

## FRANKLIN COUNTY PLANNING BOARD

November 13, 2012

The Franklin County Planning Board held its regular monthly meeting on Tuesday, November 13, 2012 in the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

**Present:** Mark McArn, Robert Mann, Ricky May, Steve Mitchell, Henry Nelms, William Holden, Phillip Jeffreys and William Wallace.  
**Absent:** Steve Beuscher, Fannie Brown, Mary Solomon, Richard Hoyle and Ronnie Pearce.  
**Staff:** Scott Hammerbacher, Donna Wood and Tammy Davis.

Chairman Henry Nelms called the meeting to order at 7:00 P.M.; and welcomed everyone in attendance. William Wallace gave the invocation.

#1. Special Use Permit by Aaron Byrd & Eric Coombs to operate a Shooting Range on 171.30 Acres on Dunn Road (State Road 1613) in the Agricultural Residential (AR) Zoning District in the Cypress Creek Township.

Scott Hammerbacher stated the proposed shooting range is being applied for under grounds and facilities for open air games & sporting events which is a special use in the Agricultural Residential (AR) District. He stated the application indicates the shooting range is where members can shoot safely in a property facility and the facility would allow those that would shoot in their backyards a safe alternative for themselves and neighbors. He stated the applicants stated the use time would only be in daylight hours and wouldn't impact adjoining properties. He referred to the site plan provided by the applicants which show the following details:

- Proposed locations of pistol firing range, shotgun firing range, and rifle firing range.
- The proposed firing range and improvements are approximately 14.5 acres with no permanent structures proposed on the site.
- No lighting is proposed and no buffering is proposed since the affected area is totally surrounded by woods.
- Area for parking (32 parking spaces with the parking area to be grassed) and the existing farm path and wooded areas.
- No landscaping is proposed other than protective vegetation cover for the protective earth berms.
- No utilities are proposed for this site.
- Portable toilets are proposed.
- Applicant proposes to control access to the site by installing a gate on existing farm path where the path enters the woods at approximately 900-feet from Dunn Road.
- Applicant proposes to access the proposed firing range via an existing farm path which will be upgraded to accommodate passenger cars and light trucks.
- Applicant proposed to relocate a portion of the farm path where the existing path is located outside of the applicant's property.

Aaron Byrd stated his customers have been asking for this type of facility for several years. William Wallace questioned who the customers he was referring to were. Mr. Byrd stated he owns a gun shop

in Youngsville and people purchase guns and don't have a safe place to shoot them. William Holden questioned why berms weren't shown on the site plan for the shotgun range. Mr. Byrd stated that shotguns are shot up in the air only. Mark McArn questioned if the proposed would just be a recreational use only. Mr. Byrd stated the facility would be used for instructional as well by holding classes on site. Mr. Wallace questioned the hours of operation. Mr. Byrd stated the facility would be primarily members with a gated entrance and some public events would be held on site. Robert Mann questioned if there would be supervision at all times for the facility. Mr. Byrd stated there would be supervision when public events are held but members are self-policed.

William Wallace questioned if the applicants plan on fencing the property. Mr. Byrd stated no fencing except at the entrance. He stated they would be posting the entire perimeter of the property. Wallace suggested a fence at the end of the rifle range just in case hunters or someone else wanders onto the property. Mr. Byrd stated signs would be posted ever 20-30 feet. Robert Mann questioned the wording of the proposed signs. Mr. Byrd stated the wording would be "Live Fire – No Trespassing".

John Harris (1635 Mort Harris Road) stated his family owns the property next to the proposed site. He stated they raise cows, horses and hay. He stated his family rides horses regularly. He stated he's not against guns just the range. He stated he was a range officer for six months in the military and has knowledge of the proposed use. He stated no berm would be high enough to stop a rifle bullet because they travel 300-feet per second. He urged the board to stop this and stated the applicants are proposing it in Franklin County because no other county wants it. He also stated his home is located in the firing range. William Wallace questioned the number of animals that the Harris Farm has. Mr. Harris stated they own approximately 100 and horses would be spooked by guns which could result in injuries or fatalities. Mark McArn questioned the size of the farm. Mr. Harris stated 360+ acres in one tract.

