



# TOWN OF SYLVA BOARD OF COMMISSIONERS REGULAR MEETING

Thursday, March 9, 2023 at 5:30 PM

Board Room, 83 Allen Street Sylva, North Carolina

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## MINUTES

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**PRESENT:** Mary Gelbaugh, Mayor Pro-Tem  
Greg McPherson, Commissioner  
David Nestler, Mayor  
Natalie Newman, Commissioner  
Brad Waldrop, Commissioner

Paige Dowling, Town Manager  
Amanda Murajda, Town Clerk  
Eric Ridenour, Town Attorney

**ABSENT:** Ben Guiney, Commissioner

### CALL TO ORDER

*Mayor Nestler called the meeting to order at 5:30 p.m.*

**STAFF PRESENT:** Lynn Bryant (Finance Officer).

**VISITORS:** Peggy Revis, Janet Lee, Edna Waldrop, Dave Waldrop, Kendall Waldrop, Brad Waldrop, Magnolia Waldrop, Ella Ritchie and Abigail Quinn.

### APPROVAL OF AGENDA

*Commissioner Newman made a motion to approve the agenda. The motion carries with a unanimous vote.*

### APPROVAL OF CONSENT AGENDA

*Commissioner Gelbaugh made a motion to approve the consent agenda. The motion carries with a unanimous vote.*

**SWEARING-IN CEREMONY:** Amanda Murajda, Town Clerk, administered the oath of office to the newly appointed Commissioner, Brad Waldrop.

**PUBLIC HEARING—ZONING MAP AMENDMENT APPLICATION: PEGGY REVIS:** Mayor Nestler opened the public hearing at 5:34 p.m. John Jeleniewski, Senior Planner of Jackson County, presented the staff report to the Board.

**Applicant:** Peggy Revis – Property Owners

**Property Location:** 144 Cherry Street, Sylva NC 28779; PIN 7641-47-8063

**Current Property Zoning:** High Density Residential - HDR

**Ordinance Section for which the Text Amendment is requested:** Article 3 - Procedures - Section 3.9.B – Zoning and Map Amendments

**Description of Request:** The applicant is requesting a map amendment that would designate a portion of the subject property as General Business (GB).

**Background:** The General Business District (GB) is the largest district within Sylva's commercially zoned jurisdiction. The GB District offers a broad range of permitted and special uses such as lodging, retail/commercial, restaurants, public/civil and recreational uses. Property improvements in this district are subject to development standards as set forth in the zoning ordinance including building setbacks, landscaping, architectural standards, sidewalk construction, parking, storm water treatment, etc.

The subject property is located on the southwest corner of Caldwell Street and Cherry Street intersection. This property is 1.60 acres in land area with an existing residential structure located near the southerly property line. Access to this property is from the public right-of-way of both Caldwell and Cherry Streets. Historically, this property has been used only as a private

residence. This particular parcel is adjacent to properties north and east that are zoned and in the GB District and is partially located in the 100-year flood plain. This property is served by Tuckaseegee Water & Sewer Authority for public utilities.

**Application Response:** The applicant is requesting that the existing Town of Sylva Zoning Map be amended to designate a portion of the subject property (1.25 acres) to the General Business District.

**Staff Findings:** The requested map amendment would not constitute “spot zoning” as the properties to the north and east are zoned GB. The Town’s adopted Land Use Plan for 2040 establishes that this property will be in the future Urban neighborhood District. The encouraged land uses for this future district include: primarily residential: small lot single family, townhome residential, two-, three- or four-family units, and multifamily; civic and educational uses that support community residents, live-work units, small scale in-home businesses and small scale public open space (e.g. active pocket parks, passive open space, greenways). In addition, this requested map amendment will create an available property and opportunity in the GB District that may be needed to serve the community during/after the proposed Highway 107 improvement project.

*Being no comments, Commissioner McPherson made a motion to close the hearing at 5:43 p.m. The motion carried with a unanimous vote.*

#### **PUBLIC COMMENTS**

None.

#### **MAYOR’S REPORT**

Mayor Nestler reported that there would be a Pinnacle Park Board meeting on Monday, March 13, 2023.

#### **COMMISSIONER’S REPORT**

Commissioner Gelbaugh reported that demolition of the building next to her office had been completed by NCDOT and she thanked Public Works for additional traffic signage during that project. Commissioner Waldrop thanked the board for the appointment to the Board of Commissioners.

**MANAGER’S REPORT:** Manager Dowling reported the following:

- Budget Process: Budget planning continues for the FY 23-24 budget. The Board’s next budget work session is March 23<sup>rd</sup> immediately following the council meeting.
- March 23<sup>rd</sup> work session will also contain the discussion of the Board’s non-budget priorities.
- GUTM: Vendor spaces are completely full for Greening Up the Mountains. This is the earliest the festival has ever filled up. GUTM is Saturday, April 22, 2023, from 10:00 a.m. – 4:00 p.m.
- The Allen Street contract is anticipated to be signed by the next meeting.

#### **PLANNING BOARD REPORT**

Manager Dowling reported that the Planning Board reviewed a zoning map amendment for Peggy Revis as well as agricultural uses related to setbacks and poultry.

#### **NEW BUSINESS**

**ZONING MAP AMENDMENT APPLICATION: PEGGY REVIS:** Manager Dowling reported that the Planning Board unanimously supported the approval of the application. *Commissioner McPherson made a motion to approve the zoning map amendment from the High Density Residential district to the General Business district for a portion of the parcel PIN# 7641-47-8063 which is consistent with the Sylva 2040 Land Use Plan and adopt the statement of consistency for the application. The motion carried with a unanimous vote.*

**CLOSED SESSION:** *Commissioner Gelbaugh made a motion to enter closed session pursuant to NCGS. 143-318-11(a)6 for the Town Manager’s evaluation at 5:49 p.m. The motion carried with a unanimous vote.*

*Commissioner McPherson made a motion to come out of closed session. The motion carried with a unanimous vote and the Board entered into regular session at 6:37 p.m. No action was taken during closed session.*

**ADJOURNMENT:** *Commissioner Waldrop made a motion to adjourn the meeting at 6:37 p.m. The motion carried with a unanimous vote.*