

Monroe A. Miller, Jr.
2200 Camp Branch Road
Waynesville, NC 28786
July 7, 2018

Subject: Anatomy of the Browning Branch Proposed Development, re: Elizabeth Teague's e-mails.

The Town of Waynesville Planning Board conducted a Public Hearing on June 18, 2018 for consideration of a Preliminary Subdivision Plat at Buchanan Drive, PIN 8604-94-0656 (AC-NR District) (*Quasi Judicial Hearing*). During the hearing, three (3) issues developed were raised that required the hearing to be continued to July 16, 2018.

Those three issues were:

- Right-of-way access to the Browning Branch LLC property being considered,
- Driveway separation distances between units
- Amount of "open space" of 5% of the area within the development.

Since then, two (2) additional factors have arisen that will most likely be introduced at the July meeting:

- Driveway distance from the dwelling to the street.
- The right-of-way description in the new Deed for the property, written by **James Weaver "Kirk" Kirkpatrick III**, has been called into question.

See: <http://haywoodtp.net/pubII/180630DeedRightOfWayBrowningBranchLLC.pdf>

The first four (4) of these issues surfaced because they violate the Town's Building Code of Ordinances.

[**Editors Note:** During a meeting with Rob Hites, Waynesville Town Manager, and others, Rob Hites made the statement that the "Book" (Code of Ordinances) is only an opinion. WTF?]

Once the Planning Board makes its determination, it is final, and does not have to be approved by the Waynesville Board of Alderman. However, the decision can be appealed to the Haywood County Resident Superior Court Judge, Brad Letts, where it is likely to go if the Board passes this plan.

This Planning Board recently passed two (2) developments.

- The Plott Creek Plan for 200 Apartments,
- The June Ray / Danny Wingate Subdivision for fourteen (14) units passed in the dark of night.

Both appeared to have complied with all of the check boxes to be checked before a plan is submitted to the Town Staff for review. That would be **Elizabeth Teague**, Development Services Director for the Town of Waynesville. She and her staff review all aspects of a plan prior to it going before the Planning Board.

What's happening here?

Some of these deficiencies in the Plan were known prior to submission of this plan before the Planning Board, so one has to ask why this Plan was ever submitted in the first place.

Not being terribly familiar with the Town of Waynesville procedures, I was subjected to a crash course, which I can describe as similar to Neo learned Kung Fu from Tank, in the movie, The Matrix.

As part of the investigative process, I made a Public Records Request from the Town of Waynesville for all of the e-mails from **Elizabeth Teague** and the Browning Branch LLC people, and specifically those between **Elizabeth Teague** and **Danny Wingate**.

Initially, I was told that **Elizabeth Teague** was the Custodian of those records, and she would be supplying me the e-mails. What? First of all, **Elizabeth Teague** is not the custodian of those records, it is an IT company that maintains the Towns e-mails and records on their servers - VC-3. Secondly, receiving e-mails from the person you are asking them about is akin to the fox guarding the hen house. Well, **Elizabeth Teague** is the person who pulled the e-mails, and verified by Amie Owens that they did come from VC-3. So you decide if you think I got everything.

Elizabeth Teague, by the way, does not reside in Haywood County, rather Buncombe County. FYI.

There are recurring themes in the e-mails, and two on the main ones resurface time and again:

- The right-of-way access to the property off Allens Creek Road
- The issues with half the property being in a 100 year flood zone.

A project supervisor, Greg Wishart, presented this plan before the Planning Board, presumably on behalf of the new owner, Marek (Mark) Hevier, Browning Branch LLC.

There is a lot more to this story other than the e-mail dialog between **Elizabeth Teague**, Town of Waynesville Staff, lawyers and those associated with Browning Branch LLC, but this is a good spot to establish a point of reference for future stuff.

Here we go...

Monroe A. Miller, Jr.
Haywood County Taxpayer.

Subject: Hevier / Wishart project
Date: Sat, 10 Feb 2018 14:09:15 +0000
From: Greg Wishart <gw868808@gmail.com>
To: Elizabeth Teague <eteague@waynesvillenc.gov>

Elizabeth,
Thank you for your time and guidance on Friday.
Please see the attached survey and site proposals in 3 different formats.
The site may change slightly due to road right of way requirements and potential of wetland area.
Regards,
Greg Wishart
828-646-1470

[5 Attachments]

Subject: RE: Hevier / Wishart project
Date: Tue, 27 Feb 2018 13:53:00 +0000
From: Elizabeth Teague <eteague@waynesvillenc.gov>
To: 'Greg Wishart' <gw868808@gmail.com>

Greg-

I was contacted by Mr. Charlie Deaver who owns property off of Buchanan Drive. He asked me to forward his contact information to you and your client,:

Charlie Deaver

He indicated that he and several other neighbors adjacent to Buchanan Drive had been contacted regarding right-of-way or improvements to Buchanan Drive, and that they do not want to see Buchanan Drive upgraded. He also stated that he is concerned with any plan for development on that site because of past flooding. He would like an opportunity to speak with you and the interested buyer.

I will see you tomorrow at 11 at the Town Municipal Building at 16 S. Main St.

Elizabeth Teague, AICP, CTP, CFM | Development Services Director

Subject: TRC Notes

Date: Wed, 28 Feb 2018 20:25:06 +0000

From: Elizabeth Teague <eteague@waynesvillenc.gov>

To: 'Greg Wishart' <gw868808@gmail.com>

CC: David Kelley <dkelley@waynesvillenc.gov>, Preston Gregg <pgregg@waynesvillenc.gov>, Thomas Maguire <tmaguire@waynesvillenc.gov>, Joey Webb <jwebb@waynesvillenc.gov>, Jeff Stines <jstines@waynesvillenc.gov>

Greg-

Thank you for meeting with us.

