quorum Determination

Five members were present. A quorum was established.

4. Disclosure of Conflicts/Approval of Agenda

Chairman Sebastyn asked if there were any conflicts of interest on the agenda for anyone. There were none.

Chairman Sebastyn stated that he wanted to add 6C De-annexation topic of discussion.

Chairman Sebastyn asked if there was any discussion on the agenda.

Eric Helfers asked to add Item 6B under Other Business, regarding an update on the Haywood County Planning Board.

Planner Cullen asked to add Item 6C under Other Business, regarding discussion about de-annexations.

Chairman Sebastyn asked if there was any more discussion on the agenda. He then asked for a motion to approve the modified agenda.

Eric Helfers made a motion to approve the agenda for the February 18th meeting. Chuck Cummings seconded. The Motion passed with all in favor.

5. Approval of Minutes

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a. January 21st, 2025

Chairman Sebastyn asked if there were any other corrections to the minutes. There were none

Chairman Sebastyn asked if there was any more discussion. There was none. He then asked for a motion to approve the minutes.

A motion to approve the January 21st, 2025, minutes was made by Eric Helfers. Janet Banks seconded. The Motion passed with all in favor.

6. New Business

a. Steep Slope Ordinance

Planner Cullen gave the report and background information. He stated that there was an updated packet due to recommendations by the attorney. He stated that this ordinance will be under the UDO and will amend some current definitions.

He stated that Planning Staff has met with towns with similar topography that have an adopted steep slope ordinance already in place and was given recommendations on what to include in the ordinance.

This ordinance is to help preserve topographical features unique to Maggie Valley, He stated the requirements that the ordinance will enforce.

Planner Cullen said that the attorney has reviewed this ordinance and has made changes to create an ordinance that is in harmony with recently passed senate bills and current N.C. general statutes.

Planner Cullen stated some historical bills that have limited what steep slope ordinance can enforce and stated what requirements have been waived. He stated that Board of Aldermen has adopted a resolution in support of repealing a section of the senate bill.

Eric Helfers asked what information source the bill is based off of.

Planner Cullen stated that a licensed surveyor would create maps that would have topographical lines on the map and that the surveyor would show the average slope. He stated that planning staff have a formula to double check the average slope of the lot.

Eric Helfers asked what kind of topographical maps would show the grade.

Planner Cullen stated that the ordinance has a formula that will help determine what is a steep slope. Planner Cullen stated that this ordinance only applies to land that is considered steep.

He gave an example that if only a portion of a lot was steep and the other was flat, that this ordinance would only apply to the section of the lot that is determined to be steep.

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Chuck Cummings asked since the ordinance does not require a C/O for residential, but does for commercial, what does that mean for the effectiveness of the ordinance. As most of the commercial properties in Maggie Valley are not on steep slopes.

Planner Cullen stated that the ordinance has to be consistent with the Comprehensive land use plan and the future land use map. Because of this, this ordinance is mostly intended to affect residential development.

Eric Helfers stated that residential lots have been used as Airbnb's and asked if this could be enforced by this ordinance if they are used for short term rentals only.

Planner Cullen stated that it would matter on how the structure was permitted and if it has a singular address.

Chuck Cummings stated most of the development on steep slopes is residential houses and that's where there are issues with stabilization and have needed foundation repair and how the lack of engineer requirements is not good.

Planner Cullen stated that once certain senate bills may be repealed, that they would add the requirement of the engineer stamps.

Janet Banks stated that two concerns, that senate bill removed protection of the property owners. She stated that she wants to see something that needs to be addressed is the safety of the property owners and to explain that aspect better.

Eric Helfers stated that people who aren't not used to the property and its history and this ordinance would help satisfy that their property is safe.

Planner Cullen stated that certain senate bills did affect the effectiveness of this ordinance. He stated that there is currently meetings to repeal certain language of the bill. But for right now, we can not enforce the stamp requirements because it would go against N.C.G.S. and the ordinance would be void.

Chairman Sebastyn stated that the language of the word safety coincides with the word environment. As protecting the environment will also help promote safety.

