

**Camden County Planning Board**  
**Minutes**  
**October 20, 2010, 7:00pm**  
Historic Courtroom  
Camden County Courthouse Complex

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

**Call to Order & Welcome:**

Chairman Rodney Needham called to order the October 20, 2010 meeting at 7:10 PM.

**Others Present at Meeting:**

**STAFF PRESENT**

<b>Name:</b>	<b>Title:</b>
Dan Porter	Director of Planning
Amy Barnett	Planning Clerk/Clerk to the Board

**REPRESENTATIVES OF CAMDEN PLANTATION PRESENT**

<b>Name/Residence:</b>	<b>Title:</b>	<b>Purpose / Representing:</b>	<b>Meeting Section:</b>
David Rudiger	President/ Boyd Homes	Master Plan Camden Plantation	New Business #1
Ken Merner	Project Engineer/ Boyd Homes	Master Plan Camden Plantation	New Business #1

**MEMBERS OF COMMUNITY MAKING PUBLIC COMMENTS**

<b>Name</b>	<b>Residence/Property Owned</b>	<b>Purpose / Representing:</b>	<b>Meeting Section:</b>
Bill Stafford	Lake Drive, South Mills	Spoke in Regards to Camden Plantation Development	New Business #1
Marcella Whitson	Culpepper Rd, South Mills Lives in Virginia Beach	Spoke in Regards to Camden Plantation Development	New Business #1
Jean Bellman	McPherson Road, South Mills	Spoke in Regards to Camden Plantation Development	New Business #1

**Consideration of Agenda:**

Chairman Rodney Needham called for consideration of the agenda.

Motion to approve the agenda as presented made by: Ray Albertson.

Motion Seconded by: Fletcher Harris.

The motion was approved with Chairman Rodney Needham, Vice-Chairman Calvin Leary, Members Fletcher Harris, Ray Albertson, and David Bundy voting aye; none voting no; 2 absent; none not voting.

**Consideration of the Minutes (6-16-2010 and 9-15-2010):**

Chairman Rodney Needham called for consideration of the June 16, 2010 and September 15, 2010.

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

Motion Seconded by: Ray Albertson.

The motion was approved with Chairman Rodney Needham, Vice-Chairman Calvin Leary, Members Fletcher Harris, Ray Albertson, and David Bundy voting aye; none voting no; 2 absent; none not voting.

**Comments from the Public on matters Other than Agenda Items:**

None

**Old Business:**

None

## New Business:

### *Master Plan Camden Plantation PUD Conditional Use Permit (UDO 2010-08-17)*

Dan Porter described the Master Plan for Camden Plantation PUD (Planned Unit Development) Conditional Use Permit, UDO 2010-08-17:

- Mentioned that once approved by Planning Board, and subsequently if approved by Board of Commissioners after Public Hearing, then all technical details, platting, etc, will be handled in the Planning Office.
- Gave summary of project:
  - Area includes 597 acres
  - 1773 housing units are planned over the 20 year build out:
    - Manors
    - Carriage Houses
    - Villas/Patio Homes
    - Townhomes Condos
    - Apartments
    - Loft Apartments above the commercial town center shops
  - Will be in 4 phases:
    - Phase 1:
      - 381 residential units
      - Time period to build: 2012-2017
    - Phase 2:
      - 659 residential units
      - Time period to build: 2018-2020
    - Phase 3:
      - 313 residential units
      - Time period to build: 2021-2023
    - Phase 4:
      - 413 residential units
      - Time period to build: 2024-2026
  - 160,000 square feet of commercial retail/office space have been proposed to be built over the first 3 phases
  - Density of housing per acre
    - If all open spaces, and golf course are included, 597 acres (entire property) ÷ 1773 Proposed Housing Units = 2.96 Housing Units per Acre
    - If open spaces are omitted from density calculation, 597 acres (entire property) ÷ 1773 Proposed Housing Units = 4.97 Housing Units per Acre
  - Proposed Infrastructure:
    - Connection to South Mills Water
    - Private Sewer System

- Roads:
      - Collector Roads to be built to NCDOT standards
      - Private Roads may be built to NCDOT construction standards but they may not meet NCDOT design standards in terms of width
      - A construction maintenance manual to be submitted for private roads which will be part of the permit
    - Stormwater
      - The site is divided into 4 watersheds, with 3 of those watersheds draining to the Dismal Swamp Canal, the remaining one to drain to Joyce Creek
      - Post development runoff rate to be equal to or better than the pre-development rate
      - Within the development, stormwater controls would be built to handle a 10 year storm event.
    - Golf Course
      - Serves multiple purposes
        - Recreational play
        - Stormwater control
        - Reuse treated effluent from sewer plant for irrigation
        - Wetland mitigation
          - There will be some wetlands impacts during the project, which will be mitigated with constructed wetlands inside the golf course area.
- Showed maps of Camden Plantation project: (maps are available for viewing at the Planning Department and Online)
  - Master Plan
  - Land Use Plan w/ Land Use Tabulation (which will be exhibit of permit)
  - Circulation, Roadways, Walks & Trails
    - ★'s are where small parks will be
    - Community Center in middle
  - Wetlands
  - Stormwater Solutions (watershed map)
    - Large watershed area shown in purple drains to Joyce Creek
    - Remaining watershed areas drain across 17 to the Dismal Swamp Canal
    - Camden Plantation will be required to submit a storm water plan for each phase as it is developed prior to submitting a preliminary plat.

