

Camden County Planning Board
Minutes
May 20, 2009, 7:00pm
Downstairs Main Courtroom
Camden County Courthouse Complex

Members Present: Chairman Rodney Needham, Absent: Vice Chairman Terri Griffin,
Fletcher Harris, Ray Albertson
Calvin Leary,
Michael Etheridge,
John Aydlett

Call to Order & Welcome

Chairman Rodney Needham called to order the May 20, 2009 meeting at 7:00 PM. Due to scheduling conflicts with the Historic Courtroom, the Planning Board met in the Camden County Main Courtroom this evening.

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 and Town of Residence:	Title:	Purpose / Representing	Meeting Section
James Burnham, South Mills, NC	Land Owner	Special Use Permit - Albemarle Electric Membership Coop	New Business Item # 1
Gary Ray, Edenton, NC	Manager of Engineering, AEMC	Special Use Permit - Albemarle Electric Membership Coop	New Business Item # 1
David Huffstetler, Raleigh, NC	Engineer, AEMC	Special Use Permit - Albemarle Electric Membership Coop	New Business Item # 1
George Tarkington, Camden, NC	Agent for Applicant	Special Use Permit - South Camden Fire Department	New Business Item # 2

Consideration of Agenda

Chairman Rodney Needham called for the consideration of the agenda. Dan Porter mentioned an addition to the agenda, Special Use Permit Application for South Camden Fire Department for a new Fire Station. Chairman Rodney Needham called for a vote to approve amending the agenda to include this item as New Business Item # 2. The amended agenda was approved with Chairman Rodney Needham, Members Fletcher Harris, Calvin Leary, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

Consideration of the Minutes- April 15, 2009

Chairman Rodney Needham called for the consideration of the minutes from the April 15, 2009 meeting. John Aydlett made a motion to approve the minutes from the aforementioned meeting as written. Fletcher Harris seconded the motion. The motion was approved with Chairman Rodney Needham, Members Fletcher Harris, Calvin Leary, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

Comments from the Public.

None.

Old Business

None.

New Business

Item # 1, Special Use Permit Application (UDO 2009-04-22) - Albemarle Electric Membership Corporation for Utility Facility

Special Use Permit UDO 2009-04-22 Findings of Facts

- 1. Name of Applicant:** Albemarle Electric Membership Corporation
- 2. Agent for Applicant:** Gary Ray
- 3. Address of Agent:** P.O. Box 69
Hertford, NC 27944
- 4. PIN:** 01-7989-00-47-2311
- 5. Name(s) of Current Owner(s) of Record:** James Burnham
- 6. Street Address of Property:** Adjacent to 1510 North 343
- 7. Location of Property:** South Mills Township
- 8. Flood Zone:** X
- 9. Zoning District(s):** Basic Residential (R3-2)
- 10. Is a Zoning Change Required for the Proposed Use?** No.
- 11. General Description of the Proposal:** Utility Facility
- 12. Table of Permissible Use #:** 17.200
- 13. Date Application Received by County:** April 16, 2009
- 14. Did the Applicant participate in a pre-application Conference?** Yes
- 15. Received by:** Dave Parks, Permit Officer
- 16. Application fee paid:** \$400.00 by check # 041146
- 17. Completeness of Application:** Application is generally complete.

18. Documents received upon filing application or otherwise included:

- A. Land Use/Development Application
- B. Agent for applicant letter
- C. GIS Map w/ aerial photo
- D. Site Plan

19. Soil Classifications:

- Predominant:** Roanoke (RoA) Severe wetness; percs slowly
Other: Cape Fear (CfA) Severe wetness

20. Adjacent Property Uses:

- A. **Predominant:** Farm Land
- B. **Other:** Residential/Woodland

21. Existing Land Uses: Farm Land

22. Lots size: 3.24 acres

23. Open Space:

- A. Is open space proposed? No.

24. 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?** N/A.
- C. **Does the applicant propose the use of public water systems?** N/A.
- D. **Distance from existing public water supply system:** N/A.
- E. **Is the area within a five-year proposal for the provision of public water?**
Existing.
- F. **Is the area within a five-year proposal for the provision of public sewage?** Yes.

25. Landscaping:

- A. Is any buffer/landscaping required? In accordance with Article 151.139 proposed use requires Broken Landscaping Type C. Due to the nature of proposed use, staff feels Type C landscaping could be potentially dangerous to the use. Applicant to provide a Landscaping Plan that was agreeable to all parties that would reflect the separation as required in the Type C Landscaping requirements and would not have a negative impact on the development. Buffering/landscaping required on the eastern, southern, and western portion of the fence line/property.

