

## FRANKLIN COUNTY PLANNING BOARD

February 14, 2017

The Franklin County Planning Board held its regular monthly meeting on Tuesday, February 14, 2017 in the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

**Present:** William Wallace, William Holden, Fannie Brown, Mary Solomon, Richard Hoyle, Robert Mann

**Staff:** Jason Rogers, Scott Hammerbacher, and Katie Rhyne.

Chairman William Wallace called the meeting to order at 7:00 P.M., and welcomed everyone in attendance. Robert Mann gave the invocation.

Scott Hammerbacher requested the board to consider rescheduling the election of officers. He explained that many of the members were not present and two (2) of the County Commissioners had not yet made appointments for the Planning Board.

A motion to approve the agenda with this change was made by Mary Solomon and was seconded by Fannie Brown. The motion passed unanimously.

William Wallace suggested adding the word "said" in the previous minutes to page seven (7) paragraph nine (9) due to an omission.

A motion to approve the minutes from October 11, 2016 with this change, was made by William Wallace, seconded by Richard Hoyle. The motion passed unanimously.

### **Agenda Items:**

1. 17\_MAS\_01 A preliminary plan has been submitted for Reddick Tract Subdivision. This property is located off Sid Mitchell Rd. in Youngsville Township in the R-1 Residential (WS IV Watershed) Falls Lake District. The preliminary plan is for the subdivision of approximately 83.07 acres into 84 lots. The subdivision is designed to be served by County water and private septic systems. The impervious surface ratio shall not exceed 24%.

The proposed subdivision is located off Sid Mitchell Rd. The average daily traffic count on nearby Holden Rd is 4,300 vehicles per day. Lots 1-10 and 75-84 shall be served internally. The NC Department of Transportation stated that a left turn lane will be required.

This property is located in the WS IV (Falls Lake) Watershed in the Neuse River basin. The impervious surface ratio shall not exceed 24%. There is a stream with riparian buffer on located on Open Space Lot 3.

The Conditions for Approval proposed by Planning Staff are as follows:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County Unified Development Ordinance.
- Approval by the North Carolina Department of Transportation
- All utility plans will be approved by the Public Utilities Department prior to construction.
- Allocation of water 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 Falls Lake stormwater review approval.  
All road designs and entrances must meet North Carolina Department of Transportation standards
- Prior to Final Plat, ensure all lots can accommodate on-site septic treatment and disposal. If a variance of Unified Development Ordinance development standards is applied for in the future, a hardship will not be present.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the Unified Development Ordinance are satisfied.
- All BMP Maintenance and Open Space Access easements shown on preliminary plan shall be designed as an individual parcels of land on Final Plat. These individual/separate parcels must be a minimum of 20' feet wide in order to meet fire/emergency access requirements.
- All other standard conditions of subdivision approval as listed in the Franklin County Unified Development Ordinance.
- 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.

John Frasier (12109 Wy Raleigh, NC 27607) – Representing the Petitioner.

Mr. Frasier stated that he had nothing to add to the presentation.

Richard Hoyle asked if the lots would have a repair area for the septic systems.

Jason Rogers answered that they were required to have a repair area for the lots to meet the state specifications.

William Wallace asked if the individual representing the applicant understood and accepted the conditions proposed by the Planning Staff.

John Frasier answered that he did understand the conditions and that the petitioner accepted the terms.

William Holden made a motion to approve the subdivision with the additional requirements submitted by Planning Staff. Robert Mann seconded the motion. The motion passed unanimously.

2. 17\_MAS\_02 A preliminary plan has been submitted for Goldmark Subdivision. The proposed subdivision is located off Tarboro Road (State Road 1100) in Youngsville Township in the R-15 Zoning District. The preliminary plan is for the subdivision of an approximately 32.511 acre tract into 25 lots. The average lot size is 1.155 acres. The subdivision is designed to be served by individual wells and septic systems.

The proposed subdivision is located off Tarboro Road (State Road 1100). According to North Carolina Department of Transportation the average daily traffic along this section of Tarboro Road is approximately 3,100 vehicles per day.

Royal Elementary, Cedar Creek Middle and Franklinton High are the schools that will serve this subdivision.