- Phasing Plan
  - Phase 1: Brown shaded area (looks orange on printouts) includes the commercial center & community facilities; residential types included are town center lofts, manor homes, villa/patio, townhomes/condo's, & carriage homes.
  - Phase 2: Purple shaded area includes the North end of McPherson Road; secondary access planned; residential types included are town center lofts, apartments, villa/patio, townhomes/condo's, & manor homes.
  - Phase 3: Army Green shaded area (looks yellow on printouts), residential types included are town center lofts, townhomes/condo's, & carriage homes.
  - Phase 4: Light Green shaded area, residential types included are villa/patio, carriage homes, & townhomes/condo's. Sewer Plant is located behind and to the south of Phase 4 area.
- Plantation Town Center & Commercial Development
  - Laid out as 2 squares (plazas) of shops / office / retail space with parking surrounding each square
  - Internal streets/roadways within the Town Center area will not access the US 17 corridor
- Housing Lot Layouts
  - Typically small ranging from 5500 sq ft to 11500 sq ft
  - Townhomes and Condo lots have smaller lot sizes and lot setbacks are zero.
  - Showed maps of Manor, Carriage, Villa Patio, Townhome/Condo, & Apartment lot layouts
  - Many housing units have garages that open to the side or to the rear
  - Carriage and Villa Patio have neighborhood alleys that are considered private roads, not as wide as DOT roads, but will be built to DOT construction standards and maintained in good condition.
  - Town Homes - small front yards and sidewalks, housing units attached together.
- Plantation Community Center & Amenity Development
  - Hub in middle of project
  - Will include a pro shop, tennis courts, first 9 holes of golf course in first phase.
- Site Development
  - Street Widths & Buffers
  - Requirement for a 50 foot buffer around entire project

Staff is recommending approval with recommendations, conditions, & modifications.

- Technical Review Committee comments were considered
- Once approved, 2 copies of the Master Plan shall be signed by both the applicant and the Chairman of the Board of Commissioners, 1 copy to be kept at Register of Deeds for safe keeping, the other copy to be kept in Planning Office
- Dan Porter read the conditions / modifications as listed in the findings of facts.

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**CONDITIONAL USE PERMIT**  
**UDO 2010-08-17**  
**Camden Plantation Master Plan**  
**Findings of Facts**

1. Name of Applicant: Camden Plantation Properties
2. Agent for Applicant:
3. Address of Agent: 544 Newtown Road  
Virginia Beach, VA 23462
4. PIN: 01-7081-00-03-6230
5. Name(s) of Current Owner(s) of Record: Camden Plantation Properties Inc.
6. Street Address of Property: Not addressed.
7. Location of Property: Located between Culpepper and McPherson Roads
8. Flood Zone: X
9. Zoning District(s): Planned Unit Development (PUD)
10. Is a Zoning Change Required for the Proposed Use? No
11. General Description of the Proposal: Master Plan Camden Plantation PUD
12. Date Application Received by County: August 17, 2010
13. Did the Applicant participate in a pre-application Conference? Yes
14. Received by: David Parks, Permits Officer
15. Application fee paid: Yes. \$600.00 Check #1181
16. Completeness of Application:
17. Proposal to be completed in Phases: Yes
  - A. If yes, are phases shown on Master Plan: Yes
18. 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

19. Documents received upon filing application or otherwise included:
  - A. Land Use/Development Application
  - B. Master Plan
  - C. GIS Map
  - D. Technical Review responses
  - E.
20. Soil Classifications:
  - A. Predominant: Tomotley (ToA), Roanoke (RoA), Perquimans (PeA),
21. Adjacent Property Uses:
  - A. Predominant: Residential
  - B. Other: Wooded/Agriculture
22. Existing Land Uses: Woodland/Agriculture – Farming
23. Property info:
  - A. Total Acreage: Approximately 600 acres
  - B. Total Proposed dwellings: 1,772
  - C. Average size: Various
24. Streets:
  - A. Are all streets designed to be place under State system? There will some both public/private roads.
  - B. Are proposed streets named? Yes
  - C. Street names: Approved names in subdivision file
  - D. Are any street names already being used elsewhere in the Camden or Pasquotank County's? Verified/approved with Central Communications.
25. Open Space:
  - A. Is open space proposed? Yes
  - B. Area of open space: 200 plus acres
  - C. What is required minimum open space? 25% of net tract = approx 150 acres
  - D. Will homeowners association be needed? Yes
  - E. Has the applicant proposed a homeowners association? Yes
26. 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? Sewage Treatment Facility.
  - 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? Yes
27. Landscaping:
  - A. Is any buffer required? Yes.
  - B. Will trees be required along dedicated streets? Yes

28. 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:
  - 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:
  - 2 Fire and Rescue:
  - 3 Law Enforcement:
  - 4 Parks & Recreation:
  - Other County Facilities:
- F. Other:  
Technical Review Staff

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

- (1) South Mills Water and Sewer: Cannot commit to supplying all of the water to 1700 homes without a long term water purchase agreement and a firm commitment from Camden County.
- (2) Camden County Health Department: N/A. Will have own Sewage Treatment Facility which will require permitting through DENR.
- (3) South Mills Fire Department/Fire Marshall: Only concern initially is only one ingress/egress to the development.
- (4) Sheriff's Office: Concerned with increased traffic on U.S. 17. Possible prior to the start of Phase II could use a small satellite office in the commercial center.
- (5) Post Office: Request Camden County considers a Community Facility lot for new post office as current office (Leasing property) is too small.
- (6) NCDOT: The Private Access Road construction and maintenance standard manual was reviewed and exhibit A-F meet NCDOT minimum standards.
  - Exhibit E; A 10' X 70' sight triangle for all road connections.
  - Drainage; DOT's minimum driveway pipe diameter 15"
  - DOT's minimum cross pipe 18"
  - All utilities shall be located outside the paved portion of all ROW's
- (7) Natural Resources Conservation Service. Soils are high or moderate hazard with respect to dwellings, local roads & streets, corrosion of concrete, lawns, landscaping, fairways and sewage lagoons. Any hydrological manipulation should be carefully considered and reconsidered. Also number & size of lot access culverts off McPherson Road should be monitored closely. Would like to see more than a 1 to 1 exchange of Mitigated Wetlands. Consider subsurface discharge of affluent from the Sewer Treatment Facility.



