

## FRANKLIN COUNTY PLANNING BOARD

August 11, 2015

The Franklin County Planning Board held its regular monthly meeting on Tuesday, August 11, 2015 in the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

**Present:** William Wallace, Fannie Brown, Mark McArn, Robert Mann, Ronnie Pearce and Mary Solomon.

**Staff:** Scott Hammerbacher, Jason Rogers, and Kevin Lewis.

Chairman William Wallace called the meeting to order at 7:00 P.M., and welcomed everyone in attendance. Mr. McArn gave the invocation. The agenda was adopted by the board with no revisions. A motion to approve the minutes from the prior Planning Board meeting, July 14, 2015, was made by Mr. Sledge, seconded by Ms. Solomon. The motion passed unanimously.

### Agenda Items:

1. James T. Moss Jr. is requesting to rezone 61.402 acres on Holden Road and Sid Mitchell Road in the Youngsville Township from Light Industrial to Residential 1. The petitioner indicates his property bordered to the south and west by residential zoning districts, as well as for a portion of the neighboring parcel to the east. Additionally, the Falls Lake Watershed rules limit industrial development of the parcels and therefore there is limited demand for industrial uses. County sewer service is not available in the area, another limiting factor when considering industrial development. The topography of the land is more conducive to residential development, which has been prevalent in the area already.

The applicant is requesting the rezoning of two abutting parcels. The parcel located at 1842-36-5898 is 110.55 acres total, however, only the western 32.281 acres will be rezoned. Horse Creek, as indicated on the site plan, will serve as a dividing line to allow for rezoning. A formal subdivision map shall not be required until the development of this property.

Public water is available to this site. Public sewer is not available. The 2011 average daily traffic count along Holden Road is 4,300 vehicles per day. No recent data for Sid Mitchell Road is available. The 2013 average daily traffic count along nearby US 1 Highway is approximately 34,000 vehicles per day. The subject property is located within the Falls Lake Watershed and is required to meet nutrient regulations for nitrates and phosphates for new improvements exceeding one-half acre. Single-family residential uses are allowed at a maximum density of one (1) dwelling unit per twenty thousand (20,000) square feet. The built-upon area of all residential and nonresidential development shall be allowed at a maximum Impervious Surface Ratio of twenty-four percent (24%). Franklin County GIS maps indicate a tributary on the property based on the county's soils map information.

Mr. Moss introduced himself to the Board and reiterated the points made by Planning Staff. He indicated a lack of demand for industrial uses in this area, and feels that residential zoning would create a better use of the land. No Board members had any questions for the applicant.

Mr. Sledge made the motion to recommend approval of the rezoning to the County Board of Commissioners, seconded by Ms. Solomon. The motion was approved unanimously.

2. Ange Executives Estates has submitted a preliminary plan for Hidden Lake Subdivision Phase 2. This property is within the previously approved Hidden Lake Subdivision consisting of approximately 590 acres with access from Cedar Creek and Hicks Roads in Youngsville Township in the Residential 15 and Residential 1 Zoning District. The Phase 2 preliminary plan is for the subdivision of approximately 176.17 acres into 185 lots. The initial Phase 1 of development includes 66 single-family residential lots, private street right-of-way, a community amenity center, and common open space. The Phase 2 component of the overall development was part of the previously approved Hidden Lake Subdivision, consisting of large, estate-type lots within a gated community. The subject property for Phase 2 lies along the south side of Hidden Lake, with the previously developed Phase 1 on the north side. The infrastructure for Phase 1 is complete and home construction is ongoing. As part of Phase 1, a gated entrance was constructed for the community at the Cedar Creek Road entrance. This entrance is currently functioning as the only access into the development. A second entrance monument was constructed for a gated entry along Hicks Road, although the roadways have not been completed so this entrance is not currently accessible. The intent is to use this existing monument, signage, and gate system as the Phase 2 property is developed. The proposed plan is a combination of two basic single-family lot sizes. Generally, along the lakefront and areas directly adjacent, larger lot sizes are proposed. Moving into the southern and western sections of the property, the lot sizes transition into lots with a sixty-five foot minimum width and 10,000 square foot minimum area. The lots are based on the cluster provisions of the Franklin County UDO, which requires 20% open space. In addition, space has been set aside for a secondary community amenity area to directly serve the future residents of Phase 2 and as a compliment to the existing amenity facility that was built in Phase 1. The subdivision is designed to be served by public water and a sanitary sewer collection system.