The following conditions for approval from Planning Staff have been added to the permit:

- Sedimentation and erosion control plan approval.
- Approved landscaping in accordance with Article 14 of the Franklin County Unified Development Ordinance.
- Approval by the North Carolina Department of Transportation.
- All road designs and entrances must meet North Carolina Department of Transportation standards.
- Prior to Final Plat, ensure all lots can accommodate on-site septic treatment and disposal. If a variance of Unified Development Ordinance development standards is applied for in the future, a hardship will not be present.
- Final Tar-Pamlico stormwater management approval.
- Payment in lieu of land dedication shall be required unless the provisions of Article 31 of the Unified Development Ordinance are satisfied.
- All other standard conditions of subdivision approval as listed in the Franklin County Unified Development Ordinance.
- Prior to final plat, the following items shall be submitted:
  - Landscape Plan
  - Recorded Covenants
  - Street lighting plan
  - Mail kiosk is subject to County and North Carolina Department of Transportation approval and shall be constructed/completed as part of Phase 1. This includes, but not limited to marked parking spaces, handicap signage, lighting, and mailbox installation.

William Holden asked where the entrance to lot one (1) would be located.

Jason Rogers explained that the entrance would be towards the proposed type III road and not Sid Mitchell Road as the Department of Transportation would not allow the driveway to be located off Sid Mitchell Rd.

Mary Solomon asked what the average lot size would be for the proposed subdivision

Jason Rogers answered that the average lot size would be 1.15 acres.

Mary Solomon asked what the size of the smallest lot in the proposed subdivision was.

Scott Hammerbacher answered that the smallest lot size was 0.7 acres. He explained that the smallest allowed size for the subdivision was 30,000 square feet.

Mike Moss (333 S White St. Wake Forest, NC 27587)

Mike Moss stated that he had nothing to add to the presentation.

William Wallace asked if the individual representing the applicant understood and accepted the conditions proposed by the Planning Staff.

Mike Moss stated that he understood, and the petitioner accepted the conditions.

Mary Solomon made a motion to approve the subdivision with the additional requirements submitted by Planning Staff. Fannie Brown seconded the motion. The motion passed unanimously.

3. 17\_REZ\_01 David Wilson is requesting to rezone 2.9 acres at 6815/6817 NC 96 HWY W. in the Youngsville Township from Residential-40 (R-40) to Neighborhood Business (NB).

The application states that the property should be zoned for Neighborhood Business as a result of the increased growth in nearby Olde Liberty subdivision. According to the applicant there has been a growing demand for storage facilities. The adjacent 5.1 acre property to the east is zoned Neighborhood Business (NB) where storage facilities are located. The proposed rezoning would be an extension of existing Neighborhood Business (NB) zoning.

The amendment from Residential-40 (R-40) to Neighborhood Business (NB) to the zoning map is supported by the existing development patterns located along this section of NC 96 HWY W.

The 2013 average daily traffic count along this section of NC 96 HWY W. is approximately 8,900 vehicles per day.

Robert Mann asked if the two lots would be recombined into one or if they would continue to be separated.

Scott Hammerbacher explained that the lots would be required to be recombined for the proposed use. He explained that Neighborhood Business (NB) allows for many other uses that would not require a recombination and that it would be determined when the applicant began to apply for permits.

David Wilson (1016 Canterbury Rd Raleigh, NC 27607)

David Wilson stated that he had nothing to add to the presentation.

Richard Hoyle inquired about the layout of the storage units.

David Wilson answered that he planned for the storage units to face perpendicular to the road and stated that he would recombine the lots before applying for the necessary permits if the rezoning were granted.

Sara R Wilson (1016 Canterbury Rd Raleigh, NC 27607)

Sara Wilson explained that she was David Wilson's wife and wished to add that her and her husband owned property next to the proposed rezoning that was already zoned for Neighborhood Business (NB).

Robert Mann made a motion to recommend approval of the rezoning. Mary Solomon seconded the motion. The motion passed unanimously.

4. 17\_REZ\_02 Phillip Reid Stroud II is requesting to rezone 10 acres at 6118 NC 96 HWY W in the Youngsville Township from Mixed Use (MU) to Highway Business (HB).