26. Findings Regarding Additional Requirements:

- A. **Endangering the public health and safety:** Staff feels that the proposed use will not endanger the public health and safety.
- B. **Injure the value of adjoining or abutting property:** The proposed use does not appear to injure the value of adjoining or abutting property.
- C. **Harmony with the area in which it is located:** Yes.
- D. **Conformity with the Plans:**
 - 1. **Land Use Plan:** Yes.
 - 2. **Thoroughfare Plan:** Property abuts North Highway 343.
 - 3. **Other plans officially adopted by the Board of Commissioners:** None

E. Will not exceed the county's ability to provide public facilities:

1. **Schools:** N/A.
 2. **Fire and Rescue:** No.
 3. **Law Enforcement:** No.
- Other County Facilities:** None.

F. Other: None.

Staff recommends approval with the following conditions:

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 plans approved by the Board of Commissioners of Camden County, North Carolina, and contained in the file titled UDO 2009-04-22.
 3. Developer shall provide one copy of as built plans certifying drainage improvements installed.
 4. Developer shall provide landscaping plan for approval prior to any land disturbing activity. Plans shall include the placement of Red Photinia shrubs along the southern buffer area.
 5. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval in its entirety shall be void and have no effect.
-

Dave Parks briefly described this Special Use Permit application as shown in the findings of facts above. Also, the site plan for this location was shown on the projector screen. This application is from Albemarle Electric Membership Corporation for a Utility Facility to be placed on property owned by Mr. James Burnham.

Mr. Gary Ray, Manager of Engineering with Albemarle Electric Membership Corporation, and agent for the applicant spoke after Mr. Parks. Mr. Ray indicated the reasons for needing this facility (listed below):

- Improve power reliability in the South Mills area
 - South Mills residents on AEMC systems fed from Dominion line out of Elizabeth City
 - Dominion line went down at least 4 times this past winter because of:
 - High loads
 - Much needed maintenance to the Dominion line
- Provide a new substation for said area
 - Will be fed from AEMC power lines not Dominion
 - Over 1000 South Mills customers will benefit from this new substation

Dave Parks mentioned that a drainage plan has been submitted and approved, and that the erosion/sedimentation control plan and stormwater permit have been submitted to the Planning Department.

Dave Parks indicated the location of the landscaping to be utilized with this project.

Dave Parks indicated staff's recommendation for approval with conditions as listed in the findings of facts, then read those conditions for the record.

Regarding condition number 4, the applicant has submitted the landscaping plan. Also, the ordinances require trees for landscaping, however as indicated in the findings of fact "Due to the nature of proposed use, staff feels Type C landscaping could be potentially dangerous to the use.", staff said shrubs could be utilized in the landscaping. David Huffstetler, the Engineer for Albemarle Electric Membership Corporation, said that they could not get Red Photinias, as required in the conditions, due to blight disease of the plants, and would like to use Japanese Privot instead.

Chairman Rodney Needham asked how far off of Hwy 343 this substation would be placed. Mr. Gary Ray responded that it would be adjacent to Hwy 343, in the right of way. Dave Parks added that there is a 75 foot setback required. Landscaping around the substation fence will be fence high.

One of the Board members asked if the retention pond had to be fenced in. Dave Parks responded that there was no requirement for fencing the retention pond.

Chairman Rodney Needham asked how deep the retention pond was. Mr. Gary Ray responded that it was 3 feet deep.

Board member John Aydlett mentioned a possible concern with not fencing the retention pond is that children could possibly get into the pond to play and get into trouble. Dave Parks responded that this is unlikely due to the fact that there is limited residential housing in the area.

Chairman Rodney Needham asked if there were any more questions or concerns from the Board. Hearing none, he entertained a motion. Michael Etheridge made a motion to approve Item # 1, Special Use Permit Application (UDO 2009-04-22) - Albemarle Electric Membership Corporation for Utility Facility, with the recommended conditions set forth in the findings of facts, except for the type of shrubbery (which shall be changed to Japanese Privot as requested by the applicant). John Aydlett seconded the motion. The motion was approved with Chairman Rodney Needham, Members Fletcher Harris, Calvin Leary, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

*Item #2, Special Use Permit Application (UDO 2009-05-16) - South Camden Fire
Department for New Fire Station at 1061 South 343*

**Special Use Permit
Findings of Facts**

UDO 2009-05-16

1. **Name of Applicant:** South Camden Fire Station
2. **Agent for Applicant:** George Tarkington
3. **Address of Applicant:** 317 North NC 343, Camden, North Carolina 27921
4. **File Reference:** UDO 2009-05-16
5. **PIN:** 03-8963-00-51-4172-0000
6. **Street Address of Property:** 1061 South NC 343, Camden, North Carolina 27921
7. **Location of Property:** Shiloh Township
8. **Flood Zone:** Shaded X
9. **Zoning District(s):** General Use (GU)
10. **Is a Zoning Change required for the Proposed Use?** No
11. **General Description of the Proposal:** Fire Station
12. **Use Classification:** Article 151.334 (Use # 13.200)
13. **Date Application Received by County:** May 19, 2009
14. **Received by:** Dave Parks, Permit Officer
15. **Application Fee Paid:** Waived
16. **Completeness of Application:** Application appears to be complete.
 - A. **Items Needed:** None
17. **Documents Received Upon Filing Application or otherwise included:**
 - A. Land Use Application
 - B. Sight Plan - Conceptual
 - C. Aerial Photo
18. **Adjacent Property Use:** Agriculture/Residential
19. **Existing Land Use:** Agriculture
20. **Lot size:** 3 acres
21. **Utilities:**
 - A. **Does the application include a letter or certificate from the District Health Department regarding septic tanks?** Perc test was completed at sub-division (attached).
 - B. **Does the applicant propose the use of public sewage systems?** No
 - 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?** No