The Land Use Plan has this property designated as Low Medium Density Residential. The proposed subdivision is located off of Cedar Creek Road (SR 1116) and Hicks Road (SR 1125). A traffic impact analysis (TIA) has been submitted and reviewed by the NC Department of Transportation. Streets within the gated subdivision will be private. The Hidden Lake Phase 2 map reflects flood zone areas and riparian stream buffers. The Tar-Pamlico stormwater management review for the preliminary plan has been submitted and reviewed by Appian Consulting Engineers, with additional items required prior to final plat approval.

Mr. Sledge expressed some concern regarding the number of new subdivisions being approved in this area, along Cedar Creek and Hicks Roads. Mr. Hammerbacher attributed this to the recent completion of the new high school and central location between Youngsville and Franklinton. Additionally, he pointed out that a number of the subdivisions approved by the Planning Board in this area over the last year have been resubmissions of older approved ones. They were submitted before the recent recession but development stalled after gaining approval from the Board and no construction took place.

Jeff Westmorland of ESP Associates is the architect in charge of this subdivision design. He indicated this plan is a good transition from Phase 1. It maintains the 30% open space requirement without having to borrow any from Phase 1. He cited a recent meeting with Franklin County Utilities wherein they discussed using the current infrastructure from Phase 1 to

complete the water and sewer requirements in Phase 2. Furthermore, the recommendation from NCDOT regarding the installation of turn lanes on Hicks and Cedar Creek Roads are to be followed as construction progresses.

Ms. Solomon requested the average lot size in Phase 2. There are two different sections of Phase 2, with lots ranging in size from 10,000 square feet to over 138,000 square feet. The average lot size will be about 24,000 square feet, or just about half an acre.

At this time, Mr. Wallace went over the conditions for approval recommended by staff. They are as follows:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County UDO.
- Approval by the NC DOT.
- All road designs and entrances must meet NC DOT standards. Streets within the gated subdivision will be private.
- All utility plans will be approved by the Public Utilities Department prior to construction.
- Allocation of water and sewer shall be approved by the Franklin County Board of Commissioners prior to the expiration date of the preliminary plan. A twenty-five (25%) percent deposit of the required Utility Acreage Fee shall be paid in the form of a cash deposit within fifteen (15) days of Board of Commissioner allocation of utilities.
- Final Tar-Pamlico stormwater Review approval.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the UDO are satisfied.
- All other standard conditions of subdivision approval as listed in the Franklin County UDO.
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan
  - Recorded Covenants
  - Street lighting plan
  - Mail center is subject to County approval and shall be constructed as part of the first phase of Phase 2.

Mr. Mann made the motion to approve the preliminary subdivision plan, seconded by Ms. Solomon. The motion passed unanimously.

3. Sunlight Partners is requesting a Special Use Permit to construct a solar energy farm on 30 +/- acres of a 55 acre parcel located off Walter Collins Road (State Road 1468) in the Cedar Rock Township. The applicant proposes to construct a solar energy farm on 30 +/- acres of a 55 acre parcel located off Walter Collins Road (SR 1468) in the Cedar Rock Township. The application states the solar facility will be built to meet all local, state, and fire codes. The site will be monitored 24-7 for safety and proper operation. The grounds will be properly maintained to ensure aesthetics. The facility poses minimum impact to the parcel and the land can be easily restored to its original use upon completion of the lease. Additionally, the removal of the facility will not cause any changes to the site as it exists now. It will contribute to preserving the state's green infrastructure by keeping the parcel from more aggressive forms of development. The site is largely cleared now, but will require the removal of some existing trees. The submitted site plan indicates there will be no outdoor lighting, and reflects the landscaping and buffer strips,

fencing, and required parking. The Comprehensive Land Use Plan has designated this area as Agriculture/ Residential. Public water and sewer is not available to this property.

The average daily traffic count on Walter Collins Road is 330 vehicles per day. The subject property is located within the Tar-Pamlico river basin and is required to meet nutrient regulations for nitrates and phosphates. There is a stream located in the southwestern corner of the property with a 50 foot riparian buffer that appears to be located outside the proposed solar array.

