

MINUTES FOR THE FRANKLIN COUNTY PLANNING BOARD

JULY 11, 2006

The Franklin County Planning Board held its regular monthly meeting on Tuesday, July 11, 2006 in the Franklin County Administration Building, 113 Market Street, Louisburg, North Carolina.

Members Present: Henry Nelms, William Holden, Ronnie Pearce, Mary Solomon, Philip Bues, Willie Bartholomew, Ricky May, Melvin Cheaves, Clara Frazier and William Wallace.

Members Absent: Richard Hoyle, Mark McArn, Terry Gilliam and Phillip Jeffreys.

Others: Bryan Batton, Scott Hammerbacher, Pat Young, Tammy Davis and Jason Rogers.

Chairman Nelms called the meeting to order at 7:00 P.M., and welcomed everyone in attendance. He introduced Ricky May as a new board member.

Willie Bartholomew gave the invocation.

Willie Bartholomew made a motion, seconded by Ronnie Pearce to approve the agenda as presented. The motion passed unanimously.

William Wallace made a motion, seconded by Clara Frazier to approve the minutes from the June 13, 2006 meeting. The motion passed unanimously.

Pat Young introduced Scott Hammerbacher (Current Planning Supervisor) to the Board.

- #1. Subdivision Request: Princeton Manor Subdivision, Preliminary Plat, Youngsville Township, State Road 1147 (Holden Road), R-40 District, WS IV Watershed, 43 Lots

Scott Hammerbacher stated the preliminary plan is for the subdivision of an approximately 46-acre tract into 43 residential lots. He stated the average lot size within the development is .97 acres. He stated the proposed development will be served by County water and individual septic systems and the development will be subject to paying a Utility Construction Fee in order to connect to an adjacent waterline prior to building permit. He stated the developer proposes a payment in lieu for recreation purposes. He stated the development will be subject to the recently adopted Adequate Public Schools Ordinance and a Certificate of Adequate Public Schools will be required prior to securing building permits. He stated the Technical Review Committee (TRC) and Planning Staff have reviewed the proposed plan and it appears to meet the requirements of the UDO. He stated the following recommendations for conditions of approval are as follows:

- All road design and entrances must meet NC DOT standards.
- All utility plans will be approved by the Public Utilities Department prior to construction.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.

Pat Young explained that the proposed subdivision would require the extension of Jackson Road north. He stated the proposed development would be the first subdivision subject to the Utility Construction Fee. Ronnie Pearce questioned whom and when would the Utility Construction Fee be paid. Mr. Young stated the builder would pay the Utility Construction Fee (\$410 per lot) at the building permit stage.

William Holden made a motion, seconded by Ronnie Pearce to approve the subdivision request. The motion passed by majority vote with Clara Frazier voting against the request.

- #2. Subdivision Request: Windsor Estates, Preliminary Plat, Franklinton Township, NC Hwy 96 & State Road 1127 (Pocomoke Road), R-40 District, 38 Lots.

Scott Hammerbacher stated the preliminary plan is for the subdivision of an approximately 41-acre tract into 38 residential lots with approximately 10 acres of open space to be dedicated to the Homeowners Association. He stated the development will be subject to the recently adopted Adequate Public Schools Ordinance and a Certificate of Adequate Public Schools will be required prior to securing building permits. He stated the Technical Review Committee and Planning Staff have reviewed the proposed development and it appears to meet the requirements of the UDO. He stated the following conditions of approval are as follows:

- All road design and entrances must meet NC DOT standards.
- All utility plans will be approved by the Public Utilities Department prior to construction.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.

William Holden questioned if anyone could build in the Neuse River buffer area. Pat Young stated no one could build within the 50 foot buffer area. He explained that anyone who builds would also have to meet all setback requirements. Clara Frazier questioned if the development would add to the flooding problem on Pocomoke Road and NC Hwy 96. Scott Hammerbacher explained that a Sedimentation and Erosion Control Permit has to be approved before Planning Staff would sign off on the final plat.

Willie Bartholomew made a motion, seconded by Philip Bues to approve the subdivision request. The motion passed by majority vote with Clara Frazier voting against the request.

- #3. Subdivision Request: Winston Ridge Subdivision, Revised Preliminary Plat, Youngsville Township, NC 96 & State Road 1134 (Long Mill Road), R-8 District, 523 Lots

Scott Hammerbacher stated the Planning Board approved the original preliminary plan on August 9, 2005. He stated the subdivision was previously developed upon R-8 development standards and the revised plan is utilizing development standards for an R-8 cluster subdivision, which allows for a reduction of the minimum lot size from 8,000 to 5,000 square feet but does require a minimum open space dedication of 23% of the development. He stated the revisions include clustering of lots, an additional entrance on NC Hwy 96, an increase in the gross number of dwelling units, community pool and play area, 54 townhomes and a daycare center. He stated the number of residential lots have decreased from 536 to 523. He stated separate approvals would be required for the recreation site, townhomes and the daycare. He stated the development would be subject to the recently adopted Adequate Public Schools Ordinance and a Certificate of Adequate Public Schools will be required prior to securing building permits. He stated the Technical Review Committee and Planning Staff have reviewed the revised plan and it appears to meet the requirements of the UDO. He stated the recommendations for conditions of approval are as follows:

- All previous conditions of approval shall still apply.
- Pursuant to Section 29-7, (C), Stormwater Drainage System, of the UDO, prior to construction drawing approval, a Stormwater management plan shall be submitted for review.

