

Camden County Planning Board

Minutes

October 17, 2007, 7:00pm

Upstairs Courtroom

Camden County Courthouse

Chairman James Burnham

Vice Chairman Rodney Needham

Members Terri Griffin, Ray Albertson,

Michael Etheridge, Calvin Leary, and John Aydlett

Call to Order & Welcome

Vice Chairman Rodney Needham called to order the October 17, 2007 meeting at 7:00 PM.

Present at Meeting

The following members were present: Vice Chairman Rodney Needham, Members Terri Griffin, Michael Etheridge, and Calvin Leary. Also present were staff members Dan Porter (Director of Planning), Dave Parks (Permit Officer/Flood Administrator), and Amy Barnett (Planning Board Clerk). Present for purposes of presenting information relevant to their applications for Special Use Permits were Christopher Scott Robertson (Inner Banks Coating LLC), and Ted Vogel (Blackwater, USA).

Consideration of Agenda

Vice Chairman Needham called for the consideration of the agenda. Michael Etheridge made a motion to approve the agenda. Terri Griffin seconded the motion. The motion was approved with Vice Chairman Rodney Needham, Members Terri Griffin, Michael Etheridge, and Calvin Leary voting aye; none voting no; 3 absent; none not voting.

Consideration of the Minutes- September 19, 2007

Vice Chairman Needham called for the consideration of the minutes from the September 19, 2007 meeting. Terri Griffin made a motion to approve the minutes from the September 19, 2007 meeting. Calvin Leary seconded the motion. The motion was approved with Vice Chairman Rodney Needham, Members Terri Griffin, Michael Etheridge, and Calvin Leary voting aye; none voting no; 3 absent; none not voting.

Comments from the Public.

There were no comments from the public.

Old Business

There was no old business.

New Business

Item #1 Special Use Permit, UDO 2007-09-05, Christopher Scott Robertson

Staff presented the finding of facts (see below) and asks for approval with conditions and modifications stated in the finding of facts.

Findings of Fact

UDO 2007-09-05 Special Use Permit Christopher Scott Robertson

1. **Name of Applicant:** Christopher Scott Robertson
2. **Agent for Applicant:** None
3. **Address of Applicant:** 112 River Road, Camden, NC, 27921
4. **File Reference:** UDO 2007-09-05
5. **PIN:** 02-8935-02-87-0464
6. **Street Address of Property:** 104 Belcross, Camden, NC, 27921
7. **Deed Book/Page:** Offer to purchase
8. **Location of Property:** Courthouse Township
9. **Flood Zone:** AE
10. **Zoning District(s):** Highway Commercial (HC)
11. **Is a Zoning Change required for the Proposed Use?** No
12. **General Description of the Proposal:** Commercial Business - Inner Banks Coating's (Powder Coating)
13. **Use Classification:** Article 151.334 (Use # 4.120) Painting
14. **Date Application Received by County:** September 10, 2007
15. **Received by:** Dave Parks, Permit Officer
16. **Application Fee Paid:** \$400.00 by check #1469
17. **Completeness of Application:** Application appears to be complete.
 - A. **Items Needed:** None
18. **Proposal to be completed in phases:** No
19. **Documents Received Upon Filing Application or otherwise included:**
 - A. Land Use Application
 - B. GIS aerial photo of property
 - C. Offer to purchase contract
 - D. Letter from Health Department (Septic)
 - E. Site Plan
 - F. Info on business
 - G. Pictures (5) of parcel / structure

- 20. **Adjacent Property Use:** Businesses and Farmland
- 21. **Existing Land Use:** Vacant structure
- 22. **Lot size:** Approximately 1.43 acres
- 23. **Utilities:** None
- 24. **Landscaping**
 - A. Is any buffer required? No
 - B. Is any landscaping described in application: N/A
- 25. **Findings Regarding Additional Requirements**
 - A. Endangering the public health and safety: Staff feels that there is no threat to public health and safety as house will be utilized as address for office
 - B. Injure the value of adjoining or abutting property: Staff feels that this would have no affect on adjoining or abutting property.
 - C. Harmony with the area in which it is located: Yes as existing businesses are located in area.
 - D. Conformity with the Plans
 - (1). Land Use Plan - Yes
 - (2). Thoroughfare Plan - Yes
 - (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 - No
 - (2). Fire and rescue - No
 - (3). Law Enforcement - No
 - F. Other County Facilities - No

