

**Camden County Planning Board
Minutes
January 19, 2011, 7:00pm
Historic Courtroom
Camden County Courthouse Complex**

Members Present:	Absent:
Chairman Rodney Needham	David Bundy
Vice Chairman Calvin Leary	John Aydlett
Fletcher Harris	
Ray Albertson	
Michael Etheridge	

Call to Order & Welcome

Chairman Rodney Needham called to order the January 19, 2011 meeting at 7:00 PM.

Others Present at Meeting

STAFF PRESENT

Name:	Title:
Dan Porter	Director of Planning
Dave Parks	Permit Officer/Flood Administrator
Amy Barnett	Planning Clerk/Clerk to the Board

OTHERS PRESENT

Name:	Residence:	Purpose:	Meeting Section:
Jean Bell	McPherson Road, South Mills	Public Comment	New Business #1

Consideration of Agenda

Chairman Rodney Needham called for consideration of the agenda.

Motion to approve the agenda as presented made by: Vice Chairman Calvin Leary.

Motion Seconded by: Michael Etheridge.

The motion passed with Chairman Rodney Needham, Vice-Chairman Calvin Leary, Members Ray Albertson, Fletcher Harris, and Michael Etheridge voting aye; none voting no; Members David Bundy and John Aydlett absent; none not voting.

Consideration of Minutes - December 15, 2010

Chairman Rodney Needham called for consideration of the minutes from the December 15, 2010 Planning Board meeting. Planning Clerk Amy Barnett outlined a few minor corrections / amendments to the aforementioned minutes: Changed all occurrences of the phrase 'lead certified' and 'lead certification' to 'LEED certified' and 'LEED certification'.

Motion to approve the minutes as amended made by: Vice Chairman Calvin Leary.
Motion Seconded by: Fletcher Harris.

The motion passed with Chairman Rodney Needham, Vice-Chairman Calvin Leary, Members Ray Albertson, Fletcher Harris, and Michael Etheridge voting aye; none voting no; Members David Bundy and John Aydlett absent; none not voting.

Comments from the Public

None

Old Business

None

New Business

Master Plan, Camden County ECO Business Park, UDO 2011-01-01

Dan Porter gave an introduction (and recap-the rezoning for this occurred at the December 15, 2010 meeting) to the Master Plan for Camden County ECO Business Park:

- At the December 15, 2010 meeting, the Planning Board recommended to the Board of Commissioners to rezone the property the county owns at the North end of the spray field to a Planned Unit Development for the development of the ECO Business Park / aka ECO Industrial Park.
- Within the rezoning, there were a set of conditions / list of permitted uses and list of prohibited uses, and also setbacks and other particular conditions for the rezoning.
- What is before the board this evening is the Conditional Use Permit application for the Master Plan for Camden ECO Business Park.
- Once Master Plan is approved, by Planning Board and then subsequently by the Board of Commissioners, with the Master Plan then in place, the only reviews and approvals that will be required as property is developed will be administrative review of the documents that are required for the preliminary platting of the property.
- The County is the applicant; the property is located at the North end of the spray field (on record with Register of Deeds as a portion of the spray field); As property is developed it will be subdivided out.
- Each time a lot is sold, it will be subdivided and the resulting piece of property will be subject to all the PUD requirements as well as all the Master Plan requirements.

- The Master Plan calls for 19 lots to be developed with a minimum 2 acre lot size.
- There is approximately 70 acres of developable property, taking into consideration property taken out for roads, wetlands, trails, storm drainage, and so forth.
- Condition on the Master Plan is that it not be subdivided into more than 19 lots, but lot sizes may be more than 2 acres depending on what a particular business may need.
- Engineers documents include constructed wetlands - will drain to a central pond which has a large holding capacity for water.
- Maximum impervious surfaces will be 40% allowable; 50% if the proposed business wanting to develop on a particular lot is one that follows 'best practices', 'energy efficiency', and any other number of 'green initiatives'. Master Plan calls initially for 40%.
- Engineers are doing an overall Stormwater Review so that individual stormwater reviews will not be necessary.
- There will be a 50 ft buffer along US 17 the back of the adjoining properties and where the road is.
- The county will provide infrastructure for water and sewer to the park, using a few grants for funding of this.
- NCDOT funds may be used to pave the entrance way up to the initial road, and running a road up to the pump station.
- Depending on funding, more roads may be paved.
- Sewer will be gravity fed back to the pump station and then forced main for the rest of the way out.
- Hoping to get funding for a future trail which would encircle the pond, with a small park area in the northwest corner, which would include benches and educational markers for the wetlands in the park area.
- Planning Department is recommending approval with conditions as listed in the board packet and additional conditions as handed out by Dave Parks. [Said additional conditions are #'s 11-24 in the Findings of Facts below, original conditions are #'s 1-10 and #25.]