Mike Ihrle (1918 East River Rd) stated he lives far away from proposed that he wouldn't be a direct impact but attends the church located adjacent to the property. He stated they hold funerals, church services and weddings and feels the proposed would be a disruption to these events. He stated he feels people play with guns and are careless with them as well. He expressed concern if a target is missed, what would the bullet hit. He stated he is aware of the Harris animals but they also have a lot of equipment. He expressed his concern with safety and noise issues.

Daniel Huffman (1635 Mort Harris Road) stated he is an avid hunter and if the proposed is allowed, he feels no deer would be within miles of where he hunts now on his property.

Frank Poyer (257 Cypress\_\_\_\_\_) stated his home is located a few feet from the drive of the property. He stated he isn't a big fan of hunting because people are careless. He feels the proposed isn't appropriate for the area and has major concerns with it being unsupervised.

Jason Brown (950 Mort Harris Road) stated hunters aren't a problem but gun ranges can be especially when you have 100 people at an event where there's numerous people shooting. He emphasized to the board to research child gun laws in North Carolina. He stated he isn't against a range is it's located indoors. He expressed concern with children who may not be able to read the signage that is being proposed and wander onto the property since fencing isn't being proposed.

Alvin Batchelor (123 Sledge Road) stated he is a 16 year military disabled veteran who has been diagnosed with post traumatic syndrome. He stated he's concerned with his health and what the shooting would mean to his health issues.

Mark McArn stated he has been around gun ranges and everyone has expressed valid concerns but he feels there is a need for recreational uses and places to learn how to properly use firearms. Mike Ihrie stated he is also concerned with unsupervised use and concern with possible alcohol use at the ranges since management wouldn't be on-site at all times.

Blane Holmes (974 Cooke Road) stated he is a member of SSI, which is a gun range in Louisburg. He stated he is familiar with rules being proposed by the applicants for the range. He stated alcohol use wouldn't be tolerated while someone has a gun in their hand. He stated you would have to pay a membership fee of \$300 per year and no one wouldn't want to lose their money or privileges due to breaking the rules. He stated SSI is located next door to a cow farm and they have no complaints. He stated that the rules say you aren't allowed to shoot any animal of any type while you are on the property of the range.

William Wallace questioned the location of SSI. Mr. Holmes stated it is located off Otis Burrows Road which is between Hwy 39 South and Hwy 401. Aaron Byrd stated a decimal meter test can be done and that existing trees on the property would re-direct the noise level. Henry Nelms questioned the types of guns that would be used. Mr. Byrd stated there would be several types of handguns and shotguns being used and the rifles would be high-power and military style. Steve Mitchell expressed concern with children and adults riding four-wheelers in the area.

Tammy Harris (Harris Farm) questioned the number of gun ranges in the county. Scott Hammerbacher stated SSI, range on Julie McKnight Road, range located behind Bunn Prison and state owned range behind sewage plant in Louisburg.

Mr. Hammerbacher stated is the Planning Board recommended approval of the Special Use Permit request, planning staff would recommend the following conditions be placed on the request:

- Prior to securing any necessary 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.
- Hours of operation (Applicant proposes use times will only be in daylight hours).
- Approval of stormwater management plan if there is a land disturbance of .50 acres or greater.
- Must comply with the Franklin County Noise Ordinance.
- Approval of a NC Department of Transportation driveway permit.
- No lighting shall be installed without approval from the Franklin County Planning & Inspections staff.
- Approval from local EMS concerning access. Notification to Sheriff Department.
- Approval of the facility by the Franklin County Planning Department prior to the issuance of any required permits or commencement of any activity on-site.

Mark McArn stated he would abstain from voting due to prior relationship with the proposed applicants in a real estate transaction.

Steve Mitchell made a motion, seconded by William Wallace to recommend denial of the Special Use Permit request. The motion passed by majority vote with William Holden voting against the motion.

#2. Other Business/Reports/Discussion

A.) Other business/reports/open forum.

With there being no further business before the Planning Board, Chairman Henry Nelms adjourned the meeting at 7:55 P.M.

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William Wallace – Chairman  
Franklin County Planning Board

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Tammy Davis – Clerk  
Franklin County Planning Board