

Town of Mills River
Minutes of the Planning Board
Tuesday, January 6, 2026

The Town of Mills River Planning Board held its regular meeting on Tuesday, January 6, 2026 at 6:30 p.m. Board members present were Brad Burton, Mike Cole, Jim Foster, Billy Kimzey, Lisa Marino, Bryan Ross, and Jennie Sealey. Staff present were Planning Director Michael Malecek, Planning Technician Kevin Webb, and Tax Collector Kristen Rintoul.

Chair Lisa Marino called the meeting to order and led those present in the Pledge of Allegiance.

Annual Organizational Meeting

- A. Nomination and Election of Chair:** Mr. Ross and Mr. Cole nominated Lisa Marino to continue as Chair. Mr. Ross made a motion to approve Lisa Marino as Chair of the Planning Board; Mr. Cole seconded the motion. The motion passed by unanimous verbal assent.
- B. Nomination and election of Vice Chair:** **Mr. Ross nominated Jim Foster to continue as Vice Chair.** Mr. Ross made a motion to approve Jim Foster as Vice Chair of the Planning Board; Ms. Sealey seconded the motion. The motion passed by unanimous verbal assent.
- C. Adopt 2026 meeting schedule.** Mr. Foster made a motion to approve the 2026 meeting schedule of the Planning Board; Ms. Marino seconded the motion. The motion passed by unanimous verbal assent.

Approval of the Agenda

- A. Adjustments/Additions:**
Mr. Ross made a motion to approve the agenda; Ms. Sealey seconded the motion. The motion passed by unanimous verbal assent.

Approval of the Minutes

- A.** Mr. Ross made a motion to approve the draft minutes from the December 2, 2025, meeting. Ms. Sealey seconded the motion, and the motion passed by unanimous verbal assent.

Staff Update

Mr. Malecek gave an update for the Unified Development Ordinance (UDO) Steering Committee including dates of meetings and the consultant's in-person visit January 21-22. On January 21 there will be a Teams-enabled in-person meeting for the Steering Committee from 1-4pm with the consultants, Public Forum 5 at Town Hall from 6:15-8:30pm. On January 22 the Steering Committee in-person meeting will be from 3-5pm and the consultants will present at the Town Council meeting.

Public Comment

- Jimmy Cowen, Presbyterian Church Rd, spoke regarding the UDO project

Board Comments & Update

Mr. Foster needs to leave at 7:20pm. Mr. Cole appreciated Mr. Cowen's letters regarding the UDO. Mr. Cole explained that the UDO has been presented as a place to start from, to be discussed, amended, and finally decided on.

Old Business

A. None

New Business

A. Minor Commercial Subdivision (SUB-25-25), 18 & 24 Sterling Place

Mr. Malecek introduced the topic and Mr. Webb presented the [Staff Report](#). Mr. Ross asked if the Town had heard from any neighbors, Mr. Webb had only received questions about the proposal. Lisa asked if there are any issues with DOT right of way, Mr. Webb stated it meets DOT standards.

Mr. Ross made a motion to approve the Minor Commercial Subdivision (SUB-25-25), 18 & Sterling Place; Mr. Foster seconded the motion. The motion passed by unanimous verbal assent.

Additional Items

A. Unified Development Ordinance Project

Mr. Malecek stated this is a standard item for the Agenda at the request of the Planning Board.

Ms. Marino requested that the Agenda for each remote UDO Steering Committee meeting be attached to the invite. Mr. Ross asked to be reminded what's not allowed in MR-MU and Mr. Malecek described the way the ordinance was written and read through it. Mr. Ross, Ms. Sealey, Mr. Cole, and Mr. Burton discussed different steps on how the UDO is being crafted by certified planners that are here to help us.

Mr. Kimzey made a motion to adjourn the meeting at 7:23pm. Mr. Ross seconded the motion and the motion passed by unanimous verbal assent.