22. Streets

- A. Are all streets designed to be place under State system? N/A
- B. Are proposed streets named? N/A
- C. Street names: N/A
- D. Are any street names already being used elsewhere in the County? N/A

23. Landscaping

- A. Is any buffer required? Yes. Broken Landscaping – Type C
- B. Is any landscaping described in application: No

24. Findings Regarding Additional Requirements

- A. Endangering the public health and safety: Staff feels that the proposed use does not endanger the public health and safety.
- B. Injure the value of adjoining or abutting property: Staff feels that the development will not injure the values of adjoining or abutting property.
- C. Harmony with the area in which it is located: Proposed use is in harmony with the area in which located.
- D. Conformity with the Plans
 - (1). Land Use Plan – Project is in conformity with Land Use Plan.
 - (2). Thoroughfare Plan – Project is in conformity with the 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 – N/A
 - (2). Fire and rescue – Project will increase the county’s ability to provide fire and rescue
 - (3). Law Enforcement – N/A
- F. Other County Facilities – N/A

Staff recommends approval with the following conditions:

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 plans approved by the Board of Commissioners of Camden County, North Carolina, and contained in the file titled UDO 2009-05-16.
3. Prior to any land disturbing activity, applicant shall provide copies of approved Erosion & Sedimentation Control Plan, Storm Water Permit from DENR, and drainage plan approved by County Engineer.
4. Applicant shall provide landscaping plan "Type C" in accordance with Article 151.136 (General Landscaping).
5. 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.

Mr. Dan Porter described this special use permit, and read details as listed in the findings of facts above.

Mr. Porter noted that there were a few things yet to be accomplished with regard to this project. Those items are listed in condition numbers 3 and 4 in the findings of fact shown on the previous page.

At this time, Mr. Dave Parks showed the property on the projection screen and described the property. He noted the following:

- Located on South 343 just past Holland Road
- Minor Adjustments to the Site Plan
 - Structure needs to be moved back 25 feet to be in compliance or obtain a variance to stay at the present location noted on the current site plan
 - Dan Porter noted the following with regard to added setback
 - There is room to allow for an increased setback
 - Impacts would be:
 - (1) Cost
 - (2) More Concrete
 - (3) Additional impervious surfaces and impacts to the retention pond
 - (4) Would put the helicopter pad further back and off to the side, but could still accommodate it.
 - Stormwater Drainage Plan has yet to be submitted, so the impacts above would need to be incorporated into the plan if the additional setback is utilized. Notes:
 - (1) Dimensions of retention pond are unknown at this point
 - (2) Impervious to non-impervious surface ratio would be on the high side for a 3 acre lot if additional setback is used.
 - a. Includes both concrete driveways and sidewalks and rooftop surfaces
 - b. County regulations require it to be able to handle a 10-year storm

Dave Parks noted that condition #4, which deals with landscaping, was not needed since landscaping was already included on the site/concept plan. Mr. Parks then indicated that condition number 4 would be struck out.

Chairman Rodney Needham asked if there were any further questions or comments from the board, hearing none, he entertained a motion. Calvin Leary made a motion to approve Item #2, Special Use Permit Application (UDO 2009-05-16) - South Camden Fire Department for New Fire Station at 1061 South 343 with the change to the conditions striking out condition number 4 dealing with landscaping. Michael Etheridge seconded the motion. The motion was approved with Chairman Rodney Needham, Members Fletcher Harris, Calvin Leary, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

After the vote had taken place, Mr. Dan Porter mentioned that there were products on the market that would act as pervious surfaces which would allow water to drain, similar to the checkerboard open style bricks laid in parking lots on the Outer Banks.

Information from Board and Staff

Board of Commissioners Approvals:

- Sketch Plan Phase 5 Pine Ridge Major Subdivision UDO 2009-02-06
- Special Use Permit Camden Realty Group for Shopping Center UDO 2009-03-05
- Request for Amendments to Conditional Use Permit - E & J Holdings

Water Line Issue was tabled by Board of Commissioners at May 18 meeting.

A discussion of water lines and requirements for hookup took place among the Planning Board members and staff.

Consider Date of Next Meeting – June 17, 2009

Adjournment

At 7:35 PM, Michael Etheridge made a motion to adjourn the meeting. John Aydlett seconded the motion. The motion was approved with Chairman Rodney Needham, Members Fletcher Harris, Calvin Leary, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

Date: _____

Approved: _____
Chairman Rodney Needham

Attested: _____
Amy Barnett, Planning Clerk