The application states that the present zoning restricts the needed/proposed area of storage space required to expand current automotive recycling operations. Within the narrative the applicant states that increased warehouse space would allow for a more efficient business operation. According to the Future Landuse Plan, the subject property is intended for Office Institutional uses. Office Institutional uses are intended to provide a buffer/transition between residential and commercial uses. The surrounding properties are zoned Residential-8 (R-8) and Mixed Use (MU). The Residential-8 (R-8) parcel to the North and East allow for 5,000 square feet minimum lot sizes. The Mixed Use (MU) parcel to the South allows for 10,000 square feet minimum lot sizes. Winston Ridge Subdivision (523 approved lots) is adjacent to this site. This property is located approximately (1) one-mile from the nearest commercial node. Commercial nodes will serve as commercial focus areas. In the attempt to avoid strip commercialization, commercial land uses have been provided in nodes located at the intersection of thoroughfares. The existing automobile recycling/salvage yard is a non-conformity within the Mixed Use zoning district. Expansion of this use would require a rezoning to Highway Business (HB) and Special Use

Permit. Highway Business (HB) allows uses that could result in a negative impact on adjoining property owners. These uses include but not limited to sexually oriented business, bar/night club, tavern, and truck/trailer repair.

Robert Mann asked if there was screening provided towards the back end of the property.

Scott Hammerbacher responded by explaining that the project had been grandfathered, as it had been operating before the county had zoning. He explained that if the applicant wanted to expand his business, additional screening would be a requirement in his special use permitting process.

William Wallace asked about the possibility of choosing Rural Business (RB) as a zoning district to restrict the amount of permitted uses.

Scott Hammerbacher explained that Rural Business (RB) would not allow for a Salvage Yard. He stated that they were only allowed with a Special Use Permit in Agricultural Residential (AR), Highway Business (HB), and Heavy Industrial (HI). Scott Hammerbacher explained that staff felt that Highway Business (HB) was the most fitting available zoning district for the surrounding area.

Reid Stroud (303 Staples Dr. Rolesville, NC 27571)

Reid Stroud added that he was looking to add a warehouse to the back of the lot and was not interested in expanding the footprint. He explained that there was a 5-6ft high berm of dirt along the back of his property to act as a buffer.

Robert Mann asked about the odd shaped lots near the subdivision along the back of the property.

Reid Stroud explained that these lots acted as a buffer.

Robert Mann asked how large of a buffer it was.

Reid Stroud explained that there was about fifty feet (50ft) of buffer area from the odd shape lot.

Robert Mann asked what type of vegetation was within the buffer.

Reid Stroud explained that there was sparse vegetation and small growth as part of the buffer.

Scott Hammerbacher explained that the buffer was installed as part of the plan for the subdivision when it was proposed. He stated that the salvage yard had already existed and the developer of the subdivision used this buffer as open space for part of the subdivision.

Richard Hoyle asked if Mr. Stroud could expand his business by adding a second story.

Reid Stroud explained that it would not be cost effective.

Scott Hammerbacher stated that the process would remain the same if the applicant wished to expand the business at all.

Mary Solomon made a motion to recommend approval of the rezoning. Fannie Brown seconded the motion. The motion passed unanimously.

5. 17\_SUP\_01 Solterra Partners, LLC proposes to construct a solar energy farm on 260+/- acres of approximately 295 acres located off Ronald Tharrington Rd. in the Louisburg Township. The application states the solar facility will be built to meet all local, state, and fire codes. The application further states that 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 applicant states that the facility will generate minimal traffic once construction is complete.

The submitted site plan indicates there will be no outdoor lighting, and reflects the landscaping and buffer strips, fencing, and required parking.

In addition to requirements listed in the Franklin County Unified Development Ordinance, the following items will be required if the special use permit is approved. Evidence of approval of erosion control from the NC Dept of Environment & Natural Resources, the subject property is located within the Tar-Pamlico River basin and is required to meet nutrient regulations for nitrates and phosphates for new improvements exceeding one-half acre, North Carolina Department of Transportation driveway permit, approval from the North Carolina Utilities Commission, approval from the local fire department of a Knox box, and an engineering estimate for the removal of the solar facility will need to be submitted in addition to a financial surety prior to issuance of building permits.

Should the Planning Board recommend approval of the Special Use request, planning staff would recommend that it be done so with the following conditions:

1. 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.
2. Approval of stormwater management plan if there is land disturbance of .50 acres or greater.
3. 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.
4. Approval of a North Carolina Department of Transportation driveway permit.
5. No lighting shall be installed without approval from the Franklin County Planning & Inspections staff.
6. 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 at time of planting.) Planning Staff may require additional landscape buffering around the perimeter of the site if existing vegetation is not sufficient. This shall be installed prior to final inspection and approval.