**CONDITIONAL USE PERMIT
UDO 2011-01-01
Camden Eco Park Master Plan
Findings of Facts**

1. **Name of Applicant:** Camden County
2. **Agent for Applicant:**
3. **Address of Agent:** 117 North Highway 343
4. Camden, NC 27921
5. **PIN:** 01-7071-00-69-8959
6. **Name(s) of Current Owner(s) of Record:** Camden County
7. **Street Address of Property:** Not addressed.
8. **Location of Property:** Approximately $\frac{3}{4}$ of a mile north of McPherson Road on Highway 17
9. **Flood Zone:** X
10. **Zoning District(s):** Planned Unit Development (PUD)
11. **Is a Zoning Change Required for the Proposed Use?** No
12. **General Description of the Proposal:** Master Plan - Camden Eco Industrial Park
13. **Date Application Received by County:** January 3, 2011
14. **Did the Applicant participate in a pre-application Conference?** N/A
15. **Received by:** David Parks, Permits Officer

16. **Application fee paid:** N/A
17. **Completeness of Application:** Complete
18. **Proposal to be completed in Phases:** Yes.
- A. **If yes, are phases shown on Master Plan:** No. There are 19 lots shown on Master Plan as once a lot is sold it will be recorded as Phase I, Phase II etc....
The maximum number of lots shall not exceed 19.
19. **Was the Applicant given a list of agencies constituting the Technical Review Staff?** Yes
- A. Technical Review Staff (Master Plan Approval)
- (a) South Mills Water District
 - (b) South Camden Water & Sewer District
 - (c) South Mills Fire Department
 - (d) Postal Service – South Mills
 - (e) Sheriff’s Office
 - (f) Natural Resources Conservation Service
 - (g) Superintendent of Camden County Schools
 - (h) Transportation Director Camden County Schools
 - (i) NCDOT
 - (j) MediaCom
 - (k) AEMC
 - (l) Pasquotank EMS
 - (m) Director Parks & Recreation
 - (n) Century Link
20. **Documents received upon filing application or otherwise included:**
- A. Land Use/Development Application
 - B. Master Plan
 - C. GIS Map
 - D. Technical Review responses
 - E. DENR E & S Control Plan
21. **Soil Classifications:**
Predominant: Portsmouth (PtA) and Udorthents (Ud)
22. **Adjacent Property Uses:**
- A. **Predominant:** Agriculture
 - B. **Other:** Wooded
23. **Existing Land Uses:** Agriculture - Farming
24. **Property info:**
- A. **Total Acreage:** Approximately 98 acres
 - B. **Total Proposed lots:** Nineteen (19)
 - C. **Average size:** Various
25. **Streets:**
- A. **Are all streets designed to be place under State system?** Yes.
 - B. **Are proposed streets named?** Yes
 - C. **Street names:** Eco Park Blvd, Opportunity Drive, Solar Way
 - D. **Are any street names already being used elsewhere in the Camden or Pasquotank County’s?**
No - Verified/approved with Central Communications.
26. **Open Space:**
- A. **Is open space proposed?** Yes
 - B. **Area of open space:** 32 acres
 - C. **What is required minimum open space?** 25% of net tract = approx 25 acres
 - D. **Will property owners association be needed?** Yes
 - E. **Has the applicant proposed a property owners association?** Yes
27. **Utilities:**
- A. **Does the application include a letter or certificate from the District Health Department regarding septic tanks?** N/A.
 - B. **Does the applicant propose the use of public sewage systems?** Yes
 - C. **Does the applicant propose the use of public water systems?** Yes.
 - D. **Distance from existing public water supply system:** adjacent to property.
 - E. **Is the area within a five-year proposal for the provision of public water?** N/A
 - F. **Is the area within a five-year proposal for the provision of public sewage?** N/A
28. **Landscaping:**
- A. **Is any buffer required?** Yes.
 - B. **Will trees be required along dedicated streets?** Yes