Michael Fox, attorney for Sunlight Partners was present to answer questions. Mike Wallace, engineer with Sunlight Partners, was available as well.

Mr. McArn asked how much energy this facility would produce. A 5 megawatt facility such as this can generate enough power for 300-350 homes.

Mr. Sledge asked if Sunlight Partners own a similar facility to the south. They do not.

Mr. Mann had concerns about what will become of the solar panels at the end of their lifespan. Mr. Wallace explained that the whole unit is recyclable. No containments will be present at any time during the lease.

Mr. Sledge asked whose responsibility it will be to remove the facility upon completion of the lease. Sunlight Partners will be responsible. In addition, Franklin County has conditions that protect the landowner.

Ms. Solomon asked what the lifespan of the solar panels will be. Mr. Wallace explained that they can last up to 50 years, but typically after 20 years the output begins to decrease. The lease is for 15 years with 5 five year options, for a total of 40 years. The agreement with Duke Energy is 15 years.

Mr. Wallace pointed out to a concerned neighbor that a new access road will be constructed through the landowners' property.

The following conditions of approval were submitted by staff:

- Prior to securing building permits from the County, documentation from all other applicable state and federal agencies shall be submitted to the Franklin County Planning & Inspections Department verifying permit approval.
- Approval of stormwater management plan if there is a land disturbance of .50 acres or greater.
- An engineering estimate for the removal of the facility will need to be submitted in addition to a financial surety prior to the issuance of building permits.
- Approval of a NC Department of Transportation driveway permit.
- No lighting shall be installed without approval from the Franklin County Planning & Inspections staff.

- Screening shall conform to Article 14. Landscape Requirements and Article 8., Section 8-1, Note 6. Buffer Strips. (As shown on the site plan, existing vegetation is being used where feasible to satisfy this requirement. It shall remain in place or landscaping shall be installed at a minimum of six (6) feet tall.)
- Approval from local fire department for knox box.
- Approval of final layout and design of all solar panels and associated structures shall be submitted for review to the Franklin County Planning Department prior to the issuance of building permits.
- A minimum 20 foot access easement must be recorded along the proposed 20 foot gravel road from Walter Collins Road (SR 1468) to the site, prior to issuance of building permits.

Mr. Sledge made the motion to recommend approval to the County Board of Commissioners with the conditions of approval from Planning Staff. Ms. Brown seconded the motion, and it was passed by the Board unanimously.

4. Sunlight Partners is requesting a Special Use Permit to construct a solar energy farm on 25 +/- acres of a 71.45 acre parcel located off Hickory Rock Road (State Road 1421) in Louisburg Township. The application states the solar facility will be built to meet all local, state, and fire codes. The site will be monitored 24-7 for safety and proper operation. The grounds will be properly maintained to ensure aesthetics. The facility poses minimum impact to the parcel and the land can be easily restored to its original use upon completion of the lease. Additionally, the removal of the facility will not cause any changes to the site as it exists now. It will contribute to preserving the state's green infrastructure by keeping the parcel from more aggressive forms of development. The site is largely cleared now, but will require the removal of some existing trees. The submitted site plan indicates there will be no outdoor lighting, and reflects the landscaping and buffer strips, fencing, and required parking.

The Comprehensive Land Use Plan has designated this area as Agriculture/ Residential. The average daily traffic count on Hickory Rock Road is 130 vehicles per day. The subject property is located within the Tar-Pamlico river basin and is required to meet nutrient regulations for nitrates and phosphates. There are three streams located in the northern portion of the property, although none appear to be perennial and do not require a 50 foot riparian buffer. GIS Maps show all three streams begin on the property and flow away from the site, and none begin within the proposed solar array footprint.

Mr. Fox indicate that this site will have identical operation and equipment specifications.

Ms. Solomon asked what the minimum site size Sunlight Partners works with. 15 acres would be the smallest solar farm the company could construct.

The following conditions of approval were submitted by staff:

- Prior to securing building permits from the County, documentation from all other applicable state and federal agencies shall be submitted to the Franklin County Planning & Inspections Department verifying permit approval.
- Approval of stormwater management plan if there is a land disturbance of .50 acres or greater.