I've attached Appendix D of the Fire Code, Subdivision Information, Stormwater information

The Zoning is Allens Creek Neighborhood Residential District (AC-NR)

*Minimum lot size is 1/10 acre or 4,356 sf

*Minimum lot width at street is 50'

*Setbacks: Front 10'
 Side 10'
 Rear 6'

Elizabeth Teague

Subject: RE: [External] Re: Haywood County
Date: Fri, 16 Mar 2018 15:13:55 +0000
From: Elizabeth Teague <eteague@waynesvillenc.gov>
To: 'Greg Wishart' <gw868808@gmail.com>
CC: Byron Hickox <bhickox@waynesvillenc.gov>

Hi Greg,

Development within the floodplain requires compliance with Town Floodplain regulations. The Town's floodplain administrator is Byron Hickox. Byron's phone number to discuss with him is (828) 452-0401.

Municipalities have to assure compliance with Federal floodplain regulations for flood insurance eligibility. I've attached the regulations for your reference, Section 12.3.4 are where you will find the requirements.

The floodplain permit is included in the Town of Waynesville's Land Development Permit (attached).

Elizabeth Teague, AICP, CTP, CFM | Development Services Director
Town of Waynesville, NC
9 S. Main Street | PO Box 100 | Waynesville, NC 28786
(o) 828.456.2004 | (f) 828.452.1492
eteague@waynesvillenc.gov | www.waynesvillenc.gov

From: Greg Wishart [mailto:gw868808@gmail.com]
Sent: Friday, March 16, 2018 9:10 AM
To: Elizabeth Teague; Marek Hevier
Subject: Fwd: [External] Re: Haywood County

Elizabeth,

Good day, Amy from DENR / DENQ is stating that I need to "contact the Town of Waynesville's floodplain administrator" in regards to filling the footprints of the buildings that fall into the 100 year floodplain? Is this correct? (see below in Amy's email response to me) I thought that we have to contact DENR/ DENQ for that due to the fact that the town does not have a "floodplain administrator" ? What agency is it that controls the 100 year floodplain and does the town have to sign off on that or is it totally up to the state agencies or potentially federal agencies?

Please clarify this,
Thank you,
Greg Wishart
828-646-1470

From: Annino, Amy M <amy.annino@ncdenr.gov>
Date: Thu, Mar 15, 2018 at 4:37 PM
Subject: RE: [External] Re: Haywood County
To: Greg Wishart <gw868808@gmail.com>

Paul,

The PCN is a joint application to both USACE and NCDWR. You must provide the necessary number of

copies and plans to both agencies. The help document goes over the application process.

If you want to add fill to the floodplain, you need to contact the Town of Waynesville's floodplain administrator. I do not have their contact information.

Please let me know if I can answer any other questions.

Amy Annino

Environmental Specialist – Asheville Regional Office
Water Quality Regional Operations Section
NCDEQ – Division of Water Resources
828 296 4656 office
amy.annino@ncdenr.gov
2090 U.S. Hwy. 70
Swannanoa, N.C. 28711

From: Greg Wishart [mailto:gw868808@gmail.com]
Sent: Thursday, March 15, 2018 11:44 AM
To: Annino, Amy M <amy.annino@ncdenr.gov>
Subject: Re: [External] Re: Haywood County

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to Report Spam.

Amy,

Thank you for all of the information. Would it be best to start the process with filling out the PCN to expedite matters?

We currently have 15 days to our expiration of due diligence on the property in question. It is looking like the purchase will go through at this point.

If I read your email correctly, I not only have to permit through USACE / David Brown and also DWR for creek crossing?

On another very important note, who do I speak with about permitting to add fill in the 100 year flood plain so as to bring the structures up out of the BFE. Our desire is to add fill under the foot print of each duplex that falls in the 100 yr flood plain. I need to make sure that this is permissible prior to purchasing the property?

Thank you,
Greg Wishart
828-646-1470

On Fri, Mar 9, 2018 at 9:57 AM, Annino, Amy M <amy.annino@ncdenr.gov> wrote:

Mr. Wishart,

You will have to go through permitting with DWR to install the culvert that crosses the unnamed tributary that flows to Browning Branch. This is because this UT is classified as a Trout stream, and NC has specific

protections to safeguard trout streams. Please see the attached Water Quality Certificate 4139 for clarification.

NC's Water Quality Certificates correspond to the USACE permits. Please confirm with David Brown that the USACE permit this activity would fall under is a Nationwide Permit 29 for Residential Development. Your project may fall below their threshold to trigger a permit, but since this is a trout stream DWR will require a permit. Please let me know if you have questions about NC DWR's permitting process.

The state of NC classifies Browning Branch (and tributaries that flow into Browning Branch) as Trout waters. Trout streams in NC are protected with the Trout Buffer Law, which mandates that a buffer zone 25 feet wide be undisturbed, measured horizontally from the top of the bank (see attached FAQ).

WNC has a trout moratorium, which runs from October 15 to April 15. All construction in trout streams must happen outside of the moratorium.

Please contact the Town of Waynesville planning department to discuss Stormwater Management requirements. The town has adopted standards for Stormwater Management. There may be post-construction stormwater management requirements to protect water quality for this residential development. Elizabeth Teague, Development Services Director of the Planning Division of the Development Services Department can be reached at (828) 456-2004, Monday - Friday, 8:00 a.m. - 4:00 p.m.