Respectfully submitted,

Kristen Rintoul
Tax Collector

Town of Mills River
2026 Regularly Scheduled Meetings

Town Council				Planning Board	Agricultural Advisory Committee	Board of Adjustment	Parks, Trails & Recreation Advisory Committee	Land Preservation Committee
2nd and 4th Thursday of each month at 6:30 PM				1st Tuesday of each month at 6:30 PM	3rd Friday of each month at 9 AM	2nd Tuesday of even months at 7 PM	4th Tuesday of each month at 7 PM	1st Tuesday in each quarter at 4 PM
January 8	January 8 Business Meeting	January 22	January 22 Business Meeting	January 6	January 16		January 27	
February 12	February 12 Business Meeting	February 26	February 26 Business Meeting	February 3	February 20	February 10	February 24	
March 12	March 12 Business Meeting	March 26	March 26 Business Meeting	March 3	March 20		March 24	March 3
April 9	April 9 Business Meeting	April 23	April 23 Business Meeting	April 7	April 17	April 14	April 28	
May 14	May 14 Business Meeting	May 28	May 28 Business Meeting	May 5	May 15		May 26	
June 11	June 11 Business Meeting	June 25	June 25 Business Meeting	June 2	June 19	June 9	June 23	June 2
July 9	No July 9 Business Meeting	No Meeting	No Meeting	No Meeting	No Meeting		No Meeting	
August 13	August 13 Business Meeting	August 27	August 27 Business Meeting	August 4	August 21	August 11	August 25	
September 10	September 10 Business Meeting	September 24	September 24 Business Meeting	September 1	September 18		September 22	September 1
October 8	October 8 Business Meeting	October 22	October 22 Business Meeting	October 6	October 16	October 13	October 27	
November 12	November 12 Business Meeting	Holiday	Holiday	November 17*	November 20		November 24	
*December 3 Organizational Meeting				December 1	December 18	December 8	Holiday	December 1
December 10	December 10 Business Meeting	Holiday	Holiday					

* represents a day/time different than regularly scheduled

STAFF REPORT

Planning Board, Tuesday, January 6, 2026

Title: **SUB-25-25, Booher Investments, Commercial Subdivision**

Speaker: Kevin Webb, MPA, Planning Technician

Approved by: Michael Malecek, Planning Director

Background

On November 12, 2025, the Town received a commercial minor subdivision application for the subject property identified by PIN 9642130549. The proposed subdivision creates two lots out of the existing 2.74-acre parcel, which will be 1.34 acres and 1.40 acres in size. The parcel contains two existing commercial buildings. The property owner requests to subdivide the parcel to separate each commercial building onto separate parcels and to create separate Limited Liability Companies (LLCs) for each existing business on the site. No additional development is proposed at this time.

Staff completed public notice requirements. Public notice letters were mailed to all adjacent property owners and the subject property owner on December 15, 2025. One public notice sign was posted on the subject property near the intersection of Marlowe Drive and Sterling Place.

Discussion

Subdivisions are classified as four different categories: minor (10 or fewer lots), major (11 or more lots), family, or nonstandard. Per Town subdivision code §153.045(A), all commercial subdivisions shall be reviewed by the Planning Board under the procedure for major subdivisions, regardless of the number of subdivided lots proposed. The Booher Investments, LLC subdivision is a minor commercial subdivision (1 new lot) and is being reviewed under the major subdivision process due to the existing commercial uses established on the property.

The process for reviewing major subdivisions includes review at the staff level for ordinance compliance and final approval from the Planning Board. The Board's role in this process is to provide additional oversight to ensure all subdivision standards are met, including reviewing the development plan (not applicable for this application, due to the site already being built-out with commercial uses) and subdivision plat for general conformity with the Town's subdivision requirements.

There is no development plan associated with the proposed minor commercial subdivision. In addition, there is no associated zoning permit application or zoning approval associated with this minor commercial subdivision application, due to no new development being proposed.