- (8) Camden County Schools Transportation Department: With the amount of students that would be generated by this development new school buses will have to be purchased. Developer will have to locate required bus shelters throughout the development for the pick-up/drop-off of students.
- (9) Camden County Schools: Concerned with the capacity of the schools.
- (10) Media Com. No response.
- (11) U.S. Army Corps of Engineers: See attached.
- (12) Albemarle EMC: Has adequate power facilities for approximately 200 homes at this time. By 2014, we should have a new power substation to serve this area, and will be able to handle this entire project.
- (13) Centurylink: Reviewed with no comments.
- (14) Piedmont Natural Gas. Reviewed with 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 2010-08-17).
- 3. There shall be two copies of the approved Master Plan signed by both the applicant and the Chairman Camden County Board of Commissioners.
- 4. Prior to any land disturbing activity the applicant and Camden County shall enter into a development agreement that shall address at a minimum the requirements of N.C.G.S. 153A-349.1 thru 153A-349.13.
- 5. Amend Master Plan to reflect the following:

- a. On Page 1, add signature blocks as follows:

\_\_\_\_\_  
Chairman, Camden County Board of Commissioners

\_\_\_\_\_  
Date

\_\_\_\_\_  
President Camden Plantation Properties

\_\_\_\_\_  
Date

- b. Page 8 – 1) Amend Development phasing schedule to reflect maximum 5 year increments (N.C.G.S. 153A-349.6); 2)
- c. Page 9 – 1) delete words “a possible” commercial development and replace with “the” commercial development.....”
- d. Page 16 – 1) Change the word “may” to “shall”
- 6. Developer shall utilize and maintain as much existing tree cover as possible.
- 7. There shall be no timbering/land clearing prior to Preliminary Plat approval.

8. 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.
9. The Camden Plantation project shall include:
  - a. 18 hole golf course (9 holes shall be developed prior to approval of Phase II of the project)
  - b. Community Center
  - c. Swimming Pool
  - d. Tennis Courts
  - e. Playground
  - f. Picnics Shelters
10. All development within the project shall be linked with sidewalks and bike paths along primary and secondary roads, as well segregated pathways where appropriate.
11. Primary access to the development shall be an entrance from US 17 and shall be designed in accordance to NC DOT requirements and shall be a boulevard with landscaped center median and monument type entrance sign. NC DOT approval shall be required prior to preliminary plat approval for Phase I.
12. One secondary access shall be provided to McPherson Rd. on the north of the project and shall be designed in accordance to NC DOT requirements and shall be a boulevard with landscaped center median and monument type entrance sign. NC DOT approval shall be required prior to preliminary plat approval for Phase II.
13. Another secondary access shall be provided to McPherson Rd. on the east of the project and shall be designed in accordance to NC DOT requirements and shall be a boulevard with landscaped monument type entrance sign. NC DOT approval shall be required prior to preliminary plat approval for Phase IV.
14. A traffic impact analysis shall be required prior to approval of preliminary plat as required by NCDOT.
15. All collector roads serving as access to individual neighborhoods shall be built to NC DOT design and construction standards.
16. Interior neighborhood roads may be public or private streets and shall be built to NC DOT construction standards, and if not dedicated to the public may be built to the design standards as set forth in the Camden Plantation Private Access Road Construction and Maintenance Standards Manual dated August 2010 which is included by reference in this permit.

17. All private roads shall be maintained by in good condition as outlined in the Camden Plantation Private Access Road Construction and Maintenance Standards Manual dated August 2010 which is included by reference in this permit, by the developer and property owners association. This condition shall be included in restrictive covenants for the development.
18. Each “Vest Pocket Park” or Primary Recreation Facility shall be developed to be accessible to each residential neighborhood, within reasonable walking distance to one another, and interconnected by the means of a trail system.
19. Any infill of existing wetlands and/ creation of wetlands shall require approval from the Army Corp of Engineers prior to approval of preliminary plat of the phase in which it will occur. Mitigation of wetlands shall be at a ratio greater than 1 acre mitigated for each 1 acre filled.
20. 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. A set of “as-built” stormwater plans, signed and sealed by a North Carolina professional engineer, shall be submitted prior to final plat approval.
21. 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.
  - Set forth in a Development Agreement between the Developer, Camden County, and Service Provider.
22. All main roads and water distribution and sewer collection lines shall be laid out as generally shown on Sheet 7 of the Master Plan. The addition of roads and utilities to serve individual neighborhoods will be considered refinements and reviewed and approved upon submittal of preliminary plats.
23. All water distribution lines shall be turned over to and be subject to the terms and conditions of the service agreement with the South Mills Water Association.
24. If a private sewer system is developed, the treatment and collection system shall be approved by DENR prior to preliminary plat approval. Additionally a special service district shall be established for all properties served by the system prior to final plat approvals and shall comply with the regulations of the Camden County Sewer Ordinance.
25. Sewer service shall be offered to existing owners of 61 adjacent properties previously developed in the initial phase of Camden Plantation.
26. Preliminary plat approval of each Phase shall require a letter from Albemarle Electric Coop agreeing to provide electrical service to the proposed development.
27. All utility lines shall be placed underground.

