

FRANKLIN COUNTY PLANNING BOARD

November 13, 2018

The Franklin County Planning Board held its regular monthly meeting on Tuesday, November 13, 2018 in the Franklin County Administration Building, Commissioners Meeting Room, 113 Market Street, Louisburg, North Carolina.

Present: Robert Mann, Mark McArn, William Holden, Fannie Brown, Kelly Harris, Ricky May, Richard Hoyle

Staff: Jason Rogers, and Katie Rhyne

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

A motion to approve the agenda and minutes from November 13, 2018 was made by Ricky May, and was seconded by Robert Mann. The motion passed by a vote of 7-0.

Agenda Items:

1. 18-SUP-02 Jason Rogers presented a case by Solterra Partners, LLC for a special use permit to allow a solar farm on 180 +/- on 251.4 acres off Hickory Rock Rd in Louisburg Township with the following recommended conditions of approval:
 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. Final Tar/Pamlico stormwater plan approval.
 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. The financial surety shall not have an expiration date.
 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. Setbacks must be maintained off the existing property lines of parcels 018982 and 016283 or a recombination survey will be required.

Jason Rogers explained that the property to the north had been approved for a solar farm. He stated that the current special use permit for that property could apply for a one year extension before it expired in March 2019.

Jason Rogers stated that this project was to be located on two separate lots and that the setbacks for each lot would have to be met. He explained that existing vegetation would be utilized where none existed, a twenty foot (20ft) evergreen buffer would be required with trees six feet (6ft) in height at the time of planting. He explained that there was a suggested condition that the power inverters be limited to sixty decibels (60db) at the property line.

Mark McArn asked for clarification on the suggested condition involving the power invertors.

Jason Rogers explained that staff had begun including this suggested condition for solar farms due to concern of noise during a previous application.

The following individuals represented the petitioner:

Attorney: (Michael S. Fox 100 N Greene St. STE 600 Greensboro, NC 27402)

Engineer: (Chris Sandifer 3118 Green Road Spring Hope, NC 27882)

Developer: (Phillip Martin 5310 S Alston Ave Bldg. 300 Durham, NC 27713)

Appraiser: (Nicholas D. Kirkland 9408 Northfield Ct, Raleigh, NC 27603)

Michael Fox stated that he had presented before Franklin County with previous solar projects. He stated that there had been a community meeting the week prior to the Planning Board Meeting. Property owners expressed their concerns, and learned about the technology that would be present in the proposed Solar Farm. Mr. Fox passed out a copy of an appraisal report done by Kirkland Appraisals, LLC. The appraisal stated that the solar farm would cause no harm to adjacent property values. He stated that the project complied with the Franklin County Unified Development Ordinance. Mr. Fox explained that the panels would cause no harm physical harm to the property. He stated that the applicant was in agreement with the suggested conditions of approval from staff.

Chris Sandifer stated that the solar panels were a well established technology that originated in the 1960's. He stated that the panels were sealed and that they would not leak

any chemicals into the soil. Mr. Sandifer explained that farm operations that utilized chemical pesticides added more chemicals to the soil than a solar farm would. He stated that this project utilized invertors that transferred the D.C panels to A/C energy and that at ten feet (10ft) could make noise up to sixty-five decibels (65 db). He explained that if one panel were damaged, a whole string of panels would go out, and it would quickly be noticed by individuals working off site and would be repaired in a timely manner. He explained that there would be no requirement by the County to provide infrastructure to the site.

Steven Buesher asked what the capacity of the system would be.

Chris Sandifer stated that it would run at 68 megawatts.

Robert Mann asked what the distance would be between the approved project, and the requested project.

Chris Sandifer stated that there was a wetland dividing the two properties that would not be built within.

Mary Solomon asked what the smallest acreage for one of these projects could be.

Chris Sandifer stated that current projects were four (4) or five (5) acres.

Daniel Ferrell (5522 Homes Church Rd. Wilson, NC 27896)

Mr. Ferrell stated that he had concerns during the meeting of the previously approved project. He felt it was a mistake. He stated that during internet research he learned that the best sites suited for a solar farm would be flat farmland away from people. He stated that the floodplain and wetlands on this property did not make this an ideal place for the project. He stated that fencing and buffers for the project would make it more attractive for trespassing. Mr. Ferrell stated that he had witnessed multiple dead trees that were installed on other solar project sites. Mr. Ferrell stated that clearing existing trees and adding glass panels could increase hazardous flooding that originated from the property.