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 submitted to the Planning Office of Camden County, North Carolina, and contained in the file titled UDO 2007-09-05.
- 3. Modify site plan to reflect 12 parking stalls to include one handicap.
- 4. Applicant shall submit to the Planning Office a drainage plan certified by a NC Engineer for the proposed site.
- 5. Drainage plan shall be certified by the same engineer after installation.
- 6. Amend site plan to reflect type C Landscaping along left side property line.
- 7. 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. Christopher Robertson, Co-owner and operator of Inner Banks Coating LLC, presented a PowerPoint presentation outlining his proposed business. Copy of power point presentation is on the following 2 pages.



INNER BANKS COATING LLC
"PROTECTING OUR WORLD"

Chris Robertson
Co-owner/Operator

WHAT IS POWDER COATING?

A Dry finishing process that uses finely ground powders of pigment and resin to coat a surface.

STEPS

Metal preparation

Mechanical (Sandblasting)

Chemical (Phosphating)

SANDBLASTING



CLEANING THE PART

- * Phosphate 50:1
- * Pretreatment station recycles 98%
- * Discharge H2O will be evaporated leaving a solid (non-hazardous)
- * No septic discharge from process
- * 98% of phosphate recycled

PRE-TREATMENT STATION



POWDER

- * Non-flammable
- * Non-toxic
- * Stores at room temperature
- * Sealed in boxes
- * Thousands of colors and finishes to choose from

POWDER APPLICATION

Electrostatic Spray

- * Charged Powder is sprayed onto grounded Part
- * Any excess is swept and reused or disposed of.
- * Enclosed powder containment booth



APPLICATION BOOTH



OVEN

- * Coated Parts enter the Oven
- * Powder material melts and flows
- * Powder film gels and Chemically Cross-links
- * Material is hardened when part exits the oven and cools

OVEN

- * Gas Convection (1.6 million BTU's)
- * Typically around 400° F
- * 8X 10X 20
- * Safety Devices built into oven
- * UL rated



THE ADVANTAGES

- * Environmentally Friendly
- * Attractive Finish with limitless color choice
- * Highly scratch and chip resistant
- * Chemical and Salt resistant
- * Fade resistant
- * Weather resistant
- * Cheaper than traditional methods

COMPARED TO TRADITIONAL PAINTING

- * Requires less energy
- * No Hazardous Air Pollutants (HAP's)
- * No Volatile Organic Chemicals (VOC's)
- * Cheaper (\$0.04 /SQ FT vs. \$0.06 /SQ FT)
- * Powder can be recycled
- * PC represents 15% of market and growing
- * Product is more durable and last longer

THE BUSINESS

- * Father and Son Owner Operated
- * Camden County Resident
- * Father: Mechanical Engineer
- * Son: Nursing Faculty at COA
- * Five Year Dream
- * Interest from Building Motorcycles
- * Renovation of Existing structure

PROSPECTIVE CLIENTS

- * Grave Digger
- * Island Off-road
- * Dunovant's Fabrication
- * Boat Builders
- * Contractors
- * U.S. Coast Guard
- * T-Com



THE FUTURE

- ✦ Add side Office, Showroom, and Storage
- ✦ Add employees to meet demand
- ✦ Expansion to conveyer system
- ✦ Explore Alternative Substrates
- ✦ Become the southeast choice for custom coating

Mr. Robertson indicated that the business is a father and son business (his father is co-owner with him). Also, he indicated that the demand for this type of service is pretty high, with the nearest facilities for this type of service being Virginia Beach, VA, then the next nearest being Charlotte, NC.