29. Findings Regarding Additional Requirements:

- A. Endangering the public health and safety:** The Application does not appear to endanger the public health and safety.
- B. Injure the value of adjoining or abutting property:** The application does not appear to injure the value of adjoining or abutting property.
- C. Harmony with the area in which it is located:** The location of the PUD is in Harmony with the area in which it is located.
- D. Conformity with the Plans:**
 - 1. Land Use Plan:** Yes
 - 2. Thoroughfare Plan:** N/A
 - 3. Other plans officially adopted by the Board of Commissioners:** N/A
- E. Will not exceed the county's ability to provide public facilities:**
 - 1. Schools:** Will provide needed revenue for schools
 - 2. Fire and Rescue:** No.
 - 3. Law Enforcement:** Staff feels that the commercial subdivision will require added law enforcement at some point due to the location and permitted uses.
 - 4. Parks & Recreation:** No.
 - Other County Facilities:**
- F. Other:**

Technical Review Staff

A. Comments: TRC meeting held September 15, 2010.

- (1) South Mills Water and Sewer:** Will provide water once agreement is signed.
- (2) Camden County Health Department:** N/A.
- (3) South Mills Fire Department:** See attached comments.
- (4) Fire Marshall:**
- (5) Sheriff's Office:** Review with comments (see attached TRC Letter)
- (6) Post Office:** Approved as is.
- (7) NCDOT:** See attached letter.
- (8) Natural Resources Conservation Service.**
- (9) Camden County Schools:** Approved as is.
- (10) Media Com.** No response.
- (11) U.S. Army Corps of Engineers:** Wetlands delineated.
- (12) Albemarle EMC:** See attached emailed comments.
- (13) Centurylink:** Reviewed with no comments.
- (14) Piedmont Natural Gas.** No comments.

B. Adoption of all Technical Review Staff.

Staff recommends approval with the following conditions/modifications:

- 1. The applicant must strictly abide by all requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development.
- 2. The applicant shall complete the development strictly in accordance with the approved Master Plan approved by the Board of Commissioners of Camden County, North Carolina, and contained in the file titled (UDO 2011-01-01).
- 3. The total number of lots shall not exceed 19 as reflected on the Master Plan.
- 4. Signs shall be posted around pond trail indicating rules (i.e. No swimming...).
- 5. Street lights shall be placed along the ROW's in accordance with NCDOT Utilities Manual.
- 6. Approval shall be sought by AEMC for commercial uses requiring large load amounts prior to the completion of new sub-station.
- 7. There shall be hydrants located 1000 feet apart.
- 8. County shall provide at a minimum of two access points to the pond for Fire Protection.
- 9. Turn-a- rounds large enough for emergency vehicles (i.e. fire trucks) shall be provided at the roads that dead end.
- 10. Permitted uses utilizing Welding Operations and Wind Turbine generators shall consult with the Northwest Navy Annex for possible mitigation of affects on radar system.