- An engineering estimate for the removal of the facility will need to be submitted in addition to a financial surety prior to the issuance of building permits.
- Approval of a NC Department of Transportation driveway permit.
- No lighting shall be installed without approval from the Franklin County Planning & Inspections staff.
- Screening shall conform to Article 14. Landscape Requirements and Article 8., Section 8-1, Note 6. Buffer Strips. (As shown on the site plan, existing vegetation is being used where feasible to satisfy this requirement. It shall remain in place or landscaping shall be installed at a minimum of six (6) feet tall.)
- Approval from local fire department for knox box.
- Approval of final layout and design of all solar panels and associated structures shall be submitted for review to the Franklin County Planning Department prior to the issuance of building permits.
- A recombination survey shall be obtained by the applicant to remove property lines between PINs 2825-76-7818 and 2825-86-6322 before issuance of Zoning and Building Permits. If no recombination survey is submitted, a new site plan shall be submitted.

Ms. Solomon made the motion to recommend approval to the County Board of Commissioners with the conditions of approval from Planning Staff. Mr. Sledge seconded the motion, and it was passed by the Board unanimously.

5. Sunlight Partners is requesting a Special Use Permit to construct a solar energy farm on 35 acres of a 109 acre parcel located off North Carolina 98 Highway East in the Dunn Township. The application states the solar facility will be built to meet all local, state, and fire codes. The site will be monitored 24-7 for safety and proper operation. The grounds will be properly maintained to ensure aesthetics. The facility poses minimum impact to the parcel and the land can be easily restored to its original use upon completion of the lease. Additionally, the removal of the facility will not cause any changes to the site as it exists now. It will contribute to preserving the state's green infrastructure by keeping the parcel from more aggressive forms of development. The site is largely cleared now, but will require the removal of some existing trees.

The submitted site plan indicates there will be no outdoor lighting, and reflects the landscaping and buffer strips, fencing, and required parking. The Comprehensive Land Use Plan has designated this area as Low Density Residential. The average daily traffic count on North Carolina 98 Highway East is 3,000 vehicles per day. The subject property is located within the Tar-Pamlico river basin and is required to meet nutrient regulations for nitrates and phosphates. There are multiple streams located along the western and southern portions of the property with 50 foot riparian buffers and 100-year floodplains in some areas. The proposed solar array will not encroach into the buffers or floodplains.

Mr. Fox noted that this solar energy farm will be located on a much later tract of land but will only be slightly larger than the previous two. The Special Use Permit will apply to the whole site, even the portions that will not be used. If the landowner wished to utilize the remaining land for other purposes, he could do so.

Mr. McArn observed that much of the parcel is wooded, and asked if this will be a problem. Mr. Wallace indicated that this project is more labor intensive but it will provide an existing buffer.

Russ Vollmer, owner of Vollmer Farms, asked if the lease would remain in place if the land is sold to a new owner. There is language in the lease that indicates it will be.

The following conditions of approval were submitted by staff:

- Prior to securing building permits from the County, documentation from all other applicable state and federal agencies shall be submitted to the Franklin County Planning & Inspections Department verifying permit approval.
- Approval of stormwater management plan if there is a land disturbance of .50 acres or greater.
- An engineering estimate for the removal of the facility will need to be submitted in addition to a financial surety prior to the issuance of building permits.
- Approval of a NC Department of Transportation driveway permit.
- No lighting shall be installed without approval from the Franklin County Planning & Inspections staff.
- Screening shall conform to Article 14. Landscape Requirements and Article 8., Section 8-1, Note 6. Buffer Strips. (As shown on the site plan, existing vegetation is being used where feasible to satisfy this requirement. It shall remain in place or landscaping shall be installed at a minimum of six (6) feet tall.)
- Approval from local fire department for knox box.
- Approval of final layout and design of all solar panels and associated structures shall be submitted for review to the Franklin County Planning Department prior to the issuance of building permits.

Ms. Brown made the motion to recommend approval to the County Board of Commissioners with the conditions of approval from Planning Staff. Ms. Solomon seconded the motion, and it was passed by the Board unanimously.

6. In other business, Mr. Hammerbacher updated the Board on the Planning and Inspections Staff activity.

With there being no further business before the Planning Board, Mr. Wallace adjourned the meeting at 8:00 P.M.

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William Wallace – Chairman  
Franklin County Planning Board

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Jason Rogers – Clerk  
Franklin County Planning Board