28. Development Phasing Schedule and Land Use Tabulation shall be as listed on the approved Master Plan and incorporated as part of this permit as Attachment's "A" and "B" respectfully. The number of units per year or by type may be adjusted as a minor amendment approved administratively, however any increase to the maximum number of units or maximum density per phase shall require a major amendment.
29. The commercial center site layout of buildings, parking, and circulation shall be located as shown on sheet 9 of the Master Plan and shall be designed to present a town center appearance. Out parcels as reflected on Master Plan to the town center may be developed, but in no case shall out parcels have direct access to US 17 or McPherson Rd.
30. Any increase in number of commercial buildings or change in circulation patterns shall require major amendment; however minor variation in shape, size and footprint locations shall be considered minor amendments.
31. Commercial site plans shall be required for each commercial, apartment, and community facilities building or sets of buildings. Commercial site plans shall require stormwater plans approved by DENR and Camden County's stormwater engineering consultant.
32. Minimum Dimensions Table for Residential Development:

	Manor	Carriage (conventional)	Carriage (with alley)	Villa/Patio (conventional)	Villa/Patio (with alley)
Min. Lot Size	8800	7000	7000	5600	5600
Min Width @building setback	70	60	60	50	50
Front setback	10	10	10	10	10
Side Yard	0	0	0	0	0
Rear yard	5	5	5	5	5
Between bldgs	10	10	10	10	10

33. The apartment complex site layout of buildings, parking, and circulation shall be located as shown on sheet 16 of the Master Plan and shall be designed in an architectural style similar and complementary to the Camden Plantation neighborhoods. Any change in number of apartment buildings or circulation patterns shall require major amendment; however minor variation in shape, size and footprint locations shall be considered minor amendments
34. Parking for apartment buildings shall have minimum number of spaces as follows:
- 1 bedroom units                      1 space per unit
  - 2 bedroom unites                      1.5 spaces per unit
  - 3 bedroom units                        2 spaces per unit
35. The apartment complex shall include sidewalks, common open spaces, a community clubhouse and related amenities.

36. The Primary Recreation Facility site layout of buildings, parking, and circulation shall be located as shown on Sheet 17 of the Master Plan. Any change in number of buildings or circulation patterns shall require major amendment; however minor variation in shape, size and footprint locations shall be considered minor amendments
  37. Specifications for location and dimensions shall be provided prior to preliminary plat or commercial site plan approval for lighting, fencing, landscaping, sidewalks, and buffers.
  38. A minimum 50 foot landscaped buffer shall be provided between any lot within the development and either of the adjacent golf course, adjacent residential lots not within the development, or US 17.
  39. Walking/biking trails within the development shall be 8 feet wide with a minimum 6 foot buffer on each side.
  40. Entry signs to Camden Plantation and those entry sign to project neighborhoods shall not exceed the dimension as shown on Sheet 18 of the Master Plan, and specific design and location shall be submitted prior to preliminary plat approval.
  41. Developer shall pay at preliminary and final plat application the per lot fee in accordance with the Camden County Fee Schedule for Major Subdivisions which is as follows:
    - Preliminary Plat - \$200.00 per lot
    - Final Plat - \$50.00 per lot
  42. Changes to the Master Plan that shall be considered Major Amendments include:
    - Increase in residential density

**\* Additional changes to be determined by the Board of Commissioners.**
  43. Developer shall provide County an updated page (indicating revision #) of the Master Plan that is considered a major amendment within 15 days of approval.
  44. A copy of the signed approved Master Plan shall be maintained in the Camden County Registry of Deeds.
  45. The approved signed Conditional Use Permit shall be recorded in the Camden County Registry of Deeds within 45 days of approval.
  46. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this special use permit shall be voided and have no effect.
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At this time, Dan Porter introduced Ken Merner and David Rudiger, of Boyd Homes, who are the developers of Camden Plantation.

David Rudiger, President of Boyd Homes, made the following comments:

- Regarding some of the conditions placed on the Conditional Use Permit:
  - Condition #17: Regarding private roads, the developer will develop the roads in accordance with design standards, then turn them over to the home owners association to maintain as each phase is developed. Same with other park areas and amenities.