A permit through the Division of Energy Mineral and Land Resources for a Sediment and Erosion Control Plan may also be required. Please contact Stan Aiken in the Asheville Regional Office to inquire. He can be reached at 828-296-4610.

Thank you,

Amy Annino
Environmental Specialist – Asheville Regional Office
Water Quality Regional Operations Section
NCDEQ – Division of Water Resources
828 296 4656 office
amy.annino@ncdenr.gov

From: Greg Wishart [mailto:gw868808@gmail.com]
Sent: Thursday, March 08, 2018 4:22 PM
To: Annino, Amy M <amy.annino@ncdenr.gov>
Subject: [External] Re: Haywood County

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to Report Spam.

Amy,

Please see the two attachments.
The site proposal is only a Rough draft,

Greg Wishart
828-646-1470

Subject: RE: [External] Re: Haywood County
Date: Fri, 16 Mar 2018 15:13:55 +0000
From: Elizabeth Teague <eteague@waynesvillenc.gov>
To: 'Greg Wishart' <gw868808@gmail.com>
CC: Byron Hickox <bhickox@waynesvillenc.gov>

Hi Greg,

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Municipalities have to assure compliance with Federal floodplain regulations for flood insurance eligibility. I've attached the regulations for your reference, Section 12.3.4 are where you will find the requirements.

The floodplain permit is included in the Town of Waynesville's Land Development Permit (attached).

Elizabeth Teague, AICP, CTP, CFM | Development Services Director

From: Greg Wishart [mailto:gw868808@gmail.com]
Sent: Friday, March 16, 2018 9:10 AM
To: Elizabeth Teague; Marek Hevier
Subject: Fwd: [External] Re: Haywood County

Elizabeth,

Good day, Amy from DENR/ DENQ is stating that I need to "contact the Town of Waynesville's floodplain administrator" in regards to filling the footprints of the buildings that fall into the 100 year floodplain? Is this correct? (see below in Amy's email response to me) I thought that we have to contact DENR/ DENQ for that due to the fact that the town does not have a "floodplain administrator" ? What agency is it that controls the 100 year floodplain and does the town have to sign off on that or is it totally up to the state agencies or potentially federal agencies?

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828-646-1470

----- Forwarded message -----
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Subject: RE: [External] Re: Haywood County
To: Greg Wishart <gw868808@gmail.com>

Paul,

The PCN is a joint application to both USACE and NCDWR. You must provide the necessary number of copies and plans to both agencies. The help document goes over the application process.

If you want to add fill to the floodplain, you need to contact the Town of Waynesville's floodplain administrator. I do not have their contact information.

Please let me know if I can answer any other questions.

Amy Annino
Environmental Specialist – Asheville Regional Office
Water Quality Regional Operations Section
NCDEQ – Division of Water Resources
828 296 4656 office
amy.annino@ncdenr.gov
2090 U.S. Hwy. 70
Swannanoa, N.C. 28711

From: Greg Wishart [mailto:gw868808@gmail.com]
Sent: Thursday, March 15, 2018 11:44 AM
To: Annino, Amy M <amy.annino@ncdenr.gov>
Subject: Re: [External] Re: Haywood County

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Amy,

Thank you for all of the information. Would it be best to start the process with filling out the PCN to expedite matters?

We currently have 15 days to our expiration of due diligence on the property in question. It is looking like the purchase will go through at this point.

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On another very important note, who do I speak with about permitting to add fill in the 100 year flood plain so as to bring the structures up out of the BFE. Our desire is to add fill under the foot print of each duplex that falls in the 100 yr flood plain. I need to make sure that this is permissible prior to purchasing the property?

Thank you,

Greg Wishart
828-646-1470

Subject: Re: Ross property

Date: Mon, 19 Mar 2018 14:55:11 +0000

From: Greg Wishart <gw868808@gmail.com>

To: Byron Hickox <bhickox@waynesvillenc.gov>, Elizabeth Teague <eteague@waynesvillenc.gov>

Byron ,

Please see the attached approved JD from the Army Corp of Engineers for the Ross property.

I have also attached a rough draft of a site proposal .

Marek Hevier currently has the Ross property under contract with due diligence expiring soon.

Our question is will there be an issue with bringing in fill and compacting it to what our engineer states in the 100 year floodplain area on the property , so as to bring the foundations of the proposed structures above BFE ?

Of course , we know that we have to have an engineered water and sewer plan, and a storm water drainage and erosion control plan etc.

Let me reiterate that we are in due diligence to purchase this property and we need to know if there is anything in your zoning code or otherwise that could possibly not allow us to obtain the appropriate permits for this project? (regarding the 100 year flood plain)

Thank you ,

Greg Wishart

828-646-1470

[Editors Note: See: [Browning Branch LLC Deed Right-of-Way, Fantasy Land by James Weaver "Kirk" Kirkpatrick III. 6/30/2018...](#) (on www.haywoodtp.net)

or

<http://haywoodtp.net/pubII/180630DeedRightOfWayBrowningBranchLLC.pdf>

These are the deeds called into question by **James Weaver “Kirk” Kirkpatrick III]**

Subject: Browning branch project

Date: Fri, 20 Apr 2018 15:01:00 +0000

From: Greg Wishart <gw868808@gmail.com>

To: Elizabeth Teague <eteague@waynesvillenc.gov>, Marek Hevier <mhevier@gmail.com>

Good day Elizabeth,

Mark Hevier closed on the Ross 7 acre parcel this week, we are currently doing topo survey and hope to have a true rough draft of the site plan towards the end of next week. We have already completed the wetlands determination with the US army corp of engineers.