11. Developer shall utilize and maintain as much existing tree cover as possible.
12. There shall be no timbering/land clearing with the exception of clearing necessary to maintain property ditches, swales and infrastructure prior to Preliminary Plat approval.
13. Preliminary Plat Approval as referred to in this Conditional Use Permit refers to those items in UDO Section 151.298 that are referenced as “information sufficient to satisfy preliminary plat” whereby they must be consistent with the approved Concept Plan and Master Plan, and constitutes an administrative approval not requiring further approval of the Planning Board or Board of Commissioners. Minor amendments and refinements to the Master Plan may also be approved administratively, or at the discretion of the Administrator or the request of the Developer, may be referred to the approving body.
14. A traffic impact analysis maybe required by the County prior to approval of preliminary plat as required by NCDOT.
15. Any infill of existing wetlands and/or offsetting creation of wetlands shall require approval from the Army Corps of Engineers and any other required governmental agencies prior to approval of Preliminary Plat of the phase in which it will occur. Mitigation of wetlands shall meet all federal, state and local regulations.
16. There shall be no land disturbing activity prior to an approved DENR Storm Water Permit, Erosion & Sedimentation Control Plan, Camden County engineer approval on drainage plan, and Preliminary Plat approval. Each preliminary plat and commercial site plan shall require such review and approval.
17. A set of “as-built” stormwater plans, signed and sealed by a North Carolina professional engineer, shall be submitted prior to final plat approval.
18. All connection fees for water service and sewer service (if supplied by a public agency) shall be paid prior to approval and filing of a final plat for the Phase being developed.
19. Commercial site plans shall be required for each commercial building to include stormwater plans approved by DENR and Camden County’s stormwater engineering consultant.
20. Specifications for location and dimensions shall be provided prior to preliminary plat or commercial site plan approval for lighting, fencing, landscaping, sidewalks, buffers and signage.
21. The developer and/or property owners association shall provide to the County an engineer’s recertification every 5 years that all drainage/stormwater improvements are maintained in accordance with approved plans. The recertification shall be from the time of recordation of the final plat for which the stormwater improvements are installed.
22. As part of Phase 1 Preliminary Plat approval, developer shall provide engineer’s certification of pre-development run-off at each drainage outfall for each water shed.
23. A copy of the signed approved Master Plan shall be maintained in the Camden County Registry of Deeds.
24. The approved signed Conditional Use Permit shall be recorded in the Camden County Registry of Deeds within 45 days of approval.
25. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this Conditional Use Permit shall remain in full force and effect as to all then recorded parcels, but if any substantial condition is invalidated, the County may terminate this Conditional Use Permit as to any future improvements and parcels (other than common amenity improvements) unless and until a substitute condition or conditions acceptable to the County and the developer are in place.

Mr. Porter then read the first 10 conditions that are listed above, plus condition 25. He commented on condition 6: Substation build out is about 3 years away. If a large manufacturing company were to locate in the park prior to the building of the substation, AEMC would have to be consulted to ensure that the electric needs would not pull too great a load.

Mr. Porter mentioned that since this is a Planned Unit Development, certain impacts should be taken into consideration when setting conditions. Additional conditions were deemed appropriate to this Master Plan. Mr. Porter then read those additional conditions (conditions 11-24 listed above).

Additional comments by Mr. Porter regarding the second set of conditions (#s 11-24):

Condition 13: Reminded board that after approval of Master Plan, unless there is a Major Amendment, all approvals would be administrative in nature.

Condition 14: The engineers have already prepared a Traffic Impact Analysis for a limited amount of growth, said analysis is being revised at this time.

Condition 16: There has been some clearing done to prepare for placement of infrastructure, and an appropriate permit has been secured by the engineers for this.

Condition 21: This condition was number 11 on the handout given by Mr. Parks, and Mr. Porter mentioned that it may need to be revised. As it was written on the handout given at the meeting, it stated that the developer shall provide a stormwater maintenance manual, and recertification of the engineer every 5 years. Mr. Porter stated that the recertification of the engineer was a necessity, but the stormwater maintenance manual was not.

Mr. Porter mentioned that the additional conditions are similar to conditions placed upon the Camden Plantation PUD, and felt it wise to keep to the same standards. He added that since the Board will not see this again unless there is a major amendment, it was important to be as specific as possible.

Mr. Porter added the following information:

- A set of restrictive covenants is being worked on, they are in draft form at this point and have not been reviewed by attorney as of yet. Said covenants are very specific as to types of lighting, architecture, and other design elements, as well as buffers, landscaping, among other elements, etc.
- Camden Economic Development Commission will be the reviewer for proposed businesses looking to locate in the park. Commercial site plans will have to be submitted to both Planning and CEDC, and if CEDC sees something that needs correction they can ask the business to go back and correct it.
- There will be a set of Bylaws for the Property Owners Association
 - Every property owner in the park will be required to join the Property Owners Association
 - Bylaws will contain information regarding energy efficiency, green initiatives, and requirements for these goals.
 - The County will maintain control over the restrictive covenants and Property Owners Association until 80% of the properties have been sold, after which control will be handed over to the POA and the voting membership.
 - This has not been completely determined, it may be a different threshold percentage of properties sold.