- Condition #19: Regarding wetlands mitigation standards, does not see any problem with this, will be meeting Army Corps of Engineers standards, meeting all local, state, and federal requirements for wetlands mitigation on at least a 1 acre for 1 acre basis.
- Condition #23: Regarding turning over water lines to South Mills Water Association, no problem with this, wants to make sure service agreement is in place, not sure at this time what the terms of the service agreement will be.
  - Dan Porter mentioned that the language may be changed to indicate turning over water lines to the ‘service provider’, who ever that may be, in case at the time of build out South Mills Water Association is no longer in existence, or in case water is being provided by a public water provider (i.e. the county).
- Condition #30: Regarding any increase in number of commercial buildings or change in circulation patterns: design was done by an overall designer, haven’t gotten into having an architect design what the downtown would look like yet, so the architect is likely to change things around some, wants to ensure flexibility to make some changes.
  - Dan Porter commented on this:
    - Same language is in multiple places, sets up specific criteria, what Planning is trying to do is come up with criteria that will be ‘middle of the road’ and allow administrative changes without affecting the overall conceptual plan that is approved, and give the Planning Director guidance as to what needs to go back to the Board of Commissioners for approval as a major amendment.
    - Increases in numbers of buildings or their size would be a major amendment
  - Chairman Rodney Needham suggested that when there are changes, minor or major, that those changes be given to staff for their approval then made available as a list presented to the Board of Commissioners as information each time there are changes.
    - David Rudiger is ok with this
    - Dan Porter also agreed that this is a good way of doing this.
- Condition #40: Regarding entry signs to Camden Plantation, would like to work this item out with Planning. Has not gotten a sign company involved as of yet.
  - Dan Porter commented on this:
    - May need to have some general sign criteria for the neighborhood pod signs, and the entry signs as that may be something that the Board of Commissioners may want to see.
    - Come up with the general dimensions for the neighborhood entry signs, and then add as a condition that the entry sign off of US 17 would require approval from the Board of Commissioners.

- Condition #46: Regarding the standard condition “If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this conditional use permit shall be voided and have no effect.”: Concerned regarding this condition, as there are many conditions, and the way this reads, if any ONE condition should be held invalid, then the whole thing is invalid.
  - Dan Porter will confer with the County Attorney on this. Mr. Porter also mentioned that if there is a developer agreement in place, then there may be no need for this condition.

At this time, Mr. Rudiger asked if the Board had any questions for him.

Chairman Rodney Needham asked regarding the sewer, whether they would be managing the system or turn it over to the county. David Rudiger replied with the following:

- Discussions have taken place whether to turn it over to the county or operate it as a separate sewer authority with its own sewer district
- Also discussed working cooperatively with the county towards upgrading the counties sewer system in that area, whatever works best for the county and for Camden Plantation
- They are committed to providing a working sewer system, and have no interest in being sewer owners.

Ray Albertson asked what type of system would be built. David Rudiger responded with the following:

- They have talked to a couple of different designers of sewage treatment plants, but have not decided on a designer as of yet.
- Technology of Sewer Plants is advancing, so the technology today is different than 5 years ago and keeps getting better.
- Once they get into working on engineering plans for this, they will have to decide on which technology they want to work with.
- The general concept is it will be a collection system that goes to a centralized treatment plant, treats it to a re-use standard, and then goes out to spray fields.

Dan Porter commented on the sewer system:

- Is a gray area as far as negotiation between county and developer is concerned
- Can be a win-win situation through a development agreement:
  - Camden needs capacity, and has a spray field
  - They have a golf course that can be used for treated effluent
  - An arrangement can be made whereby Camden’s excess effluent can be used to irrigate their golf course, which would free up property for Camden to develop within the Eco Industrial Park.
  - They may need water to irrigate their golf course prior to sufficient flow presence in their sewer system, so may be able to work out a deal with the county whereby the county irrigates their golf course at their expense so that they don’t have to build a treatment facility for 5 or 6 years.

Dan Porter further commented:

- Once this conditional use permit is approved, it would be approved subject to a negotiated and executed development agreement
  - Development agreement doesn't have to come before Planning Board for approval
  - Development agreement does have to go before the Board of Commissioners
    - There has to be an ordinance written to approve the development agreement and that specifies any sharing of costs or service delivery

Ray Albertson asked if the Commissioners would be able to facilitate the proper sewage and something that we wouldn't have to rebuild after 20 years, his concern is that he does not want to see a system built that will have to be replaced 15-20 years down the road. Dan Porter responded to him saying that Camden County's sewer ordinance requires that any private system built in the county has to be reviewed and approved by the water and sewer department because the county doesn't want to be taking over systems that they have no replacement parts for.

Fletcher Harris asked if the sewer system would be done in phases or would it be operational at maximum when it is built. David Rudiger responded that the collection system would be sized such that it would handle the future development that would be anticipated to flow through it, so the roads wouldn't have to be torn up for future expansion. The treatment plant will be such that it will be an expandable plant, so it will be done in phases.

Ray Albertson asked if that they had entertained the idea of the county taking over the whole project and not doing a sewer system at all. David Rudiger responded that they would still build the infrastructure, but might not have the plant or might not have it initially and as build out proceeds and they exceed the capacity of the county then they would add one or would help the county to expand its plant.

Chairman Rodney Needham asked if there was a way to show what the benefits of this project are versus the costs associated with it. Dan Porter responded to this with the following information:

- There is an impact statement in the board packet
- Based on the estimated value of the housing units and retail space, given the current property tax rate, overall over the 20 year build out, the increased revenue to the county would be in the neighborhood of \$18,800,000. Property taxes vary from year to year, by the time the project is completely built out, if it builds out at the same values and at the same rates, the county will have an increased annual revenue through property taxes by about 2.39 or 2.4 million dollars annually.
- Regarding Water connection fees - over the whole life of the project, they will pay about \$7,000,000 – the water agreement that the county is currently trying to negotiate with South Mills Water Association, Camden would get \$2500 of every \$4000 water connection fee from South Mills Water Association for this project. So Camden would get a little over half of that \$7,000,000 its water system.
- Sales taxes cannot be projected



- School Impacts – were calculated, but have been taken out of the equation since the APFO has been modified to remove the Adequate Public Facilities fee.

Ray Albertson asked if Camden Plantation would be paying for all of the sewer and water infrastructure, running all the lines, etc., questioned if all they do is tap on to the main hub pipe and then draw water from it. David Rudiger responded saying that was correct, and that they tap into South Mills Water system, that Camden Plantation would supply all of the infrastructure to do that and then also pay for each house to have a water meter.