What are the upcoming dates of the TRC ?

Also, I have asked a couple of times about right of way / easement for the water line that runs on the top of the property and where exactly that water line is?

Thank you for your help and any other suggestions or ideas to help expedite the timeline in our project would be appreciated,

Regards,

Greg Wishart

828-646-1470

Subject: Buchanan drive property / Mark Hevier property / PIN # 8604-94-0656

Date: Tue, 24 Apr 2018 19:22:54 +0000

From: Greg Wishart <gw868808@gmail.com>

To: Preston Gregg <pgregg@waynesvillenc.gov>, Marek Hevier <mhevier@gmail.com>, Elizabeth Teague <eteague@waynesvillenc.gov>

Preston,

We met a couple of months ago at a TRC meeting.

I spoke with Elizabeth today about a water line that I have been trying to find out details about in regards to the property. She suggested that I ask you where this water line is exactly. There is not a right of way recorded by the town but it seems like the water line runs on the property line (the southern boundary) , it also feeds a fire hydrant. The attorney, Kirk Kirkpatrick did not find an easement recorded by the town.

Long story short , I need to make sure where this water line is, so that we do not plan buildings too close to it. Also, what type of pipe it is and I believe that I was told it was a 6" line by Jeff Stines?

Thank you for your help in this matter,

Greg Wishart

828-646-1470

Subject: Re: Buchanan drive property / Mark Hevier property / PIN # 8604-94-0656
Date: Wed, 25 Apr 2018 13:40:48 +0000
From: Greg Wishart <gw868808@gmail.com>
To: Preston Gregg <pgregg@waynesvillenc.gov>, Elizabeth Teague <eteague@waynesvillenc.gov>, Marek Hevier <mhevier@gmail.com>

Preston,

How true is the layer of the property line over the water line? I would think that they put the water line exactly on the property line, unless they did a straight line?

Is there a way that water and sewer can verify exactly where that water line is?

Thank you for your help,

Greg Wishart

828.646.1470

On Tue, Apr 24, 2018 at 4:06 PM, Preston Gregg <pgregg@waynesvillenc.gov> wrote:

Ignore the first email. Attached is a better image with the parcel layer turned on.

Preston Gregg, PE, PMP | Town Engineer | Electric Manager

Town of Waynesville, NC

129 Legion Drive | Waynesville, NC 28786

(o) 828.456.3706 | (f) 828.456.2005

pgregg@waynesvillenc.gov | www.waynesvillenc.gov

From: Preston Gregg

Sent: Tuesday, April 24, 2018 4:04 PM

To: 'Greg Wishart'; Marek Hevier; Elizabeth Teague

Subject: RE: Buchanan drive property / Mark Hevier property / PIN # 8604-94-0656

See attached. Line is a 6" cast iron.

Preston Gregg, PE, PMP | Town Engineer | Electric Manager

Town of Waynesville, NC

129 Legion Drive | Waynesville, NC 28786

(o) 828.456.3706 | (f) 828.456.2005

pgregg@waynesvillenc.gov | www.waynesvillenc.gov

Subject: Review of duplex plan

Date: Tue, 1 May 2018 09:49:27 +0000

From: Greg Wishart <gw868808@gmail.com>

To: David Kelley <dkelley@waynesvillenc.gov>, Elizabeth Teague <eteague@waynesvillenc.gov>, Marek Hevier <mhevier@gmail.com>

David,

Please review the attached rough draft of our duplex plan.

If you see any issues that would impact the ability of obtaining a permit please let me know,

Regards,

Greg Wishart

828-646-1470

Subject: Per our discussion, wetland determination from USACE

Date: Fri, 4 May 2018 19:00:00 +0000

From: Greg Wishart <gw868808@gmail.com>

To: Elizabeth Teague <eteague@waynesvillenc.gov>

Please see the attached ,

Thank you,

Greg Wishart

Subject: Progress of review of site plan

Date: Mon, 14 May 2018 10:44:22 +0000

From: Greg Wishart <gw868808@gmail.com>

To: Elizabeth Teague <eteague@waynesvillenc.gov>, Marek Hevier <mhevier@gmail.com>

Good day Elizabeth,

When I met with you on Friday May 4th and presented you with the rough draft of the site plan, you had stated that you and your departments should have suggestions on revisions etc. back to me by Tuesday May 8th. I left a voicemail message on Thursday May 10th and have not heard anything back as of yet? Could you please give me the suggestions as soon as possible?

If there is anything that I can do to make this process move along more expeditiously please let me know.

Kind regards,
Greg Wishart
828-646-1470

Subject: RE: Progress of review of site plan
Date: Tue, 15 May 2018 17:03:40 +0000
From: Elizabeth Teague <eteague@waynesvillenc.gov>
To: 'Greg Wishart' <gw868808@gmail.com>, Marek Hevier <mhevier@gmail.com>
CC: David Kelley <dkelley@waynesvillenc.gov>, Thomas Maguire <tmaguire@waynesvillenc.gov>, Byron Hickox <bhickox@waynesvillenc.gov>, Michelle Baker <cbaker@waynesvillenc.gov>

Hi Greg- See attached. Town of Waynesville Land development Standards are available at:
https://library.municode.com/nc/waynesville/codes/code_of_ordinances

Elizabeth Teague, AICP, CTP, CFM | Development Services Director

From: Greg Wishart [mailto:gw868808@gmail.com]
Sent: Monday, May 14, 2018 6:44 AM
To: Elizabeth Teague; Marek Hevier
Subject: Progress of review of site plan

Good day Elizabeth,

When I met with you on Friday May 4th and presented you with the rough draft of the site plan, you had stated that you and your departments should have suggestions on revisions etc. back to me by Tuesday May 8th. I left a voicemail message on Thursday May 10th and have not heard anything back as of yet?

