

**Camden County Planning Board
Minutes
December 21, 2011, 7:00 PM
Historic Courtroom
Camden County Courthouse Complex**

BOARD MEMBERSHIP PRESENT / ABSENT

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

STAFF PRESENT

Name:	Title:
Michael Renshaw	County Manager
Dan Porter	Planning Department Director
Dave Parks	Permit Officer/Flood Administrator
Amy Barnett	Planning Clerk/Clerk to the Board

OTHERS PRESENT

Name and Town of Residence:	Title:	Purpose / Representing:	Meeting Section
Eddie Hyman		Representing: Deerfield Manor Major Subdivision	Item# 6.1

Call to Order & Welcome

Chairman Rodney Needham called to order the December 21, 2011 meeting at 7:00 PM

Consideration of Agenda

Chairman Rodney Needham called for consideration of the agenda. There were no changes to the agenda.

Michael Etheridge made a motion to approve the agenda. John Aydlett seconded the motion. The motion passed with Chairman Rodney Needham, Vice Chairman Calvin Leary, Members Fletcher Harris, David Bundy, Michael Etheridge and John Aydlett voting aye; none voting no; Ray Albertson absent; none not voting.

Consideration of the Minutes - August 17, 2011

Consideration of the minutes from the August 17, 2011 meeting:

Motion: "Approve minutes from August 17, 2011 meeting as written"
Made By: John Aydlett
Seconded: Fletcher Harris
Vote: The motion passed with Chairman Rodney Needham, Vice Chairman Calvin Leary, Members Fletcher Harris, David Bundy, Michael Etheridge and John Aydlett voting aye; none voting no; Ray Albertson absent; none not voting.
Result: By a vote of 6-0, the August 17, 2011 minutes were approved as written.

Comments from the Public

Dan Porter introduced the new County Manager Michael Renshaw to the Planning Board. Mr. Renshaw spoke briefly, introducing himself and his background and that he looked forward to working with the Planning Board as various projects come up.

Old Business

None

New Business

Item 6.1 - Final Plat Phase II Deerfield Manor Major Subdivision

Final Plat Phase II Deerfield Manor UDO 2000-08-28

1. **Name of Applicant:** Old Enterprise, Inc.
2. **Agent for Applicant:** Hyman & Robey P.C.
3. **Address of Agent:** P. O. Box 62, Moyock, NC, 27958
4. **PIN:** 01-7979-00-23-2720
5. **Name(s) of Current Owner(s) of Record:** Jerry Old
6. **Street Address of Property:** Horseshoe Road
7. **Location of Property:** Intersection of Horseshoe Road and Deerfield Drive, South Mills Township
8. **Flood Zone:** X
9. **Zoning District(s):** Basic Residential (R3-1)
10. **Is a Zoning Change required for the Proposed Use?** No
11. **General Description of the Proposal:** Final Plat Phase II Deerfield Manor - 17 lots
12. **Date Application Received by County:** November 30, 2011
13. **Have all the requirements of the Special Use Permit for Preliminary Plat been met?**
Yes
14. **Received by:** David Parks, Permits Officer

- 15. Application Fee Paid:** Yes. \$850.00
- 16. Completeness of Application:** Application is generally complete
- 17. Proposal to be completed in Phases:** Yes. Phase II.
- A.** If yes, are phases shown on Plat? Yes
- 18. File Reference:** UDO 2000-08-28
- 19. Documents Received Upon Filing Application or otherwise included:**
- A.** Land Use/Development Application
- B.** NCDOT approval letter on pavement acceptance
- C.** Payment of fee in lieu of recreational improvements
- D.** Maintenance Bond/Letter of Credit for Roads (pending)
- E.** Letter/Receipt from Schools for Bus Stops
- F.** 10 Blue Line Copies of Final Plat
- G.** Landscaping Plan
- 20. Have all the requirements of Preliminary Plat/Special Use Permit been accomplished?**
Waiting on LOC/Bond for road and Recombination Survey for Nolff to be recorded
(cannot record Final Plat until this happens).
-

Dave Parks described this application for Final Plat for Deerfield Manor Major Subdivision Phase II:

- Preliminary Plat & SUP were approved by the Board of Commissioners on July 16, 2007 and all the infrastructure is in place.
- Eddie Hyman of Hyman & Robey was present acting on behalf of Jerry Old of Old Enterprise, Inc.
- A Recombination survey for property owned by a Steven Nolff and Christopher Nolff was included in the board packet
 - When the House was built for these land owners, their Septic Tank and Associated Drain Fields encroached into property owned by the Deerfield Subdivision.
 - Final Plat property lines had to be modified
 - Both Mr. Parks and Mr. Hyman are in the process of getting Mr. Nolff to record the recombination survey and deed, so far have been unsuccessful in contact with Mr. Nolff.
 - Mr. Parks recommended if contact continues to be unsuccessful, then go back to what the original Plat looked like. Then it would be up to Mr. Nolff to get an encroachment agreement done with Albemarle Health Services.
 - Mr. Hyman added that he is sending a certified letter to Mr. Nolff regarding this.
 - Mr. Hyman further added that Mr. Old is willing to give the property up that is encroaching rather than have the Nolff's have to move the septic system.

- Mr. Hyman is trying to get this matter resolved prior to the recording of the Final Plat, and added that Mr. Old didn't intend to record before the beginning of the new year.

Vice Chairman Calvin Leary asked how much property is involved in the issue of encroachment. Mr. Hyman responded that it is on the plat, and also stated that it is 0.21 acres which is encroaching onto Mr. Old's property.