Ray Albertson further asked if there was going to be an agreement in writing between Camden Plantation and South Mills Water Association saying that they are going to furnish the water, and if not, is there going to be an agreement in writing saying someone else will furnish the water. Dan Porter responded with the following:

- The way subdivisions are done at this point in time is, the connection fee and water agreement must be in place prior to filing a final plat
- Camden Plantation can ask to buy those connections at any point in time, if they have the money and are willing to do that, the developer is taking a risk of moving forward and that the water will be available.
- Camden is working on a water purchase agreement with South Mills Water Association, so that water capacity can be provided to them, part of that agreement is if South Mills Water Association says they cannot supply water to this project, then Camden has the right to supply the water, this might be at some cost, to run water lines etc., but that would be something that would have to be worked out as to who did the cost sharing on that.
- They are not going to get approved, not going to build any buildings without water, but they are proceeding at their risk, until they pay a water connection fee.

Ray Albertson commented that South Mills Water Association does not have the water to support this project. Dan Porter added the following information:

- Between Camden and South Mills Water Association there is not enough water to support the entire development at this time.
- In Phase 1, projected water usage (state's projected level) is 360 gallons per unit per day, may be less than this because actual usage is closer to about 200 gallons per unit.
- Phase 1 total is 137-138,000 gallons usage per day
- At 137,000 gallons usage per day, South Mills does not have the ability to serve water in this quantity, however, Camden has the ability to sell over 150,000 gallons per day to South Mills, and that agreement is in place and they are able to purchase water from Camden
- Due to the Water Agreement between Camden and South Mills mentioned above, Camden Plantation can get through Phase 1.

Ray Albertson commented that this project doubles the number of South Mills Water customers, because they have about 2000 customers now and this adds 1700 units, so this will put a burden on the people that are already customers. His concern is that the South Mills Water bills will increase in order to pay for the infrastructure to process the water or purchase water from Camden for this project. He doesn't want to see water bills triple in price for the residents of South Mills just to facilitate this project. He asked Mr. Rudiger if he has had any discussions with South Mills Water to help them purchase equipment or are they just going to purchase the water. David Rudiger responded with the following:

- There have been discussions with South Mills Water Association
- South Mills Water Association is concerned about the size of the project
- Mr. Rudiger has been trying to create an understanding that this has to be done one step at a time, he knows that no one in the county has the ability to serve 1700 homes overnight with water. This will be a gradual thing, beginning with the paying of water tap fees to South Mills Water Association.
- Water tap fees are intended to compensate for taps and provide for future expansion of South Mills Water's facility or system.

Dan Porter commented that there would probably be another cost they would have to absorb at some point as well, with regard to water, at some point they are going to have to build a water tank to facilitate water pressure for use with systems such as fire sprinkler capabilities. He added that water and sewer are some things that should be spelled out very specifically in a development agreement. Ray Albertson asked if that would have to go to the commissioners. Dan responded yes, and added that South Mills Water Association may have to be a party to that.

Calvin Leary made the following comment to David Rudiger: "From the first meeting on this, you have presented an excellent plan and asked us what we wanted, we tried to give our input from then on out, and I think that you have tried to satisfy our questions and your ability to fulfill everything that you said you'd do, so I congratulate you, it's been an excellent plan that you've presented to the county."

Dan Porter mentioned that there were members of the public present who wanted to make public comments.

### **PUBLIC COMMENTS:**

***Bill Stafford of Lake Drive, South Mills*** made the following comments:

- Mr. Stafford is a volunteer fireman and has concerns about fire service ability to deal with the project
- Mr. Stafford is concerned about the safety of the people who live/will live there and the apartment complexes
- He is not comfortable with the possibility of what may happen if the developer goes out of business
- He is not comfortable with all of the "if" factors involved. There are too many unknown elements at this point in his opinion.

- He is concerned with the safety of the children of the people who will be future residents of the development, with regard to water features, specifically a large pond near the property, which is on his property, he is all for buffering, but thinks that a fence would be more appropriate because he doesn't want children getting into his pond and getting hurt or worse.
- He is concerned with the ability of the water table to support a project like this, and referenced a hydrology study that said 150,000 gallons would be drawn for the project. The pond near the property is in the shallow water aquifer and if that is drawn down, it will affect his ability to draw water from his well for his house.
- He is concerned about the effect this will have on the overcrowding of the schools
- In his opinion, if single family houses were built instead of apartments and the like it would be better
- He questioned whether the golf course could really be supported and cited instances of other golf courses in similar types of developments that have failed.
- He questioned whether the development itself fits in with South Mills: It's in the middle of nowhere, it's good for the developer, but who else is it good for?
- He has concerns about the proposed sewage plant
- He has concerns about the stormwater runoff and the way it has been indicated that the water will drain.
  - Dismal Swamp Canal - He asked if there had been an agreement made with the Army Corps of Engineers for drainage to go into the canal.
    - Dan Porter responded saying that it is part of the Stormwater Approval Process, they have to get permitted to do that. They are regulated by the Department of Environment and Natural Resources and Army Corps of Engineers.
  - Mr. Stafford further asked what would happen if the Army Corps of Engineers or Department of Environment and Natural Resources said 'no you are not going to do that because it's too close to a wildlife refuge', what then?
    - Dan Porter responded saying then they don't build it.
  - Mr. Stafford further commented that Joyce Creek can't handle the drainage they are proposing, and it will impact adjacent property owners in that their properties will flood even worse when there is a rain event.
    - Dan Porter responded with the following information:
      - They will be required to submit stormwater plans to the state and meet all the state requirements as far as runoff, soil and erosion, and other types of requirements.
      - They are also required to submit to our consulting engineer, Camden's stormwater requirements are a little more stringent than what the states requirements are, but what they have committed to in this permit is that their post development runoff rate will not exceed the pre-development runoff rate of water, however fast that water runs off the site right now, post-development run off cannot be at a faster rate.
- Doesn't want Boyd Homes experimenting with this type of development in his back yard, if they have never done this type of development before.

