

Town of North High Shoals

Jeff D. Thomas
Mayor

Office of the Mayor

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Draft

Minutes

July 10, 2006

Present: Councilman Wade Thomas
Councilman Eddie Cape
Councilman B.J. Ivie

Others:

Russ Page
Walter George
Kim Kraeling
Pansy Rivier
Jeff Tyler
Perry Glass
Tony Capomacchia
Susan Marcantonio
Jeffrey Deloach
Flynn Warren
Monica Ali
Steve Holzman
Heike Muller
Horst Klein
Karl Berg
Bill Kraeling
Bob Thomas
Susan_____

Public Hearing: Rezone Camomacchia, A.C. A-1 to R-1 PUD and F-P

Mayor Thomas called the meeting to order and informed all present that the purpose of the public hearing was to discuss the rezone of the Camomacchia property from an Agricultural district to a Residential district and that while discussion of the initially proposed preliminary plat would be allowed for clarification purposes, a final preliminary plat would not be voted on at this meeting-and may not even be a consideration depending on the outcome of the rezone request.

Mayor Thomas proceeded to read the Oconee County Planning Department Staff Report dated June 9, 2006 (copy attached). Mayor Thomas then asked the applicant (or his representative) for comments.

Jeffrey Deloach, attorney for the applicant, Perry Glass, addressed the merits of the plan stating his essential agreement with the Planning Department Staff finding and his willingness to address any questions concerning the development. Mr. Deloach also presented a letter of Constitutional Challenge (copy attached). Perry Glass also stated that the intention of the developer was to have 38 lots-not 34.

At this time, Mayor Thomas began accepting comments from the public-calling upon each individual who signed up to speak-further stating that he would try to respond to direct questions/concerns at the end of this portion of the meeting.

Mr. Russ Page, representing Donald Dawe an adjoining land owner (52.5 acres) along with his wife Violet, introduced a letter from the Dawe's attorney, Victor Y. Johnson of the Graham Law Firm, which included a "Constitutional Challenge to Rezone" of the Camomacchia rezone request (copy attached).

Walter George questioned whether the PUD would require a shopping facility and recommended denial of rezone.

Russ Page, speaking for farmland protection questioned the use of the term "undeveloped", buffers, type of fencing, dog attacks and responsibility of landowners.

Pansy Rivier, a realtor, spoke in favor of the development, as did Jeff Tyler. Tony Camomacchia, owner of the property did not speak, stating that Mr. Deloach had spoken for him.

Susan Marcantonio spoke in favor of the rezone and added her impressions of the good character of Mr. Camomacchia. Flynn Warren and Monica Ali also stated their approval of the rezone.

Steve Holzman referenced the land use map and stated he had no problem with the development as long as the city adhered to its ordinances. Mr. Holzman also asked about sidewalks within the subdivision. Heike Muller, Karen Dietz and Karl Berg were in agreement with Mr. Holzman. Susan (last name not available) asks that the water shed be protected.

With no more input from the public, Mayor Thomas made the following comments in response to the questions but first reminded all present that until/unless a rezone was granted that all other questions were irrelevant but good points for discussion:

1. The land use map question was part of the Oconee Planning Department findings and was considered (item F of Staff Report)
2. Sidewalks would be discussed before approval of a final plat.
3. Water shed issues would have to be determined after the study of a Topo map, etc...
4. The city has allowed for smaller individual lot acreages in all other PUD's so long as the aggregate lot size matched the minimum two lot acre requirement. The reason for this was to encourage innovative ideas while preserving green space and reducing inherent infrastructure cost for future city taxpayers. Also that past interpretation of the ordinances indicated that "shopping facilities" while allowed were not required.
5. Mayor Thomas offered no comments on the term "undeveloped"
6. The question of buffers would have to be addressed after further study of the preliminary map and a final decision would remain the responsibility of the council. Mayor Thomas did note the close proximity of the previously mentioned barn to the existing property line, etc...and noted an understanding of the issue.
7. As to the idea of farmland protection vs. development, Mayor Thomas noted that the land in question for a rezone was within the city limits and not in one of the outlying agricultural districts of the county.

Attorney Jeff DeLoach then spoke for the applicant and referenced several clauses of the city ordinance concerning general vs. specifics; required vs. permissive. The following clauses were referenced along with others: sections 904, 905, 906 (attached)

Councilman Cape asked for clarification on the amount of flood plain area in the proposed development and how much could be considered as part of the green space/set aside. Mayor Thomas replied that 30 % would be the maximum allowed for such consideration.

With no further discussion, Mayor Thomas closed the Public hearing and continued with the July Agenda.

Monthly Business:

1. Presentation of the financial statement for the month of May, 2006. Motion to approve: Eddie; second: BJ.
2. Presentation/approval of the June 06 Draft Minutes. Motion to approve: Eddie; Second: B.J. – all approve.

Old Business:

City Park

1. Mayor Thomas announced that mulch had been placed around the playground areas per a previous request from council. That grass-less areas had been reseeded and that park maintenance was ongoing and continual.
2. Horst Klein stated that he absolutely “loved the park” and used it almost everyday.
3. Susan Marcantonio asked about additional trails in the park, recommended summer camps fro next yea and suggested that the council should seek out more parental involvement for new projects.

Law Enforcement Update:

Mayor Thomas stated that the police patrols are ongoing and that the placement of the new speed platforms has not yet taken place.

New Business:

Mayor Thomas asked the members of the council for comments, recommendations and/or a motion concerning the rezoning of the tract of land owned by Tony Camomacchia lying on the North side of New High Shoals Road & the West side of Elder Road currently zoned A-1 & F-P to R-1 PUD (single family residential). After a brief discussion, Councilman Ivie made the motion to grant the rezone to R-1 based upon the finding of the Oconee County Planning Department and the recommendation of the Oconee County Planning Commission. Councilman Cape seconded the motion and with all members present voting in favor, the rezone was approved.

Mayor’s Update:

Mayor Thomas asked the Council to approve a reduction in the milling rate for the town that would effectively keep individual taxpayers tax bill the same. Councilman Cape made the motion for a reduction to 1.469 mills and Councilman Thomas seconded the motion. All members present were in favor

Council Concerns/Request:

City resident Kim Kraeling asked about the status of the Historical designation for the city. After a brief discussion/explanation, Mayor Thomas stated that he would have to check on the matter.

No new items were requested for next months meetings.

The meeting was adjourned: by a unanimous vote (Eddie; B.J. all in favor)

Respectfully submitted,

Jeff D. Thomas - Mayor