

# Pender County Planning and Community Development

## Planning Division

805 S. Walker Street  
PO Box 1519  
Burgaw, NC 28425



Phone: 910-259-1202  
Fax: 910-259-1295  
[www.pendercountync.gov](http://www.pendercountync.gov)

## MINUTES

**Pender County Planning Board Meeting  
Tuesday, January 6, 2015 7:00 p.m.  
Pender County Public Meeting Room  
805 S. Walker Street, Burgaw, North Carolina**

**Call to Order:** Chairman Williams called the meeting to order at 7:06 pm.

**Roll Call:** Chairman Williams

Pender County Planning Board Members:

Williams:  McClammy:  Baker:  Boney:  Edens:  Marshburn:  Nalee:

- 1. Election of Officers: (Chairman/Vice-Chairman)** Agenda item 1 was tabled until the February meeting.
- 2. Adoption of the Agenda:** Board member Boney made the motion to adopt the agenda; seconded by Board member Marshburn. The vote was unanimous.
- 3. Adoption of the Minutes: (December 2, 2014)** Board member Boney made the motion to adopt the minutes; seconded by Board member Edens. The vote was 4 members in favor and Board member Baker abstained due to his absence.
- 4. Public Comment:** Chairman Williams asked if there were any sign-ups for public comment; due to no sign-ups, Chairman Williams closed the floor to public comment and opened the floor for the public hearings.

*\*(Public Hearings Open)\**

**5. Zoning Text Amendment: (Tabled from 12/2/2014)**

Four Points Recycling, applicant, requested the approval of a Zoning Text Amendment to the Pender County Unified Development Ordinance. The request is to amend Section 5.2.3 to add a Solid Waste Compost Facilities as a permitted use in the GB, General Business zoning district. Senior Planner O'Hare advised the Board that the applicant would like to request that agenda item 5 be tabled. Robert Kenan, attorney for applicant, stated that the applicant's request was due to their witness being unable to attend tonight's meeting.

Board member Boney made a motion to approve the request to table agenda item 5 until the next meeting; seconded by Board member Marshburn. The vote was unanimous.

**6. Conditional Rezoning:**

Pender County, applicant and owner, requested approval of a Zoning Map Amendment for a Conditional Rezoning of one tract totaling ± 19.21 acres from PD, Planned Development Zoning District, to OI-CD1, Office and Institutional Conditional Zoning District. The rezoning request is for NAICS 562111 Solid Waste Collection Public for the use of the existing Pender Solid Waste Transfer

Station and proposed Hampstead Convenience Center. The subject property is located at 248 Transfer Station Road (SR 1695) in Hampstead. The property may be further identified by Pender County PIN 4203-17-8616-0000. Senior Planner O'Hare presented and gave background information for agenda item 6. Ms. O'Hare stated that staff recommended approval with the eleven (11) conditions stated. Jamie Jernigan, 395 Annandale Trace, Hampstead, stated that he had several complaints with the proposal such as increase traffic and noise, that a fence would not help, and his property value would be shot; Mr. Jernigan asked the Board to please consider all items before giving an approval. Bryan McCabe, PE, Project Engineer, Pender County Utilities, stated that they have been working on this project for quite some time and the general comments received have been good, that unfortunately there was not anything more than proposed that could be done to reduce the possible noise increase, but the fence could be built taller and the proposed buffer could be enhanced in order to mitigate Mr. Jernigan's concerns. Board member Baker asked if evergreens could be planted to shield the noise; Mr. McCabe responded that they were willing to increase the vegetation in the buffer to help shield the site and noise. Ms. O'Hare advised the Board that if they wished do to so they could condition the approval to include a Buffer C. Mr. McCabe stated that they were willing to do what it takes within reason to make the project work. Board member Edens asked if a ten (10) foot fence would construct the view of the dumpsters from Mr. Jernigan's home; Mr. McCabe answered yes. The Board had a lengthy discussion regarding types of trees and shrubs that could be used to reduce noise; Margret Grey, Project Manager, Pender County Utilities, stated that Magnolias and Cypress would be used and since Mr. Jernigan owned horse nothing would be planted that would be toxic to them. The Board reviewed the eleven (11) conditions that staff created based off of the public input meeting held. The Board recommended changing condition number five (5) to a C3 Buffer with a twenty (20) foot width, trees at six (6) feet when planted and a ten (10) foot fence on the southern property line.