- His Bottom Line - Does it fit in with South Mills and Camden County, does a golf course make sense here when one in a similar development in Moyock couldn't make a go of it?

Dan Porter mentioned that should this be passed by the Planning Board there will be a public hearing when the Board of Commissioners hears this.

***Marcella Whitson, of Culpepper Road, South Mills*** made the following comments:

- Spoke about possible projections regarding what it might cost for a new high school (based on comparisons with projections on a new high school being planned for in Tidewater)
- Spoke about the possible number of school children that might be put into the system by this development, and compared it to other localities and the way those other localities handled this.
- Spoke about Condition #7 on the Findings of Facts, would like for it to be in writing that Camden Plantation not use ground water to irrigate their golf course
  - Suggested language: Ground water shall not be used for commercial purposes including but not limited to irrigation of the golf courses.
- Spoke about Condition #20 on the Findings of Facts, Stormwater Plan
  - Proposed drainage to Joyce Creek will impact her farm
  - Concerned about post build out drainage, reduction in amount of available surface soil (due to asphalt, buildings, etc.) for infiltration of stormwater. Concerned that this is going to mean more drainage than anticipated towards Joyce Creek and may cause a lot of flooding.
  - Would like to see some provision for a process for stake holders to have input into the development of the stormwater plan prior to the final approval.
    - Suggested language: There shall be a process in place to allow input from adjacent property owners in the design of the stormwater management system.
  - Asked how the runoff will be handled and who is responsible for the downstream implications like flooding, etc.?
- Spoke about Condition #24 on the Findings of Facts, Sewer Plant
  - Dave Parks had indicated to her at an earlier date there would be a special agreement and that the sewer plant would probably be fully built and then given to the county. She supports this idea as long as the county does not have to pay anything for it.
- Spoke about Condition #28 on the Findings of Facts, Density
  - Wants opportunity for public input if density is going to be increased.
- Spoke about Condition #38 on the Findings of Facts, wants the 50 foot buffer spoken about in this condition to be more clear on the plans.
- Spoke about Condition #42 on the Findings of Facts, regarding changes to the master plan that are considered major amendments, again she asked for opportunity for public involvement in this.
- Ms. Whitson asked what would happen if they sold the development to another company prior to the completion of the project, are the conditions on the permit conveyed with the land?

**Jean Bellman, of McPherson Road, South Mills** made the following comments:

- Concerned about the amount of drainage and where the water will be going
- Concerned about the location of the apartment complexes within the project
- Concerned with the possibility that the county may still be a possible location for the Navy's Outlying Landing Field, and if that comes to Camden, then people are not going to want to buy property in Camden Plantation.
- Concerned with the sewer system, home owners in the area now have private sewer (septic tank systems), is Camden Plantation going to extend an invitation to others in the area to hook up to their system once it is built?
- Concerned with the overall location of the Camden Plantation project, being that it is across from the Dismal Swamp State Park, specifically, she asked "Do we need apartments across from it?" referring to the state park.
- Concerned with the amount of stormwater drainage potential that would be draining into the Dismal Swamp.

David Rudiger, at this time, addressed the comments and concerns voiced by those members of the public who spoke here tonight.

- The zoning on this project has been approved for a certain amount of housing and commercial development, focus now is where to place these elements
- Process is a gradual, step by step process, not trying to be vague
- Regarding density, there can be a decrease, but no increase without coming back to the Planning Board
- There has been commercial business interest in the commercial center of the project
- Regarding the comment that we have not done this type of project before: we haven't done this specific type of community with these elements, however we have built thousands of homes, businesses, etc., this is not an experiment to us.
- Regarding the comments on groundwater, we do not intend to use groundwater for irrigation, rather we plan to use effluent from the sewer system for this purpose and plan to work with the county to achieve this goal
- Regarding ground water use: We are committed to not using ground water for commercial purposes without a hydrological study performed in advance of that.
- Stormwater Retention:
  - There will be ponds created to retain storm water
  - Ponds will be mixed in with created wetlands areas and will be at varying heights of ground levels so that one may drain into another during a storm event, it's all engineered so that the water does not flood out into the streets but stays within the ponds
  - There will be dams with water flow holes that will allow a predetermined amount of water to flow out of the property.
    - The pre-development rate of flow will not exceed the post-development rate of flow.
  - Does not mean there will not be flooding, but will probably make flood situation better in that the water on the Camden Plantation property will be controlled.
- Indicated that his company is happy to include anyone in the process who wants to provide input.