Mr. Hammerbacher stated that Planning Staff had received numerous concerns from residents adjacent to the proposed development regarding erosion and sedimentation controls for the development. He presented the board with the rules and regulations for the preparation and maintenance of said plans. He stated due to the concerns, staff is recommending that an additional condition of approval be considered within the motion if the subdivision is approved. He stated Planning Staff had concerns regarding the configuration and maintenance of certain areas designated as open space in addition to the road configuration adjacent to lots 218 and 203. He stated the additional recommended conditions of approval for consideration are as follows:

Prior to final plat approval:

- The applicant shall provide documentation to the County's Planning and Inspections Department verifying compliance with all state mandated erosion and sedimentation control regulations.
- The applicant shall submit sufficient documentation pursuant to Section 10-5, (C), Open Space Dedication or Reservation, of the UDO that all areas designated as open space shall be dedicated to and maintained by the

property owners' association. Additionally, all areas designated as open space shall be clearly and permanently demarcated to avoid confusion between areas designated for residential uses and areas designated as open space.

- Unless an exception is granted by the North Carolina Department of Transportation, the intersections adjacent to lots 218 and 203 shall be re-configured to comply with all state and UDO requirements (Sections 29-5, (1), (2), Intersections). Staff would be in support of an exception if it is requested by the applicant but staff does not have the ability to grant an exception unless either a variance is granted by the County's Board of Adjustment or if an exception is granted by NCDOT.

Philip Bues questioned when the Homeowners Association would take over. Mr. Hammerbacher stated the developer has to be ready to handover to the Home Owners' Association and covenants have to be in place when the final plat is signed. Matthew Winslow stated the Home Owners' Association is created at the placement of the subdivision. He stated they would hire a management company to ensure everything is take care until the Home Owners' Association is in place completely and can stand on their own. Pat Young stated staff would require a management company to be in place due to the size of the proposed subdivision. William Wallace questioned how the open space area is vegetated. Mr. Winslow stated there are two areas that will be landscaped and the wooded areas will remain natural areas. Mr. Winslow went over the revised plan with the Board. He stated they redeveloped the plan so it wouldn't just be a subdivision with lots. He stated they want to create neighborhoods/communities that will consist of townhomes, patio homes, high-end homes and 4-5 acre recreation areas consisting of playgrounds, pools and parks. He stated there would be almost 47 acres for open space.

William Holden questioned what the total number of units including townhomes. Mr. Winslow stated there would be a total of 577. Willie Bartholomew commended Mr. Winslow and Denmark on doing a good job and stated the proposed development really looks good. Pat Young stated the revised plan is no longer your cookie cutter subdivision and the revision is much better than the originally approved subdivision plan. Cindy Tromp stated she is an adjacent property owner who lives on Long Mill Road. She presented pictures to the Board showing the flooding of her property. She stated the flooding is coming from the development of the subdivision. She stated she doesn't want to stop the development. She stated she wants to request that the problems with the water flow onto her property resulting in flooding be solved.

Jeff Crisp (Crawley & Associates) stated he visited the Tromp property and he observed her driveway culvert was stopped up and was creating a dam, which wouldn't allow the water to go anywhere. He stated he feels the solution needs to be worked out with the Department of Transportation. He stated he feels it is a pre-existing condition. Ms. Tromp stated she wants to find a way to stop the

massive overflow of water. Ronnie Pearce questioned if Mr. Crisp thought the water was coming from where the developer is clearing the land. Mr. Crisp stated the land hasn't been cleared, just logged. Pat Young stated anytime you have a rain event like Tropical Storm Alberto when you are logging a property, you would have more water than usual. Matthew Winslow stated in Phase II of the development, there would be a road running parallel to Long Mill Road, which will collect most of the water, which will help eliminate the water problem for Ms. Tromp. He stated you could see on the topo maps the slope that runs across the back of the properties and much of the water is coming from Ms. Tromp's neighbor's properties. He stated Ms. Tromp's driveway is built up with a small culvert and it is closed up, creating a flooding problem. He stated you could see mold and mildew on Ms. Tromp's trees from years of water problems not caused by the recent logging of the proposed property.

Ronnie Pearce made a motion, seconded by Willie Bartholomew to approve the subdivision request with the conditions presented by the Planning Staff. The motion passed by majority vote with Clara Frazier and William Wallace voting against the request.

- #4. Other Business Reports/Discussion
 - A.) Departmental Report
 - B.) Other Business/Reports/Open Forum

With there being no further business before the Board, Chairman Nelms adjourned the meeting at 8:05 P.M.

Henry Nelms, Chairman
Franklin County Planning Board

Tammy Davis, Clerk
Franklin County Planning Board