Planner Cullen stated that the language of this ordinance does help in terms of safety, including the additional setbacks.

He stated the extra setback requirements for the Steep Slope ordinance.

Chairman Sebastyn stated that the riparian buffer requirements could be hard to determine.

Planner Cullen stated that Haywood County would determine the requirements and would be the ones to enforce it as well. He stated that the requirements would not be made in house.

Planner Cullen stated that there is a pamphlet that Hunter Rogers is working on. He stated that the pamphlet would be great information to homeowners that can read the pamphlet and gain

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information that relates to their property if it is steep. He asked Hunter Rogers to go over the pamphlet with the Board.

Hunter Rogers explained the different sections of the pamphlet and how it would help educate the property owners about their lots.

Planner Cullen asked that the board make changes to the pamphlet and please let Planning Staff know, before it is brought to the Board of Aldermen.

Planner Cullen stated that this ordinance will take a while to enforce but it is a living document.

Chuck Cummings asked why this applies to just new development and certain property owners.

Planner Cullen stated that due to legislation, this did not allow the town to enforce this ordinance on more properties.

Planner Cullen offered to answer any more questions.

Chairman Sebastyn asked if there was any more discussion. There was none. He then asked for a motion.

Eric Helfers made the motion to recommend adoption of the Steep Slope Ordinance. Jared Lee seconded. The Motion passed with all in favor.

There was additional discussion, and a revised motion was made.

Eric Helfers made the motion to recommend adoption of the Steep Slope Ordinance, with edits from the aldermen as they see fit. Jared Lee seconded. The Motion passed with all in favor.

Eric Helfers made the motion to recommend adoption of the consistency statement for the Steep Slope Ordinance. Chuck Cummings seconded. The Motion passed with all in favor.

7. Other Business

a. New Appointments to the Board

Planner Cullen stated that Randy Blackmon will be on the Planning Board at the next meeting and that there is a vacant seat still, but that there will still be a quorum. He thanked Janet Banks and Eric Helfers for their service to the Town.

Eric Helfer asked about the vacancy on the Zoning Board. Planner Cullen stated that there have been some appointments, but there is one vacant alternate seat.

Planner Cullen asked Randy Blackmon to introduce himself.

Randy Blackmon stated that he moved to Maggie Valley but grew up in South Carolina. He stated that he is public safety based, and that he was a Sheriff for a county in South Carolina.

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He stated that he always wanted to be involved in boards, including starting a rotary club. He is ready to be on the Planning Board and is excited to help serve on the Town Board.

The members welcomed Randy Blackmon.

b. Update on Haywood County Planning Board, Eric Helfers

Eric Helfers stated that there needs to be a voice for Maggie Valley, and he has tried to advertise for the Town. He stated that there will need to be someone to represent Maggie Valley as he is leaving the board.

He gave recommendations on what to look for and what to ask at the County Planning Board.

Eric Helfers said that they discussed electronic signs and the positives and negatives, but also discussed about Hurricane debris removal. He talked about upcoming agenda items and how they relate to what is happening in Maggie Valley.

He stated that he had to drop out of the county planning board and said that he would like to discuss with Chairman Sebastyn on who to appoint.

c. De-annexation

Chairman Sebastyn asked Planner Cullen to address these issues and that it is important for Maggie's Boards to be aligned on this issue.

Planner Cullens stated a local representative asked to be on the agenda regarding asking for a resolution that would support de-annexation of certain properties. Planner Cullens stated that the Planning Staff would not recommend the de-annexation of properties as it would lead to loss of revenue and loss of enforcement.

The town has no authority to de-annex and it would only be allowed to if it was brought through a bill that would go before the general assembly. He stated some issues regarding utility access, and what that would mean for subjected properties. He stated that he will keep the board updated where he can.

8. Adjourn

Janet Banks made a Motion to adjourn, seconded by Eric Helfers. The Meeting adjourned at 6:39pm.

s/Bill Sebastyn
Bill Sebastyn, Chairman

s/Noah Taylor
Noah Taylor, Town Planning Assistant