Policy Analysis

The subject property is currently zoned Mixed Use (MR-MU), which allows the existing commercial development by-right. The subject property is located in the Future Land Use Map Community Center District. This category is to promote a mix of uses to include commercial, residential, and agricultural. There is no development associated with the subdivision application, nor any development plan for review. Staff reviewed the proposed subdivision plat against Town requirements and found the plat is in compliance all applicable standards.

Recommendation

Staff recommends approval of the Booher Investments, LLC minor commercial subdivision preliminary plat.

The Planning Board's options are as follows:

1. Approve the preliminary subdivision plat as submitted.
2. Approve the preliminary subdivision plat with conditions related to ordinance compliance.
3. Table the item for additional consideration (up to a maximum of 30 days).

Attachments

- A. SUB-25-25 Subdivision Application
- B. Preliminary Subdivision Plat
- C. Certificate of Mailing Public Notice Letters

Application Number: SUB-25-25

Town of Mills River SUBDIVISION APPLICATION FORM

11/12/25 n/a SUB-25-25
Date of Application Subdivision Name Application Number

Major Subdivision Minor Subdivision Other

Property Owners Name: Booher Investments LLC

Address: 101 Fairview Hills Dr.

City, State, Zip: Fairview Hills Dr

Owner's Agent: _____

Telephone No: _____

PIN 9642-13-0549 Deed Book/Page _____

Zoning District MR MU Fire District Mills River Watershed N/A

Location of property to be divided: 18 Sterling Pl

Type of Subdivision: Residential Commercial Industrial Present Use _____

No. Lots Created 2 Original Tract Size 2.74 New Tract Size 1.34, 1.40 No. New Lots 1

Road System: Public Private Combination Public and Private
Water System: Individual Community Municipal
Sewer System: Individual Community Municipal

Fee: \$ 455 Paid Yes Met Check

I certify that the information shown above is true and accurate and is in conformance with the Town of Mills River Subdivision Ordinance.

Craig Booher
APPLICANT (OWNER OR AGENT)

11/10/25
DATE

TOWN USE ONLY

Received by: Renaldia

Date: 11/20/25

Fee Paid: Yes

Received by: Brittany Watson Date: 12/5/25

Development Plan Approval / Conditions Note: Application submitted online

Final Plat Approval: _____

Plat Recorded _____



Council Members
Shanon Gonce, Mayor
Jeff Moore, Mayor Pro Tem
James Cantrell
Sandra Goode
Brian Kimball

ATTACHMENT C

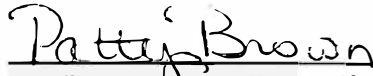
THE TOWN OF MILLS RIVER
124 Town Center Dr.
Mills River, North Carolina 28759
Phone (828) 890-2901 ▪ www.millsriver.gov

CERTIFICATE OF MAILING

I hereby certify that on Monday, December 15, 2025, a true and correct copy of the foregoing notice of public meeting for minor commercial subdivision (SUB-25-25) made by Cameron Baker, acting as an agent for the current owner of the subject property, Booher Investments, LLC, owner of 18 Sterling Place, further identified as PIN 9642130549 of the Henderson County Registry, was mailed first-class postage prepaid in a sealed envelope, from the United States Postal Service Office located at 3740 Brevard Rd., Horse Shoe, NC to the following adjacent property owners and the applicant:

Owner	Address	City	State	Zip
MICHAEL MAIMONE	220 MARLOWE DR	FLETCHER	NC	28759
BOOHER INVESTMENTS LLC	101 FAIRVIEW HILLS DR	FAIRVIEW	NC	28730
TRIPLE B OF WNC LLC	322 CANYON LN	MILLS RIVER	NC	28759
EMBER HOUSE HOLDINGS AND DESIGN, LLC	176 SHORTHORN RD	FLETCHER	NC	28732
GREGORY FOX	242 MARLOWE DR	MILLS RIVER	NC	28759

Dated this the 15th day of December, 2025.



Patty Brown, Town Clerk