7. Approval from local fire department for Knox box.
8. Approval of final layout and design of all solar panels and associated structures (substations/inverters/transformers) shall be submitted for review to the Franklin County Planning Department prior to the issuance of building permits.
9. A determination letter shall be obtained from the Department on Environmental and Natural Resources (NCDENR) for any impacted streams or crossings.
10. All substations/inverters/transformers shall not exceed a noise level of 60 dB (decibels) at property line.
11. Recombination survey shall be recorded combining PIN's 2826-31-6722 and 2826-40-0918 prior to issuance of zoning and building permits.

Dennis Richter (2400 Arbor Wy Charlotte, NC 28211)

Mary Solomon asked if there would be a buffer for the solar project.

Dennis Richter explained that six foot (6') high evergreen trees would be planted, and a six foot (6 ft) high fence with barb wire at the top, would be installed as part of the conditions for approval.

William Holden asked Mr. Richter how many solar farms he had finalized.

Dennis Richter answered that he had completed twelve (12) projects and three (3) were currently being worked on.

Elvin Keller (311 Belvis Dr.)

Elvin Keller asked what the vegetation would look like.

Dennis Richter responded that there would be lots of vegetation and would be set back fifty feet (50ft) back from the property line.

Daniel Ferrell (5522 Homes Church Rd. Wilson, NC)

Daniel Ferrell explained that he owned a tract of land along the southern border of this property. His home would be located at an elevation of fifty feet (50ft) above the adjacent property. Mr. Ferrell explained that he wished to retire in this home and had gained all the necessary permits to start construction along the northern end of his property. .

Elvin Keller asked how much noise the solar facility would produce.

Dennis Richter answered that there would be very little to no noise emitted from the solar facility. He explained that there would be a light hum that the panels would emit, but that the sound could not be heard ten feet (10ft) away.

Mary Ferrell (5522 Homes Church Rd. Wilson, NC)

Mary Ferrell stated that her concern was the creek that was located on the property. She explained that she had seen it flood a significant amount.

Dennis Richter explained that the solar facility was being constructed outside of the floodplain.

Mary Ferrell asked about the age of the flood maps.

Scott Hammerbacher explained that the county receives their information from FEMA and the maps are updated every 2-3 years with a concentration on the southern end of the county where the most development was occurring.

Mary Solomon asked the petitioner if any of the solar facilities that Mr. Richter had completed were in this or any surrounding counties.

Dennis Richter stated that he had not applied for any solar facilities within Franklin County and that the closest counties he had completed projects in were Duplin and Wayne counties.

Robert Mann asked where Daniel and Mary Ferrell's lot was in relation to the lot of the proposed solar facility.

Daniel and Mary Ferrell indicated on the map the location of their property which abutted the southern border of the land where the proposed facility was to be located.

Dennis Richter explained that the solar facility would begin quite a distance from the creek which was also located at the southern end of the property. He reminded the board that there would be a six foot tall fence and buffer installed per the conditions of approval presented by the planning staff.

Melvin Kelley (1455 Ronald Tharrington Rd.)

Melvin Kelley explained that he resided north of the facility on the other side of Ronald Tharrington Rd. He asked how much glare would be generated by the facility.

Dennis Richter explained that the solar panels would face southward and had an antiglare design.

Mary Ferrell asked if the evergreen buffer would hide the barb wire fence.

Dennis Richter responded that the fence would be hidden by the evergreen buffer.

William Wallace asked if the petitioner understood and accepted the conditions of approval as submitted by planning staff.

Dennis Richter stated that he understood and accepted the conditions.

William Holden made a motion to recommend approval of the Special Use Permit with the added conditions of approval as submitted by planning staff. Richard Hoyle seconded the motion. The motion passed with a vote of 3-2.

6. In further business Scott Hammerbacher stated that the inspections staff had been significantly overbooked and explained that two (2) positions had been lost due to the recession. He stated that the commissioners had recently approved the opening of a new position for the inspection office that was currently working to be filled.

Scott Hammerbacher congratulated Mr. Wallace on seventeen (17) years of serving as a member of the planning board. He explained that Mr. Wallace had requested to step down and retire from the board. He said that Mr. Wallace had done an excellent job as the Chair to the board and thanked him for his service and dedication to the County through his work.

William Wallace told the Board that they were easy to work with and that it had been a privilege serving with them.

With there being no further business before the Planning Board, Chairman William Wallace adjourned the meeting at 8:11 P.M.

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William Wallace – Chairman  
Franklin County Planning Board

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Katie Rhyne – Clerk  
Franklin County Planning Board