Could you please give me the suggestions as soon as possible?

If there is anything that I can do to make this process move along more expeditiously please let me know.

Kind regards,

Greg Wishart
828-646-1470

Subject: the site plan to be presented today

Date: Wed, 23 May 2018 13:08:39 +0000

From: Greg Wishart <gw868808@gmail.com>

To: Elizabeth Teague <eteague@waynesvillenc.gov>, Marek Hevier <mhevier@gmail.com>, David Kelley <dkelley@waynesvillenc.gov>, Preston Gregg <pgregg@waynesvillenc.gov>

Elizabeth,

I will be bringing several copies of the attached site plan today.

I have also included the rough draft of the duplex plan.

See you at 11 AM, hope you are not too worn out from the last two days !

Regards,

Greg

Subject: Browning Branch LLC
Date: Fri, 1 Jun 2018 18:58:28 +0000
From: Elizabeth Teague <eteague@waynesvillenc.gov>
To: 'Greg Wishart' <gw868808@gmail.com>
CC: Michelle Baker <cbaker@waynesvillenc.gov>, David Kelley <dkelley@waynesvillenc.gov>

Hi Greg-

Please fill out the attached subdivision form and get it back to us with the fee: (\$200 + \$10/lot), and the required drawings for the application. This should include (from LDS Chapter 15):

15.4.1 Environmental Survey

An environmental survey is intended to identify forest stands or trees of a uniform size and species; specimen trees of varying sizes and species, particularly free standing or open-grown or field grown trees; a distinctive tree line or forest edge; existing watercourses; and previously documented endangered species habitats. Identification of existing trees, understory vegetation, wetlands, perennial streams, floodplains, and topographical features on a site prior to the advanced preparation of development plans enables the reasonable and practical planned preservation of existing and environmentally sensitive areas. This requirement provides the Town and the applicant the ability to evaluate the proposed development in order to preserve vegetation, to improve the appearance of the development proposed and to encourage the use of the existing forest and tree canopy, specimen trees, and significant vegetation to satisfy the requirements of this Ordinance. It is the expectation that readily available spatial data including GIS information will be sufficient for this survey.

15.4.3 Master Plan Requirements

The Master Plan is intended to provide a detailed two-dimensional drawing that illustrates all of the required site features including buildings, parking areas, streets locations, street sections, rights-of-way, property lines and setbacks, required or proposed watercourse buffers, site landscaping and lighting (in conceptual form), and all related development calculations (e.g., density, proposed building areas, number of parking spaces, estimate impervious surface) in sufficient detail to show compliance with this ordinance. Detailed engineering drawings such as subsurface utilities (e.g., water and sewer) and on-site stormwater facilities are not required for Master Plans. All plans shall be submitted at a scale not less than 1 inch = 50 feet (for Site Plans) or 1 inch = 200 feet (for Subdivisions) unless otherwise authorized by the Administrator.

15.4.4 Construction Documents/Preliminary Plat

The Construction Documents for Site Plans and Subdivision Plans shall constitute a full a complete set of engineered drawings necessary for final permitting and construction. All plans shall be submitted at a scale not less than 1 inch = 50 feet unless otherwise authorized by the Administrator. All streets, utilities, and stormwater, and other infrastructure systems shall be designed and constructed in accordance with the adopted Manual of Specifications.

15.4.7 Building Elevations for Design Review

In order to reasonably evaluate the building, it is necessary to submit scaled drawings of each elevation visible from a public street or civic space. These drawings should be in color and should accurately represent the building heights, floor levels, and building materials. In addition, the Administrator may require up to three drawings from different perspectives that will show how the building fits into the context of the block.

The Preliminary plat we discussed at TRC should be accompanied by a similar drawing to be used as the environmental survey which shows the location of the floodplain, wetlands, treeline and other features as described. Many people simply use an aerial map or the State Floodplain or wetlands information. The Master Plan uses the preliminary plat drawing as a base but then includes the information identified above. You will need to show the stormwater calculations (impervious to pervious area) and identify the retention areas. The building elevations with floor plans packet that you have already provided are sufficient.

Often an engineer will submit a stormwater study and narrative as a separate document that shows the calculations and explains the management practices, or there will be a separate plan sheet with cross sections showing the retention areas, plantings, and any other types of storage and treatment proposed. Often the Master Plan, environmental information and Preliminary Plat are packaged together as a plan set but people have done it different ways. I just need to have the information required as above to determine application completeness. We have you tentatively scheduled for the June 18th Planning Board meeting.

Elizabeth Teague, AICP, CTP, CFM | Development Services Director

Subject: RE: Packet of info for Browning Branch LLC
Date: Wed, 6 Jun 2018 13:05:16 +0000
From: Elizabeth Teague <eteague@waynesvillenc.gov>
To: 'Greg Wishart' <gw868808@gmail.com>
CC: Michelle Baker <cbaker@waynesvillenc.gov>, Jody Nichols <jnichols@waynesvillenc.gov>

Hi Greg-

Thanks. I will be in an Historic Preservation Hearing and will not be able to meet. Could we do it Monday?

Elizabeth Teague, AICP, CTP, CFM | Development Services Director

-----Original Message-----

From: Greg Wishart [mailto:gw868808@gmail.com]
Sent: Wednesday, June 06, 2018 8:35 AM
To: Elizabeth Teague
Subject: Packet of info for Browning Branch LLC

Good morning Elizabeth,

I will have the packet to you today electronically and, I will also stop by and pay the fees that are required. I was wondering if you might have some time between one and 3 PM?

