

June 14, 2022

Dandy Dog Properties LLC
49 Lodgepole Pine Lane
Waynesville, NC 28785

Attn: Eddie Ward; Town Clerk

Project being appealed: Preservation Way

As the owners of 113 Belleview Road Waynesville, NC 28786, we have legal standing to file an appeal of the Preservation Way project as our property abuts the proposed development and shares a private right of way/driveway with the proposed development.

Basis for appeal: In the review and approval process for the major site plan of the Preservation Way development, The Town of Waynesville Planning Board and development services did not consider, as matters of fact, published Land Development Standards relating to the public safety and general welfare as required by North Carolina statutes set forth in NC Chapter 160 D. Existing roadway infrastructure is a matter of fact that was not allowed to be considered by the planning board in their decision to approve this major site plan. Also not considered is that the right of way shown to be used as the main entrance to the development is deemed to be a public right of way by the town in the approved transcription of minutes from the March 21st Planning Board meeting and other documents. The right of way can not be developed to meet required street level classification code in the T.o.W. LDS to serve a multi family project. Neither the implementation of an administrative review process or lack of specific development codes absolves the planning board of compliance with Chapter 160D and T.o.W. Land Development Standards in matters of public health, safety and general welfare. We contend that consideration of matters of fact by the Planning Board was incomplete and request this approval be overturned.

Sincerely,

David W. Almquist / Managing Member, Dandy Dog Properties LLC

Janet L. Presson / Managing Member, Dandy Dog Properties LLC