

# PLANNING AND COMMUNITY DEVELOPMENT

Planning · Code enforcement · building inspections · Central permitting



## MINUTES

Pender County Planning Board Meeting

October 7, 2008

7:00 p.m.

Pender County Public Meeting Room  
805 S. Walker Street, Burgaw, North Carolina

**Call to Order:** Chairman Reynolds

**Roll Call:** Chairman Reynolds

Pender County Planning Board Members:

Reynolds \_\_\_ Gonzales \_\_\_ Garrett \_\_\_ Marshburn X Millette \_\_\_ Smith \_\_\_ Williams \_\_\_ Newman \_\_\_

**1. Approval of Minutes:** September 3, 2008

**Motion:** Karen Gonzales; **Seconded:** Burt Millette; **Vote:** Unanimous 6-0

### *Subdivision Review*

Ashley Frank presented the case to the board. The roads will be private. Jan Dawson, Road Naming Coordinator, stated that Pear Tree Road will have to be renamed. It is not located in a Flood Hazard area.

- 2. Bradford Trace, Preliminary Plat Review – Scott Kennedy of Cape Fear Engineering, Inc.,** applicant on behalf of Goslee Properties, LLC owner, is requesting Preliminary Plat approval for Bradford Trace Subdivision. The minor subdivision consists of 6 lots on 12.52 acres. The property is zoned R-20 Residential District and is proposed subdivision is located off Old River Road, approximately (1/2) mile east of Interstate 40 (I40) Old River Road By-Pass.

Scott Kennedy, Cape Fear Engineering, representing the developer stated that the applicant has set aside the 3 lots in question for his children. It will be some time before a development occurs. There is a HOA with this project. There is a recorded easement going to the septic area.

Burt Millette asked what was going to be used for septic on the three lots in the rear.

James Davis stated that are suitable soils on the farm property located in the rear. This area will be used for an off-site septic if the lots won't perk.

Burt Millette made the motion to approve the request for the Preliminary Plat of Bradford Trace Subdivision. Rick Garrett seconded the motion and the vote was unanimous.

Chairman Kevin Reynolds opened the public hearing.

## ***Public Hearing***

Kyle Breuer presented the case to the Planning Board. This request is being made for an extension of the existing tract (I2). The existing tract has a SUP.

- 3. Zoning Map Amendment - Martin Marietta Corp. Lessee of Mineral Rights**, applicant, on behalf of Plum Creek Timberlands, LP, owner, is requesting to rezone 379 acres, which is a portion of a 2,529.87 acre tract, from RA, Rural Agricultural District, to I-2, Industrial District (Heavy). The property is located approximately 2 miles east of I-40; approximately 3 miles north of the Pender/New Hanover County line, Rocky Point, NC.

Rick Biberstein, applicant on behalf of Martin Marietta is requesting to rezone 379 acres. A community meeting was held to make the property owners aware of what was going on. This is part of a 2400 acre tract. During the rezoning process in 2003 part of the mining operation was zoned RA (Rural Agricultural). The Castle Hayne quarry has about five (5) years left to mine. It will be approximately five years before this section will be reached. Most of the mined property has been reclaimed.

Burt Millette asked if there was a pending contract between Titan and Martin Marietta on any of this property.

Karen Gonzales asked how long it would take to reclaim the land.

Paxton Badham stated that it could be done quickly if that was what was needed. But they operate on this in phases because it is an ongoing process. The SUP that was obtained in 2003 gave specific guidelines when it needs to be completed. Titan was not interested in purchasing property from Martin Marietta.

Christopher Smith asked for an explanation of a drag line operation.

Mr. Badham explained that the drag line takes the over burden off the rock. It is a slow process.

Mile Giles, Café Fear Coast Keeper with the North Carolina Coastal Federation, explained that they worked with citizens to try and protect all natural resources. He stated that New Hanover County is currently fighting the Titan Cement Plant. He would like to see a buffer and hopes Martin Marietta continue being a good neighbor.

Don Ellson, Pender Watch, stated that there are conservation easements in place to the east and south and he is concerned that the noise and earth shaking activities that go on as part of the mining will have an affect on the people within a mile but also on the wildlife that are to benefit from the easements that have been put in place; (2) lowering of the aquifer and the pollution of ground water that may result as a consequence of the mining activity.

Hiram Williams made the motion to approve the rezoning request from RA to I2. The motion was seconded by Christopher Smith and the vote was unanimous.

Ashley Frank presented the case to the Planning Board.

- 4. Zoning Text Amendment - Penny Olson**, applicant, is requesting to amend Pender County's Zoning Ordinance, §8.9, Table of Permitted Uses, to allow Wholesaling as a permitted use in the RA, Rural Agricultural District.

The applicant was not there to present her case.

There was short discussion among the board members.

Burt Millette made the motion to deny the request to amend the ordinance. Hiram Williams seconded the motion. The vote was unanimous.

**5. Discussion Items**

- **Discussion Items by Planning Board Members**
  - *Burt Millette motioned to approve the Planning Board Meeting Schedule for 2009; seconded by Karen Gonzales. The vote was unanimous.*
- **Discussion Items by Planning Staff**
  - Zoning Ordinance revisions: Outdoor off-premise sign regulations-continued
    - *It was the concession of the board to delete 16.13 and leave in 16.12 in its existing wording. The document will be presented at the November 5, 2008 meeting as a Public Hearing item.*
  - Zoning Ordinance revisions: Conditional zoning districts-continued
    - *Public Hearing item on November 5, 2008 Planning Board Meeting.*
  - Zoning map revisions: FA and FA\_Dash districts
    - *Several properties have been removed from the firm maps but FA destination has remained. Rename this to RA and it will become the Flood Overlay District.*
  - Overlay District implementation: Special Flood Hazard Area
    - *A concurrent implementation of the overlay district for Special Flood Hazard Area. it will happen at the same time.*
  - Applicant selections for Comprehensive Plan and UDO Committees
    - *Selections for both committees have been completed.*
  - Planning workshop on October 14, 15 2008-agenda
    - *Reminder of the Planning Workshop on October 14-15, 2008.*
- **Discussion Items by Members of the Public**
  - *No discussion items by members of the public.*

**6. Adjournment**

**Board Action for October 7, 2008 Minutes:**

Motion: \_\_\_\_\_ Seconded \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Unanimous \_\_\_\_\_

Reynolds \_\_\_ Gonzales \_\_\_ Garrett \_\_\_ Marshburn \_\_\_ Millette \_\_\_ Smith \_\_\_ Williams \_\_\_