

## FRANKLIN COUNTY PLANNING BOARD

June 11, 2013

The Franklin County Planning Board held its regular monthly meeting on Tuesday, June 11, 2013 in the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

**Present:** Carolyn Paylor, William Wallace, Richard Hoyle, Ricky May, William Holden, Steve Buescher, John Sledge, Ronnie Pearce, Mark McArn and Steve Mitchell.  
**Absent:** Fannie Brown, Mary Solomon, Robert Mann and Phillip Jeffreys.  
**Staff:** Jason Rogers, Scott Hammerbacher and Tammy Davis.

Chairman William Wallace called the meeting to order at 7:00 P.M., and welcomed everyone in attendance. Steve Mitchell gave the invocation. Steve Buescher made a motion, seconded by Richard Hoyle to adopt the agenda as presented. The motion passed unanimously. Steve Buescher made a motion, seconded by Carolyn Paylor to approve the minutes of the May 14, 2013 meeting with the correction that should read "Mr. Wallace said that the changes made would allow the Planning Board to conduct a meeting with five (5) members rather than eight (8) members." The motion passed unanimously with the correction to be made.

### Agenda Items:

1. UDO Text Amendment: Allow Distilleries/Breweries/Wineries as a Conditional Use Permit within the Agricultural Residential (AR), Residential-30 (R-30), Residential-40 (R-40), Mixed Use (MU) Districts and as a Permitted Use within the Highway Business (HB), Office Institutional (OI), Light Industrial (LI), Heavy Industrial (HI) and General Business (GB) Zoning Districts.

Jason Rogers stated Distilleries/Breweries/Wineries have been gaining popularity across the state and planners have been trying to establish regulations and development standards for these. He stated staff had researched several ordinances across the state in order to establish regulations that it feels would fit within the UDO. He stated the proposed amendment would provide staff with criteria to regulate the size and location. He stated there are numerous state and federal regulations to control each of these activities.

Mark McArn questioned the process of a Conditional Use Permit. Scott Hammerbacher stated Conditional Use Permit applicants would have to go through a quasi judicial hearing before the Board of Adjustment. Mr. Buescher questioned if hard cider would be included. Mr. Hammerbacher stated staff can research hard cider depending on the Planning Board's recommendation but feels it falls under other fermented malt beverages.

The Board unanimously instructed staff to research the proposed text amendment further and bring back before the Board at a later date.

2. Request for Special Use Permit to operate a Solar Farm by Franklin Solar LLC on 17+/- acres of 126.4 acres located at 2024 White Level Road (SR 1425) in the Agricultural Residential (AR) & Light Industrial (LI) Zoning Districts in the Cedar Rock Township.

Scott Hammerbacher stated the applicant intends to construct a solar farm. He stated the applicant states the solar farm will be surrounded by a security fence, and a knox box would be provided on the gate to allow access by emergency services. He stated the proposed would be located so as to minimize its visibility from adjacent private dwellings and a vegetative buffer would be planted along both sides. He went over the following conditions that staff is proposing if approved:

- 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 shall be subject to adhering to all other County, State and Federal regulations.
- 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.
- 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.

Richard Hoyle questioned if the proposed would be regulated by DENR and/or Department of Agriculture. Mr. Hammerbacher stated he was not aware of that. Chris Killenburg (Community Energy Solar LLC) stated they wouldn't have to get an erosion control permit from DENR since they aren't disturbing land and grading for roads. He went through a presentation which shows exactly what they are proposing. Mr. Hoyle questioned how vegetation would be controlled around the solar panels. Mr. Killenburg stated there would be people mowing and spraying grass/weed killer. Chairman Wallace questioned the height of the fencing and if it would be topped with barbwire. Mr. Killenburg stated the fencing would be 6-foot tall and will have 3 strands of barbwire.

William Holden made a motion, seconded by Steve Buescher to recommend approval with the conditions as provided by planning staff. The motion passed unanimously.

3. Request for Map Amendment by Elmo May for property located at 30 Tides Lane (Off NC Hwy 39 S) from R-30 (Residential) to Light Industrial (LI) on 1.21 Acres in the Louisburg Township.

Ricky May recused himself due to the fact the applicant is his father. Jason Rogers stated the applicant states the property has always been used as an industrial business and the property should have been zoned Light Industrial during the countywide rezoning process. Stuart May stated his father owned the property in the 1970's and it was sold. He stated his family acquired it back during a recent foreclosure.

Steve Mitchell made a motion, seconded by Ronnie Pearce to recommend approval of the proposed map amendment. The motion passed by majority vote with Ricky May abstaining from the vote.

4. Other Business/Reports/Discussion  
A.) Other Business

Mr. Hammerbacher reported that he met no resistance when he met with the County Attorney regarding the proposed bylaws amendment. He stated hopefully the item can be presented to the Commissioners in an upcoming meeting.

With there being no further business before the Planning Board, Chairman Wallace adjourned the meeting at 7:50 P.M.

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William Wallace – Chairman  
Franklin County Planning Board

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Tammy Davis – Clerk  
Franklin County Planning Board