

BROADWAY TOWN COUNCIL

August 4, 2020

The Broadway Town Council met in regular session on August 4, 2020 in the Council Chambers of the Broadway Municipal Building. The following members were present: Mayor Timothy S. Proctor and Council Members Chad L. Comer, Leslie E. Fulk, Richard E. Fulk, Douglas W. Harpine David L. Jordan, and Beverly L. London. The following Planning Commission members were present: Kathy Boase, Eddie Long, Brenda Pultz, and Steve Shifflett. The following staff members were present: Town Manager Kyle D. O'Brien, Clerk/Treasurer Marla W. Kline, Administrative Assistant Andrea Fulk, and Police Chief Randy Collins. Town Attorney Matt Light joined the meeting electronically via Zoom. Also in attendance were Joe Adolph, Annette Cashatt, Tom Counts, Patrick Fritz, Jen Knick, John McMillen, Joyce McMillan, Seth Roderick, Greg Spitzer, and Scott Stoehr.

Mayor Timothy S. Proctor called the meeting to order at 7:00 p.m. with the Pledge of Allegiance followed by the invocation.

Joint Public Hearing-:

Mayor Proctor stated that the first item of business is a request from S&J Homes LLC to rezone 3.415 acres from R-2 to R-3. The property is located on the northern side of West Springbrook Road, approximately 600 feet west of its junction with State Route 42, and immediately east of Cornerstone Church. He further stated that the purpose of this request is to allow for a higher density use. He explained that should the rezoning request be granted; a separate public hearing will be held for a special use permit to consider approval of a 30-unit townhouse development. Mayor Proctor opened a Joint Public Hearing of the Council and Planning Commission and invited comments in support of or in opposition to the request.

Seth Roderick, speaking on behalf of the applicant, reviewed a statement of proffers the applicant has submitted with the rezoning application which include limiting the development to 30 residential townhouse units, all units will have sidewalk placed along frontage, exterior facades shall include a minimum of three colors per dwelling unit and stone and/or masonry materials shall be used to cover at least 15% of the gross principal structure façade for each townhouse group, and a plan for vegetative screening to shield rear yards from adjacent properties. He concluded by stating that they are proposing a nice, high-level development ranging in the \$180,000-\$210,000 price range.

Joyce McMillen, a resident of Harding Drive, stated that people are constantly on their property and feels that the proposed townhouse development will create additional traffic resulting in additional encroachment on their property. She further stated that this development will devalue their property.

Tom Counts, a resident of Sunset Drive, stated that he has lived here for about ten years, and is opposed to this townhouse development. He noted that he has seen how a development such as this can negatively impact an area.

Greg Spitzer stated that he too is opposed to the townhouse development proposal and with the number of units proposed, it will create additional traffic at intersections with very little sight distance.

John McMillen stated that he concurs with what his wife said, and he does not feel there is a need for this type of multi-level housing.

Having confirmed there was no one else in attendance wishing to speak either in favor of or in opposition to the proposed request, Mayor Proctor closed the public hearing and asked for the

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recommendation of the Planning Commission.

The Planning Commission then convened and discussed the proposed request. Members asked, should the rezoning be denied, if the developer intends to develop the property as duplexes, which are already allowed in the R-2 zoning district. The developer responded that he would continue with the duplex development.

After additional discussion, Chairman Boase invited Planning Commission action. Eddie Long moved, seconded by Steve Shifflett, to recommend denial of the rezoning request. The motion was approved with the following Planning Commission vote:

Kathy Boase	Aye	David Jordan	Aye
Eddie Long	Aye	Brenda Pultz	Aye
Steve Shifflett	Aye		

Mayor Proctor then invited Council action.

David L. Jordan moved, seconded by Chad L. Comer, to deny the rezoning request of S&J Homes. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Aye	Douglas W. Harpine	Aye
David L. Jordan	Aye	Beverly L. London	Aye

Mayor Proctor stated that as a result of this action, there is no need for the second public hearing and a brief recess will be taken.

The Council then reconvened.

Approval of Minutes and Bills:

Beverly L. London moved, seconded by Douglas W. Harpine, to adopt the minutes of the July 7, 2020 session of Council and to authorize payment of bills in the amount of \$763,026.13. The motion was approved with the following recorded roll call vote:

Chad L. Comer	Aye	Leslie E. Fulk	Aye
Richard E. Fulk	Aye	Douglas W. Harpine	Aye
David L. Jordan	Aye	Beverly L. London	Aye

Old Business:

There were no items of old business.

Committee Reports:

Parks & Recreation Committee:

Chairman Doug Harpine reported that improvements to baseball field #3 are nearly complete. It was noted that the pool has been extremely busy, and everything has been going well. Members concurred that if adequate staff is available and the weather remains good, that the pool season could possibly be extended beyond Labor Day, the typical closing date.

Finance Committee:

No report.

Personnel/Police Committee:

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Chairman Leslie Fulk stated that his committee will be meeting in the upcoming week to review applications for the position of Police Chief, followed by interviews with the full Council. A copy of an activities report for the police department for the month of July is included in the minutes as Attachment A.

Streets & Properties Committee:

No report.

Utilities Committee:

No report. A copy of the water production report for the month of July is included in the minutes as Attachment B.

BHP:

Council representative Chad Comer reported that regrettably, the upcoming Autumn Day and Octoberfest events have been cancelled for this year.

Planning Commission Report:

No report.

New Business:

There were no items of new business.

Public Comment:

Jen Knick familiarized the Council with Rockingham County's proposed plan for the reopening of schools due to the Covid-19 crisis. She advised that the school opening date is now set for September 10, 2020 and the majority of learning will be done virtually for the first semester. She, along with the Council, expressed concern regarding the needs of children being met, including food, lack of internet, etc.

Tom Counts mentioned that he is very thankful to live in the Town.

Town Attorney Matt Light updated the Council on the status of the 249 N. Main St. lot. He advised that a court hearing was held yesterday, and all indications are that the judge will permit sale of the property.

There being no further business, the meeting was adjourned.

Timothy S. Proctor Mayor

Marla W. Kline, MMC Clerk