Board member Nalee arrived during agenda item 6.

Board member Edens made a motion to approve the requested Conditional Rezoning with the eleven (11) conditions presented including the stated changes to condition number five (5); seconded by Board member Nalee. The vote was unanimous.

Chairman Williams called for a five (5) minute break. Chairman Williams called the meeting back to order at 8:40 pm.

## **7. Master Development Plan Revision:**

Signature Top Sail NC, LTD, applicant and owners, requested a revision to their previously approved Master Development Plan, Wyndwater (formerly known as the Oaks at Sloop Point). Specifically this request is to amend future phases from; a required side yard setback of ten (10) feet to a zero lot line. Additionally requested is an amendment to previously approved buffers. The property is zoned PD, Planned Development District. The proposed development is located to the north of Doral Drive (SR 1693), northwest of Sloop Point Loop Road (SR 1563), south of the approved Cardinal Pointe subdivision and east of US Highway 17 in Hampstead. The property may be further identified by Pender County PIN 4214-12-4590-0000. Senior Planner O'Hare presented and gave background information for agenda item 7. Ms. O'Hare stated that staff recommended approval. Mike Pollock, Developer, stated that he would just echo Ms. O'Hare's presentation that she explained the request in detail, Mr. Pollock did further explain the need to request a zero lot line was to allow the builder flexibility to build the various types of house plans, not to change the lot sizes. The Board held their discussion.

Board member Nalee excused herself during agenda item 7.

Board member Boney made a motion to approve the requested Master Development Plan Revision as presented; seconded by Board member Baker. The vote was unanimous.

**8. Comprehensive Transportation Plan:**

Pender County and NCDOT held a public hearing for recommendation on adoption of the draft Pender County Comprehensive Transportation Plan. Senior Planner O'Hare presented and gave background information for agenda item 8. Ms. O'Hare stated that staff recommended approval. Allen Serkin, Cape Fear RPO, reviewed the provided maps, the recommendations and stated that Town of Burgaw adopted the plan a month ago. Nora McCann, NC DOT, stated that the plan is a long range plan and that at this time the projects are not funded and be updated at any time.

Board member Boney made a motion to approve the Comprehensive Transportation Plan as presented; seconded by Board member Marshburn. The vote was unanimous.

*\*(Public Hearings Closed)\**

**9. Discussion Items:**

**a. Planning Staff Items:**

- i. PD Zoning District ZTA – Senior Planner O'Hare reviewed the memorandum provided to the Board with the proposed language for a Zoning Text Amendment and stated that staff was hoping to having a public hearing in February. The Board discussed the proposed language and agreed that the language would work and recommended that staff move forward with a Zoning Text Amendment.
- ii. Subdivision Changes – Senior Planner O'Hare advised the Board that staff was continuing to work on language for a Zoning Text Amendment. Staff was continuing to do research on roadway improvements and regulations by working with NC DOT District Engineer and other Counties.
- iii. TRC – Senior Planner O'Hare invited the Board to the upcoming TRC meeting that would be held on January 12, 2015 at 2:00 pm. Board member Edens requested that the Planning Board members be added to the TRC email list so that they will receive information regarding new projects.

**b. Planning Board Members Items:**

Chairman Williams thanked Board member Boney for his service and wished him well; Board member Boney thanked his follow Board members and staff for dinner and the plaque he received.

**10. Next Meeting:** February 3, 2015, as applicable

**11. Adjournment:** 10:00 pm