- Regarding fencing around the property in addition to buffering, Mr. Rudiger indicated that he doesn't want children getting hurt any more than Mr. Stafford does
  - Mr. Stafford spoke again:
    - Reiterated that he is against having apartments close to his property, and added that in his opinion apartment complexes may cause the crime rate to increase and questioned if South Mills could deal with that.
  - Mr. Rudiger acknowledged Mr. Stafford's concerns and offered to sit down with him and any of the neighbors that wanted to meet and hear their concerns and work with them to make this project something that they could feel good about.
- Regarding Fire Issues: Working with South Mills Fire Department, making donations in both land and cash to South Mills Fire Department to assist with their ability to provide that service.
- Building Permits will not be obtained until the Fire Department says they can handle the project (or that portion of the project, as in the case of apartments) if something were to go wrong.
- Regarding impacts on the county: Camden Plantation is a large land owner, pays a lot of property taxes, and right now there are no impacts on the county's facilities at present
- Regarding buffers: in answer to Ms. Whitson's questions, we are required to have buffers, the golf course and wetlands areas are the buffers.
- Regarding the question of what happens if the developer sells out: we have no intention of selling out, but if that ever did happen, all of the conditions on the conditional use permit are conditions that follow the land, whoever would end up buying the development would be subject to those same conditions.
- Regarding the sewer plant: connection to the sewer plant will be made available to surrounding area. Sewer line will be available for homes on McPherson Road to tap into, homeowners will be responsible for running individual lines from the homes to the line itself to tap into the line, but it will be available adjacent to their property.

David Bundy asked how school impacts would be addressed. He observed that this project would potentially be adding a lot of children into the system. Mr. Rudiger responded that taxes collected by the county during this project may help offset some of the impacts, other than that he is not sure due to court rulings that have said agreements between government and developers is not legal. Mr. Rudiger said he is open to whatever can be done within legal limits. Dan Porter added that the courts have ruled that developers cannot be mandated to build schools, referring to the imposition of impact fees for schools, but that does not mean there can't be a cost sharing arrangement for the establishment of new schools.

Marcella Whitson made additional comments:

- Reiterated earlier comments regarding groundwater and wanting to make sure that Camden Plantation would not use groundwater for irrigation of their golf course or for commercial purposes.
  - Dan Porter mentioned that if the board so chooses, the recommendation of not using groundwater for irrigation or commercial uses can be made a condition in the findings of facts when it is sent to the commissioners.
- Spoke about allowing for public participation in the process at the proper times
- Spoke about the proposed sewer plant, would like to see it built and then turned over to the county.

Ray Albertson asked if Camden Plantation would be paying Joyce Creek drainage tax, since most of their water will be going through the district. Dan Porter indicated that if they are within the service area then they will pay the tax, and others indicated that they are within that area so Camden Plantation should also be within the area also.

### **MOTIONS MADE:**

Vice-Chairman Calvin Leary made a motion to approve the changes to conditions listed in the findings of facts as presented by staff, discussed in the meeting, and listed here below:

31. The commercial center site layout of buildings, parking, and circulation shall be located as shown on sheet 9 of the Master Plan and shall be designed to present a town center appearance. Out parcels as reflected on Master Plan to the town center may be developed, but in no case shall out parcels have direct access to US 17 or McPherson Rd. Any substantial change in number of commercial buildings, total square footage, or circulation patterns shall require major amendment; however minor variation in shape, size and footprint locations shall be considered minor amendments.
32. The apartment complex site layout of buildings, parking, and circulation shall be located as shown on sheet 16 of the Master Plan and shall be designed in an architectural style similar and complementary to the Camden Plantation neighborhoods. Any increase in apartment units, or any substantial change in number of apartment buildings or circulation patterns shall require major amendment; however minor variation in shape, size and footprint locations shall be considered minor amendments. The apartment complex shall include sidewalks, common open spaces, a community clubhouse and related amenities.

34. The Primary Recreation Facility site layout of buildings, parking, and circulation shall be located as shown on Sheet 17 of the Master Plan. Any substantial change in number of buildings or circulation patterns shall require major amendment; however minor variation in shape, size and footprint locations shall be considered minor amendments.
38. Entrance signs at primary and secondary access points to Camden Plantation shall be reviewed and approved by the Board of Commissioners prior to preliminary plat for the phase in which they are being constructed.
39. Entry signs to project neighborhoods shall not exceed the dimension as shown/described in the “Signage Standards for Camden Plantation Neighborhoods” included as attachment C to this permit. Specific design and location shall be submitted prior to preliminary plat approval.
40. Ground water shall not be used for commercial purposes including, but not limited to, irrigation of the golf course.

Fletcher Harris seconded the motion. The motion passed 4-1, with Chairman Rodney Needham, Vice-Chairman Calvin Leary, Members Fletcher Harris and David Bundy voting aye; Member Ray Albertson voting no; 2 absent; none not voting.

Vice-Chairman Calvin Leary made a motion to send the Camden Plantation Master Plan with the approved changes to the Camden County Board of Commissioners for their consideration. Fletcher Harris seconded the motion. The motion passed 4-1, with Chairman Rodney Needham, Vice-Chairman Calvin Leary, Members Fletcher Harris and David Bundy voting aye; Member Ray Albertson voting no; 2 absent; none not voting.

**Information from Board and Staff:**

None.

**Consider Date of Next Meeting – November 17, 2010**



**Adjournment**

At 9:35 PM, Ray Albertson made a motion to adjourn the meeting. Vice-Chairman Calvin Leary seconded the motion. The motion was approved with Chairman Rodney Needham, Vice-Chairman Calvin Leary, Members Fletcher Harris, Ray Albertson, and David Bundy voting aye; none voting no; 2 absent; none not voting.

Date: \_\_\_\_\_

Approved: \_\_\_\_\_  
Chairman Rodney Needham

Attested: \_\_\_\_\_  
Amy Barnett, Planning Clerk