Thank you,
Greg

Sent from my iPhone

Subject: Mailing Notice for Major Subdivision

Date: Thu, 7 Jun 2018 14:09:19 +0000

From: Elizabeth Teague <eteague@waynesvillenc.gov>

To: Michelle Baker <cbaker@waynesvillenc.gov>, Byron Hickox <bhickox@waynesvillenc.gov>

CC: 'Greg Wishart' <gw868808@gmail.com>

Michelle and Byron,

Please mail the attached notice to the addresses provided today, and post the property. Thank you.

Elizabeth Teague, AICP, CTP, CFM | Development Services Director

Subject: update with curb

Date: Thu, 7 Jun 2018 13:31:55 +0000

From: Greg Wishart <gw868808@gmail.com>

To: Elizabeth Teague <eteague@waynesvillenc.gov>, Marek Hevier <mhevier@gmail.com>

Elizabeth,

The attached files are the most up to date, they include curb which had inadvertently been left off the earlier drawings,

I will be by in a little bit to drop off large drawings and also the check for \$460.00 for the application,

Please delete the earlier email from this morning and it's attachments,

Thank you,

Greg

Subject: RE: Mailing Notice for Major Subdivision
Date: Thu, 7 Jun 2018 19:05:07 +0000
From: Elizabeth Teague <eteague@waynesvillenc.gov>
To: Michelle Baker <cbaker@waynesvillenc.gov>

Thnks- ET

From: Michelle Baker
Sent: Thursday, June 07, 2018 12:01 PM
To: Elizabeth Teague
Cc: Byron Hickox
Subject: RE: Mailing Notice for Major Subdivision

Mailings done

Chelle Baker | Administrative Assistant
Planning and Development Services
Town of Waynesville, NC
9 S. Main Street | PO Box 100 | Waynesville, NC 28786
(o) 828.356.1172 | (f) 828.452.1492
cbaker@waynesvillenc.gov | www.waynesvillenc.gov

From: Elizabeth Teague
Sent: Thursday, June 07, 2018 10:09 AM
To: Michelle Baker; Byron Hickox
Cc: 'Greg Wishart'
Subject: Mailing Notice for Major Subdivision

Michelle and Byron,

Please mail the attached notice to the addresses provided today, and post the property. Thank you.

Elizabeth Teague, AICP, CTP, CFM | Development Services Director

Subject: FW: update with curb

Date: Tue, 12 Jun 2018 15:51:27 +0000

From: Elizabeth Teague <eteague@waynesvillenc.gov>

To: Preston Gregg <pgregg@waynesvillenc.gov>, David Foster <dfoster@waynesvillenc.gov>, Joey Webb <jwebb@waynesvillenc.gov>, Jeff Stines <jstines@waynesvillenc.gov>

Please review these one more time and send me an email confirming adequate service and compliance.
Thanks-

ET

From: Greg Wishart [mailto:gw868808@gmail.com]

Sent: Thursday, June 07, 2018 9:32 AM

To: Elizabeth Teague; Marek Hevier

Subject: update with curb

Elizabeth,

The attached files are the most up to date, they include curb which had inadvertently been left off the earlier drawings,

I will be by in a little bit to drop off large drawings and also the check for \$460.00 for the application,

Please delete the earlier email from this morning and its attachments,

Thank you,

Greg

Subject: RE: update with curb
Date: Tue, 12 Jun 2018 17:40:36 +0000
From: Joey Webb <jwebb@waynesvillenc.gov>
To: Elizabeth Teague <eteague@waynesvillenc.gov>, Preston Gregg <pgregg@waynesvillenc.gov>, David Foster <dfoster@waynesvillenc.gov>, Jeff Stines <jstines@waynesvillenc.gov>

Elizabeth,

I have reviewed the plans for the Browning Branch, LLC project. The number of fire hydrants and access is adequate for fire protection.

If you have any additional questions let me know.

Joey Webb | Fire Chief
Waynesville Fire Department
Town of Waynesville, NC
1022 N. Main Street | Waynesville, NC 28786
(FD) 828.456.6151 | (direct) 828.456.8646 | (f) 828.356.1188
jwebb@waynesvillenc.gov

From: Elizabeth Teague
Sent: Tuesday, June 12, 2018 11:51 AM
To: Preston Gregg; David Foster; Joey Webb; Jeff Stines
Subject: FW: update with curb

Please review these one more time and send me an email confirming adequate service and compliance.
Thanks-

ET

From: Greg Wishart [mailto:gw868808@gmail.com]
Sent: Thursday, June 07, 2018 9:32 AM
To: Elizabeth Teague; Marek Hevier
Subject: update with curb

Elizabeth,

The attached files are the most up to date, they include curb which had inadvertently been left off the earlier drawings,

I will be by in a little bit to drop off large drawings and also the check for \$460.00 for the application,

Please delete the earlier email from this morning and it's attachments,

Thank you,
Greg

Subject: Confirmation - ncdot.gov
Date: Thu, 14 Jun 2018 16:36:27 +0000
From: Greg Wishart <gw868808@gmail.com>
To: Elizabeth Teague <eteague@waynesvillenc.gov>