Chris Sandifer stated that the project had to be approved with a sedimentation control plan and that there were proposed 25ft vegetative buffers along adjacent properties for the project.

Mary Farrell (5522 Home Church Rd, Wilson, NC 27896)

Mrs. Ferrell stated that her and her husband (Daniel) owned property at the sycamore ridge subdivision. She stated that there were many homes in the area, and that this property was

close to town. She explained that the property was located near a middle school, and stated that the property would be better utilized for home sites.

Mary Mendoza (20 Sycamore Ridge Rd. Louisburg, NC 27549)

Mrs. Mendoza asked how long the lease term for the property was.

Phillip Martin stated that the lease term was good for 25-30 years.

Mrs. Mendoza asked what would happen after the lease expired.

Phillip Martin stated that the project would be decommissioned.

Jason Rogers stated that a suggested condition of approval for the project was to require a 125% bond to decommission the solar site.

Mary Mendoza stated that she had attended the community meeting regarding the project. She had requested an extra 25ft buffer along the south eastern portion of the property where the sycamore ridge subdivision was located. She asked what would happen if the planted trees died.

Michael Fox stated that they had agreed to a 25ft buffer of existing vegetation be included along certain areas of the property in addition to the 25ft planted vegetated buffer. He stated that in total along two sections of the property boundary there would be a total of a 50ft buffer. He explained that the landscaping section of the Franklin County Unified Development Ordinance required that the buffer be maintained by the developer. He stated that they had an individual that would be in charge of the landscaping for the site should the project be approved.

Robin Glover (45 Sycamore Ridge, Louisburg, NC 27549)

Mrs. Glover asked if one of the solar projects was dependent on the other.

Michael Fox clarified by stating that legally each project was stand alone. Operationally, the two projects would be dependent on each other. He stated that the first project was permitted, but if the second were approved, the company would not move forward with the original project.

Robin Glover asked how long the construction for the project would take.

Phillip Martin stated that the schedule would be between 8-12 months for both projects to be fully complete.

Mrs. Glover stated that she was not in favor of this project.

Mark McArn explained that from the property owner's perspective this would be an increase in the value of the property. He stated that no developer had been looking at this site to develop.

Mary Mendoza stated that she was more in favor of a solar farm locating onto the property than a development.

Robin Glover asked what would prevent people from trespassing onto the property.

Phillip Martin stated that there would be six feet (6ft) tall fencing with six (6) strands of barbed wire.

Jason Rogers asked if the developer could point out the additional buffers that were proposed and suggested that it be added as a condition of approval for the project.

Robin Glover stated that she had concerns that her property value would be degraded if this project were approved.

Michael Fox stated that he would be glad to present Mrs. Glover with a copy of the appraisal report done by Kirkland Appraisals, LLC after the meeting adjourned.

Steven Buescher stated that one of the reasons Franklin County had a higher residential tax rate was due to the lack of commercial interest within the County. He asked what this project would provide for tax rates.

Michael Fox stated that the property currently had one of the lowest tax rates in the County due to its farm use. If approved, the property owner would have to pay three (3) years of back taxes and the rate for the property would immediately increase. He stated that 70 million dollars worth of equipment would be installed on the property and the County would be eligible to tax 20% of that cost. He also emphasized that Franklin County would not have to provide infrastructure such as water, and sewer facilities, which would make it more affordable for the County than a development.

Mary Mendoza asked for clarification on Special Use Permits. She asked if the permit was only good for solar farms. She asked if another company could use the land for something else.

Jason Rogers stated that only the solar farm would be permitted. He stated that if a future developer were to apply for another use that required a special use permit, they would have to go through the process again.

Robin Glover asked if the solar panels would affect her utilities such as satellite.

Chris Sandifer stated that it would not.

Daniel Ferrell stated that he had started a freshwater aquarium with fish that he had caught in the nearby stream. He stated that he had identified a small minnow that naturally resided in the mountains of North Carolina and Virginia. He stated that these fish were a sensitive species and required colder climates. Mr. Ferrell felt that this project could harm their habitat.

With no further discussion, Chairman Mark McArn entertained a motion.

Steven Buescher made a motion to recommend approval of the special use permit with the suggested conditions submitted by planning staff, and the added buffer as was discussed within the meeting. Ricky May seconded the motion. The motion passed with a vote of 8-0.

With no further business before the Board, Chairman Mark McArn adjourned the meeting at 8:00 PM.

Mark McArn – Chairman
Franklin County Planning Board

Katie Rhyne – Clerk
Franklin County Planning Board