Vice Chairman Calvin Leary asked if there have been any business inquiries regarding locating in the park as of yet. Mr. Porter responded that there has been some interest, a solar panel manufacturing company among others have inquired. Mr. Porter mentioned that County Manager Randell Woodruff has received some inquiries regarding the park.

Chairman Rodney Needham asked who will be overseeing the environmental concerns as far as sewer goes. Mr. Porter responded that the park will be on the County's sewer system, and as such DENR will be overseeing the environmental impacts.

Michael Etheridge asked for clarification as to condition #10. He asked if this means that the use of welding is not prohibited, just that the Navy be consulted. Mr. Porter responded that was correct. Mr. Etheridge further asked regarding mitigation of impacts on the Navy's radar system... He wanted clarification that mitigation of any impact was the responsibility of the proposed company, and not the responsibility of the County. Mr. Porter responded initially that this was correct, but also that it would depend on what the Commissioners decide. Mr. Porter indicated that if the proposed business was one that the Commissioners wanted to see come into the county that a certain amount of negotiation regarding handling of mitigation of impacts might be considered.

At this time, Chairman Rodney Needham asked if there were any further questions or comments from the Board. Hearing none, he asked if there were any comments from the public regarding this matter.

Ms. Jean Bell, of McPherson Road, South Mills spoke.

- Ms. Bell was concerned about the drainage along McPherson Road in conjunction with this project; Mr. Porter explained that the main portion of the drainage would be to a central pond, but that if the pond were to exceed capacity, there would be an outfall pipe which would allow excess drainage to drain to the Dismal Swamp.
- Ms. Bell commented that there is a drainage pipe very near the Dismal Swamp Canal Welcome Center that is backed up and described its location. Mr. Porter indicated that unless a pipe has a backflow prevention device pipes can get backed up, and that he would check into this pipe.
- Ms. Bell asked regarding the size and location of the area involved in the park, and referred to tonight's proceedings as the 'rezoning'. Mr. Porter responded by pointing out the areas involved (on the projection screen) for Ms. Bell. Mr. Porter also clarified that tonight's proceedings are for consideration of the Master Plan. He further clarified that the Rezoning was considered at the last Planning Board meeting whereupon the Planning Board recommended approval, and the Rezoning goes before the Board of Commissioners for a Public Hearing on February 7, 2011.

At this point Chairman Rodney Needham asked if there were any further questions or comments regarding this matter. Hearing none, he entertained a motion.

Michael Etheridge made a motion to approve the Master Plan, Camden County ECO Business Park, UDO 2011-01-01 with the conditions and recommendations as set forth by Planning Staff (to include the additional conditions handed out by Mr. Parks [and incorporated into the findings of fact listed in these minutes]). The motion passed with Chairman Rodney Needham, Vice-Chairman Calvin Leary, Members Ray Albertson, Fletcher Harris, and Michael Etheridge voting aye; none voting no; Members David Bundy and John Aydlett absent; none not voting.

Information from Board and Staff

Dan Porter reported the following:

- A Request for Proposals for a Comprehensive Plan is being prepared.
 - This will be a 12-18 month process to develop a Comprehensive Plan for the County.
 - Will include citizen input, goals and objectives, etc.
 - Planning Board will be heavily involved in this.
 - Will involve long range planning.
 - There may be some changes to the UDO to come out of this.
- Dave Parks is currently reading the UDO in its entirety and noting anything that needs correcting or updating.

Consider Date of Next Meeting - February 16, 2011

Adjournment

At 7:41 PM, Ray Albertson made a motion to adjourn the meeting. Fletcher Harris seconded the motion. The motion was approved with Chairman Rodney Needham, Vice Chairman Calvin Leary, Members Fletcher Harris, Ray Albertson, and Michael Etheridge voting aye; none voting no; Members David Bundy and John Aydlett absent; none not voting.

Date: _____

Approved: _____
Chairman Rodney Needham

Attested: _____
Amy Barnett, Planning Clerk