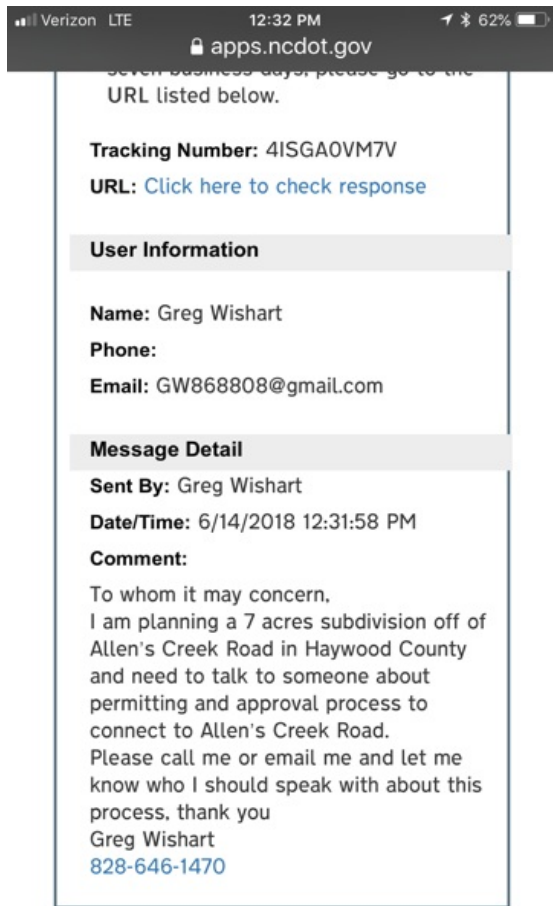
Elizabeth,
Contact has been made with NCDOT, please see below link, awaiting their response.
Greg Wishart

<https://apps.ncdot.gov/ContactUs/Home/Confirmation>

Sent from my iPhone

Subject: Ncdot Contacts , corrected
Date: Thu, 14 Jun 2018 16:40:01 +0000
From: Greg Wishart <gw868808@gmail.com>
To: Elizabeth Teague <eteague@waynesvillenc.gov>

Elizabeth please ignore the previous email this is the corrected contact info



Subject: Re: FW: Planning Board Meeting Agenda 6-18-18
Date: Thu, 14 Jun 2018 19:19:53 +0000
From: L M <loganmcclure0712@gmail.com>
To: Elizabeth Teague <eteague@waynesvillenc.gov>

Thank you for the info.

On Thu, Jun 14, 2018, 3:13 PM Elizabeth Teague <eteague@waynesvillenc.gov> wrote:

FYI

From: Michelle Baker
Sent: Thursday, June 14, 2018 3:08 PM
Cc: Alison Richmond; Becky Johnson; Beverly Green; Buffy Phillips; Carol Adams; Clifton Metcalf; Cory Vailliancourt; Kim Czaja; Libba Feichter; Linda Cox; Lynn Collins; Mary Ann Enloe; O'Brienm; Pat Maier; Philan Medford; SE Dev; Smoky Mountain News; Susan Kimball; Vicki Hyatt; WLOS staff
Subject: Planning Board Meeting Agenda 6-18-18

Attached you will find the meeting agenda for the Planning Board Meeting which will be held on Monday, June 18, 2018 at 5:30 pm. The Packet was too large for email capacity and can be found on the town's calendar under the planning board tab date of 06-18-18.

Thank you and have a great day,

Chelle Baker | Administrative Assistant

Subject: FW: Planning Board Meeting Agenda 6-18-18
Date: Thu, 14 Jun 2018 19:13:29 +0000
From: Elizabeth Teague <eteague@waynesvillenc.gov>

FYI

From: Michelle Baker
Sent: Thursday, June 14, 2018 3:08 PM
Cc: Alison Richmond; Becky Johnson; Beverly Green; Buffy Phillips; Carol Adams; Clifton Metcalf; Cory Vailliancourt; Kim Czaja; Libba Feichter; Linda Cox; Lynn Collins; Mary Ann Enloe; O Brienm; Pat Maier; Philan Medford; SE Dev; Smoky Mountain News; Susan Kimball; Vicki Hyatt; WLOS staff
Subject: Planning Board Meeting Agenda 6-18-18

Attached you will find the meeting agenda for the Planning Board Meeting which will be held on Monday, June 18, 2018 at 5:30 pm. The Packet was too large for email capacity and can be found on the town's calendar under the planning board tab date of 06-18-18.

Thank you and have a great day,

Chelle Baker | Administrative Assistant

Subject: Fwd: LETTER - Browning Branch LLC
Date: Fri, 15 Jun 2018 16:47:12 +0000
From: Greg Wishart <gw868808@gmail.com>
To: mhevier@gmail.com <mhevier@gmail.com>, Elizabeth Teague <eteague@waynesvillenc.gov>

Elizabeth,
Please see the attached letter from the engineer regarding site plan, floodplain stormwater etc.
If you have any questions please let me know,
Thank you,
Greg

Sent from my iPhone

Begin forwarded message:

> From: Randy Herron <randyherron59@gmail.com>
> Date: June 15, 2018 at 12:25:47 PM EDT
> To: Greg Wishart <gw868808@gmail.com>
> Subject: Fwd: LETTER - Browning Branch LLC
>
> ----- Forwarded message -----
> From: Jeffrey L. Herron, PE, CFM <jeff@herronassociates.com>
> Date: Fri, Jun 15, 2018 at 12:23 PM
> Subject: LETTER - Browning Branch LLC
> To: <randyherron59@gmail.com>
>
> Randy,
>
> I've attached a letter in response to concerns about the Preliminary Site Plan for Browning Branch, LLC.
>
> Please contact me whenever I may be of further assistance to you. If you have any questions or require
additional information, please do not hesitate to call me at (828) 488-8949.
>
>
> Sincerely,
> Jeffrey L. Herron, PE, CFM
> President
>
> Herron Associates, P.A.
> 721 Main Street
> P.O. Box 1265
> Bryson City, NC 28713
> Phone: 828-488-8949
> FAX: 828-488-8758
>
> jeff@herronassociates.com
>