Mr. Parks stated that Mr. Old has paid \$5,000 to the school system for the placement of 2 school bus stops to be placed on the property at the schools discretion. He further stated that Mr. Old has also paid the recreation fee to the county for recreational improvements to be placed on the property. Said fee will go to Parks & Recreation for future land acquisition to be of benefit to the entire county.

Mr. Parks then outlined a few remaining issues that pertain to this final plat:

- Entrance street sign on Deerfield Drive needs to be replaced.
- Lot maintenance needs to be reviewed; there is some erosion to be looked at (drainage pipes, culverts, etc.).
- Landscaping Plan is on file with the county; Planning Department is recommending the landscaping on the entire subdivision to be deferred until the final inspection of the first house.
- Letter of Credit for maintenance of the roadways has yet to be received. Mr. Parks has been in contact with the bank which is to issue said letter; letter is being finalized and is forthcoming (letter is required by county prior to recording of the final plat).
- Mr. Parks has recommended to Mr. Old that he petition the county and the NCDOT for acceptance of the roads in phase 1.

Staff is recommending approval, and will see that the few remaining issues are resolved prior to the actual recording of the final plat itself.

At this point, Chairman Rodney Needham asked the board if there were any further questions. Hearing none, he entertained a motion:

Motion: “Approve Final Plat Phase II Deerfield Manor Major Subdivision subject to the few remaining issues being resolved prior to the recording of the final plat as outlined by staff”
Made By: Fletcher Harris
Seconded: Michael Etheridge
Vote: The motion passed with Chairman Rodney Needham, Vice Chairman Calvin Leary, Members Fletcher Harris, David Bundy, Michael Etheridge and John Aydlett voting aye; none voting no; Ray Albertson absent; none not voting.
Result: By a vote of 6-0, Final Plat Phase II Deerfield Manor Major Subdivision has been approved by the Planning Board subject to the conditions as stated in the motion.

Item 6.2 - For discussion - Accessory Apartments and Solar Farms

Solar Farms

A discussion took place between staff and Planning Board regarding Solar Farms. The following were points of discussion:

- There is no ordinance on Solar Farms
- Any proposed ordinance would be subject to state building codes
- Zoning would have to be looked at to determine where Solar Farms could be placed within the county
- Would require a Special Use Permit
- Size of parcel whereupon such an installation would be placed is an issue
- Other counties' ordinances have been researched to see how they handle Solar Farms
 - Perquimans County is currently drafting an ordinance
- Drainage impacts were discussed as they relate to pervious/impervious surfaces
- Storm water & soil and water permit requirements
- Storm water plan as it relates to potential Solar Farms was discussed
- Solar Farms are considered to be a major utility installation in any zone by some municipalities.
- Number of panels required to generate sufficient electricity was discussed.
- David Bundy briefed the board on information relating to maintenance and how to shut down a Solar Farm
 - Danger of electrocution if maintenance is performed during a period where inclement weather might be an issue
- Visibility, setbacks, and regulations were discussed

Dave Parks recommended keeping Solar Farms out of residential zones and also requiring minimum lot sizes whereupon such an installation could be placed.

Accessory Apartments

A discussion took place between staff and Planning Board regarding Accessory Apartments. The following were points of discussion:

- Only one dwelling is allowed per lot
- Plumbing is NOT ALLOWED in detached garages
- Changes in the economy may necessitate a change in the way the 1 dwelling/lot is handled with regard to accessory apartments
- Older cities allow accessory apartments
- Accessory Apartments are allowed in R-1 district with a special use permit; although Planning receives requests for them all the time.
- Design standards and parking are the biggest concern with regard to accessory apartments
- If allowed, they would require health department approval

- Subdivisions may have their own set of restrictive covenants that may prohibit accessory apartments; county does not get involved in restrictive covenants of home owners associations.
- If allowed, accessory apartments would have to be done by zoning district.
- Question of denial of a special use permit for an accessory apartment based on restrictive covenants of a home owners association would be a question for the county attorney.
- Subdivisions could be given the opportunity to amend their own restrictive covenants
- Question of whether to allow inside of Historic Districts was discussed
- Minimum / Maximum size of accessory apartments was discussed
 - Not wanting duplex apartment situations
 - Maximum size would have to be spelled out
- Accessory apartment could be an economic advantage to a first time homeowner. Income from such would supplement ability to pay mortgage.
- Property owner would have to live in one of the dwellings
- Design Standards may become an issue; Comprehensive Plan may bring up design standards.

Michael Etheridge suggested that staff prepare a rough draft of ordinances for both Solar Farms and Accessory Apartments for the Planning Board's consideration.

Staff agreed to prepare documents as suggested and bring to next meeting.

Information from Board and Staff

- Dan Porter stated that Clarion will make a presentation regarding the Comprehensive Plan, at the January 3, 2012 Board of Commissioners Meeting

Consider Date of Next Meeting - January 18, 2012

Adjournment

At 7:45 PM, a motion was made to adjourn the meeting.

Motion: "Adjourn the December 21, 2011 meeting."
Made By: Michael Etheridge
Seconded By: David Bundy
Vote: The motion passed with Chairman Rodney Needham, Vice Chairman Calvin Leary, Members Fletcher Harris, David Bundy, Michael Etheridge and John Aydlett voting aye; none voting no; Ray Albertson absent; none not voting.
Results: By a vote of 6-0, the meeting is adjourned.

Date: _____

Approved: _____
Chairman Rodney Needham

Attested: _____
Amy Barnett, Clerk to the Board
Camden County Planning Board