The business will be located behind Belcross Bakery in the old Owens Moving & Storage building. Among the equipment Mr. Robertson will be using is an oven which will be run on natural gas to be used to cure the coated parts.

Rodney Needham had concerns about the phosphate which is being used in the pretreatment of parts prior to coating (in order to make the powder stick to the parts better). Mr. Needham was concerned with the combustibility of phosphorous. Mr. Robertson indicated that the type of phosphate being used is Iron Phosphate (FePO_4), which is a non combustible material.

After further discussion and consideration, Calvin Leary made a motion to approve Item #1 Special Use Permit, UDO 2007-09-05, Christopher Scott Robertson. Mike Etheridge seconded the motion. The motion was approved with Vice Chairman Rodney Needham, Members Terri Griffin, Michael Etheridge, and Calvin Leary voting aye; none voting no; 3 absent; none not voting.

Item #2, Special Use Permit, UDO 2007-09-27, E&J Holdings (Blackwater)

Staff presented the finding of facts (see below) and asks for approval with conditions and modifications stated in the finding of facts.

Findings of Fact

UDO 2007-09-27 Special Use Permit E&J Holdings (BlackWater)

- 1. Name of Applicant:** E&J Holdings
- 2. Agent for Applicant:** Ted Vogel
- 3. Address of Applicant:** P. O. Box 1029, Moyock, NC, 27958

4. **File Reference:** UDO 2007-09-27
5. **PIN:** 01-8929-00-06-2952
6. **Street Address of Property:** 112 Security Rd, South Mills
7. **Location of Property:** South Mills Township
8. **Flood Zone:** X
9. **Zoning District(s):** Light Industrial (I-1)
10. **Is a Zoning Change required for the Proposed Use?** No
11. **General Description of the Proposal:** Wind Turbine (50 KW)
12. **Use Classification:** Article 151.334 (Use # 18.420) Large Wind Turbines
13. **Date Application Received by County:** September 21, 2007
14. **Received by:** Dave Parks, Permit Officer
15. **Application Fee Paid:** \$400.00 by check #1054
16. **Completeness of Application:** Application appears to be complete.
 - A. **Items Needed:** None
17. **Proposal to be completed in phases:** No
18. **Documents Received Upon Filing Application or otherwise included:**
 - A. Land Use Application
 - B. GIS aerial photo of property
 - C. Deed
19. **Adjacent Property Use:** Industrial/Agriculture
20. **Existing Land Use:** Industrial
21. **Lot size:** 402 acres
22. **Utilities:** None
23. **Landscaping**
 - A. Is any buffer required? No
 - B. Is any landscaping described in application: No
24. **Findings Regarding Additional Requirements**
 - A. Endangering the public health and safety: Staff opinion is there is no threat to public health and safety.
 - B. Injure the value of adjoining or abutting property: Staff feels that this would have no affect on adjoining or abutting property.
 - C. Harmony with the area in which it is located: Wind turbines are a permissible in the I-1 zoning district
 - 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 - No
 - (2). Fire and rescue - No
 - (3). Law Enforcement - No
 - F. Other County Facilities - No

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 submitted to the Planning Office of Camden County, North Carolina, and contained in the file titled UDO 2007-09-27.
3. 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.

One concern the board had was interference to air flight. Blackwater has a letter from the FAA stating that the FAA has conducted an aeronautical study and has made the following determination regarding the wind turbine structure (excerpt from aforementioned letter):

*****DETERMINATION OF NO HAZARD TO AIR NAVIGATION**...**

...This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking and/or lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2."

Also with the airstrip at Blackwater, they have gone through the aviation safety officer who has spoken to the FAA as well and there are no glide slope issues on either end of the runways, which are approximately 900 yards away from the site of the wind turbine.