Subject: RE: Site plans with colors and layers taken off
Date: Fri, 15 Jun 2018 20:18:41 +0000
From: Elizabeth Teague <eteague@waynesvillenc.gov>
To: 'Greg Wishart' <gw868808@gmail.com>

Got it – looks good and much easier to understand. Did you drop a lot? Thanks – have a great weekend- ET

From: Greg Wishart [mailto:gw868808@gmail.com]
Sent: Friday, June 15, 2018 2:59 PM
To: Elizabeth Teague
Subject: Site plans with colors and layers taken off

Elizabeth,

Please see the attached site plans with several layers taken off,

Hope this works better for a visual,

Greg

I will have some large copies of this printed to be put on an easel if needed?

Subject: Site plans with colors and layers taken off
Date: Fri, 15 Jun 2018 18:59:01 +0000
From: Greg Wishart <gw868808@gmail.com>
To: Elizabeth Teague <eteague@waynesvillenc.gov>

Elizabeth,
Please see the attached site plans with several layers taken off,
Hope this works better for a visual,
Greg
I will have some large copies of this printed to be put on an easel if needed?

Subject: Fwd: Please call me
Date: Fri, 15 Jun 2018 15:03:55 +0000
From: Greg Wishart <gw868808@gmail.com>
To: Elizabeth Teague <eteague@waynesvillenc.gov>

Good day Elizabeth,
Please take a look at the attachments and let me know what you think, thank you
Greg

Sent from my iPhone

Begin forwarded message:

> From: Randy Herron <randyherron59@gmail.com>
> Date: June 15, 2018 at 10:31:30 AM EDT
> To: Greg Wishart <gw868808@gmail.com>
> Subject: Re: Please call me
>
> look at the attached
>
> On Fri, Jun 15, 2018 at 9:51 AM, Greg Wishart <gw868808@gmail.com> wrote:
>
> can you take some layers away,, and make it look simpler,,
> with colors for different items,, as what Elizabeth mentioned in the 3/7 drawing from Janet ?
>

> On Fri, Jun 15, 2018 at 9:39 AM Randy Herron <randyherron59@gmail.com> wrote:
>
> Greg,
>
> Take a look at the attached and see if they work for you.
>
> Thanks,
> Randy Herron
>

> On Fri, Jun 15, 2018 at 8:01 AM, Greg Wishart <gw868808@gmail.com> wrote:
>

- > Randy,
- > could you call me after you get the guys out and have a minute,
- > Elizabeth communicated with me a couple of times after we spoke, she had a couple of suggestions / concerns.
- > One of the things is "open space" of 5% per the towns rules
- > she suggested eliminating the one building that is on the .262 acre lot, I think we should and I a have talked with Marek about it and he is OK with that,, that lot is the lowest of all of them and the most difficult to fill to get above floodplain..
- > this will help us with the 5% also. maybe later we put some overflow parking in there,, and/or mailboxes, dumpster etc. ?
- > I also think there should be a fairly large legend that shows how much "open space" there is,, which I believe should include the trout buffer, also,, the sq footage / acreage that the trout buffer encompasses.
- > Also, take off the "common area" designation of the wetlands ?? I think that they will get hung up on that.
- >
- > Sorry for the trouble,
- > thanks,
- > Greg

[**Editors Note:** Well look at this! Concerns about “open space”, the flood plain, and the trout buffer, all before the meeting. Why was this even allowed to be presented before the Planning Board?]

[**Editors Note:** This appears to be the strategy to be presented at the next planning board meeting. What are they going to do about the Deed?]

Subject: Re: Meeting to discuss
Date: Wed, 20 Jun 2018 14:34:13 +0000
From: Greg Wishart <gw868808@gmail.com>
To: Elizabeth Teague <eteague@waynesvillenc.gov>

See you at 9 tomorrow

Sent from my iPhone

On Jun 20, 2018, at 10:22 AM, Elizabeth Teague <eteague@waynesvillenc.gov> wrote:

> Greg, I could meet tomorrow morning 9 am work?
>
>
>
> Sent from my Verizon, Samsung Galaxy smartphone

>
>
> ----- Original message -----
> From: Greg Wishart <gw868808@gmail.com>
> Date: 6/19/18 6:31 AM (GMT-05:00)
> To: Elizabeth Teague <eteague@waynesvillenc.gov>, Marek Hevier <mhevier@gmail.com>
> Subject: Meeting to discuss
>
> Elizabeth,
> Thank you for your help and your presentation was great.
> I am leaving this coming Monday for a week and a half, going out of the country.
> I would appreciate a brief meeting this week to discuss.
>
> 1. The driveway separation of 50' , there has to be a workaround to this rule or Jason was not in the correct area of the LDS ? I would prefer not to go down to 1 space per unit to attempt to meet this rule. I also would prefer not to put the driveways together.
>
> 2. Civic / open space. Our plan would be to draw in a mowable walking trail in the trout buffer zone to add to the requirement of a minimum of 5%.
>
> 3. Discuss further the right of way to get to the Browning Branch property. I want to make sure that we are not going to have further issues with the TOW as long as the NCDOT ok's the entry point at Allen's Creek.
>
> Regards,
> Greg Wishart
>
>
<eof>