With regard to the Northwest Naval Station, the FAA covers civilian and military impedances to any type of navigation and they have no problem with this. With regard to radar, it may appear as a blip on aircraft radar, but will not be seen on radar sweeps from airports. Northwest Annex Radar system's Array will see anything out in front of it, so they will want to know about it so they can tune the interference out of their radar reception. Mr. Vogel said he would give them a call to let them know about this.

Blackwater foresees a possible need for future wind turbines, exceeding the initial one. Each additional wind turbine will go through the special use permit process and will be handled accordingly.

Blackwater is willing to showcase the installation and operation of their turbine to anyone else looking to make use of similar technology. Also, they would like to see an academic component added to their project at some point in the future (a student or students monitoring devices, and learning from them).

Another concern was the Avian Assessment from the Department of Environment and Natural Resources. Blackwater is working toward that, but has not yet received the assessment for this area, he should have something from them by the beginning of the week of October 22, 2007. Mr. Vogel has reports indicating national averages of avian fatalities due to wind turbines, which averages 2.19 birds per turbine per year. The design of the turbine they are installing is a 'down wind' design, which will cause the wind to flow from the front of the blades to the back of the turbine. The birds will take off away from the blades (if they roost in/on the tower), so this design is more avian friendly.

After further discussion and consideration, a motion to approve Item #2, Special Use Permit, UDO 2007-09-27, E&J Holdings (Blackwater) was made by Terri Griffin. Michael Etheridge seconded the motion. The motion was approved with Vice Chairman Rodney Needham, Members Terri Griffin, Michael Etheridge, and Calvin Leary voting aye; none voting no; 3 absent; none not voting.

Information from Board and Staff

Staff provided copies of the ordinance pertaining to review procedures and evaluation criteria for residential development / subdivision development. Also provided was a copy of each of the individual developer scorecard data, showing the smart growth assessment for each of the 5 developers looking to build subdivisions in Camden County. Side by side comparisons, charts, and graphs of these developers was also provided.

Dan spoke about the process for the developers to submit sketch plans, rezoning, etc., for the developers to be in accordance with the aforementioned ordinance.

Dan provided a copy of a letter from Blackwater USA requesting an extension on the operating hours for their firing range, from 10pm to 12 midnight. Dan indicated to the board that our UDO ordinance gives us 3 options of how to handle this, the choice of which is up to a staff administrator. The options are as follows: (1) treat it as a minor permit - the administrator looks at it and decides to approve it or deny it, (2) treat it as a major amendment to be taken before the Board of Commissioners, but not require a public hearing, and (3) treat it as a major amendment requiring a public hearing and quasi judicial proceeding before the Board of Commissioners. Dan indicated that he considers it to be a major amendment since it would have an impact on the surrounding community.

Terri Griffin had a question regarding the extension of hours. She wanted to know what recourse if any, there was to reverse the decision of an administrator if we treat it as a minor amendment, in the event that there are any complaints and the hours need to be changed back to what they were before the amendment. Dan stated that the only recourse was to take the complaint as an appeal before the Board of Adjustment within 10 days of the original decision to question the decision of an administrator. Outside of the 10 day window, a court proceeding would be required to reverse an administrative decision. According to our ordinances, if we treated it as a decision of an administrator, then an appeal of an administrative decision must be filed within 10 days.

The consensus of the board was to treat the extension of hours as a major amendment not requiring a public hearing.

Consider Date of Next Meeting – November 20, 2007 (Rescheduled to 11/28/2007)

After some discussion, it was decided to postpone the November meeting until after Thanksgiving, making the meeting date Wednesday, November 28, 2007.

Adjournment

At 8:25 PM, Michael Etheridge made a motion to adjourn the meeting. Terri Griffin seconded the motion. The motion was approved with Vice Chairman Rodney Needham, Members Terri Griffin, Michael Etheridge, and Calvin Leary voting aye; none voting no; 3 absent; none not voting.

Date: _____

Approved: _____
Chairman James Burnham

Attested: _____
Amy Barnett, Planning Clerk