

Pender County Planning and Community Development

Planning Division

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MINUTES

Pender County Planning Board Meeting
Tuesday, February 3, 2015 7:00 p.m.
Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina

Call to Order: Chairman Williams at 7:04 pm.

Roll Call: Chairman Williams

Pender County Planning Board Members:

Williams: McClammy: Baker: Edens: Fullerton: Marshburn: Nalee:

- 1. Election of Officers: (Chairman/Vice-Chairman)** Attorney Thurman welcomed new Board member John Fullerton, reviewed the election procedures and opened the floor for nominations for the Pender County Planning Board Chairman; Board member McClammy nominated Board member Williams as Chairman, no other nominations were made. The Board members voted unanimously to make Board member Hiram Williams the 2015 Planning Board Chairman. Board member Williams nominated Board member McClammy as Vice-Chairman, no other nominations were made. The Board members voted unanimously to make Board member Theo McClammy the 2015 Planning Board Vice-Chairman. .

Director Breuer introduced and welcomed John Fullerton, stating that Mr. Fullerton was appointed to serve on the Pender County Planning Board in January as a Professional representative.

- 2. Adoption of the Agenda:** Board member Marshburn made the motion to adopt the agenda; seconded by Board member Fullerton. The vote was unanimous.
- 3. Adoption of the Minutes: (January 6, 2015)** Board member Edens made the motion to adopt the minutes; seconded by Board member Marshburn. The vote was 5 members in favor; Vice-Chairman McClammy abstained from voting due to his absences from the previous meeting and Board member Fullerton abstained from voting since this was his first meeting.
- 4. Public Comment:** No sign-ups for public comment.

(Public Hearings Open)

- 5. Zoning Text Amendment: (Tabled from 12/2/2014; 1/6/2015)**

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 presented agenda item 5 stating that the administrator recommended denial as reflected in the staff report, which was amended since the December 2, 2014 hearing to include supplemental information requested by the Board. Board members had a brief discussion with staff on examples of uses allowed in the GI, General Industrial Zoning District, what current zoning districts allow and

what the recommended changes would be if approved. Robert Kenan, Applicant's Attorney, provided the Board with the Administrative Guidelines for solid waste sites that are administered by the North Carolina Department of Environmental and Natural Resources (DENR) and explained that an applicant must obtain a permit from DENR prior to operating a solid waste facility. Attorney Kenan further explained that there were 4 types of facilities; his client was interested in a Type I facility and provided the Board with Type I facility guidelines. Attorney Kenan stated that his client was asking for the Board to consider approving their request to include the stated uses in the General Business Zoning District because there was a need within the community. Board member Baker asked Attorney Kenan 1.) If the applicant's letter dated November 13, 2014 was still current?; 2.) Would debris only be accepted from within Pender County?; 3.) Would construction debris be accepted?; Attorney Kenan answered 1.) Yes, the applicant's letter was current; 2.) There would be no restrictions on where the debris came from; 3.) Any untreated materials would be accepted. Due to no other sign-ups the Board held their discussion. Board members agreed that there was a need; Attorney Thurman reminded the Board that there should be no discussion of particular sites that a Zoning Text Amendment would be applied to Pender County as a whole. Vice-Chairman McClammy asked if the Board denied the request, what would be the Board's next steps in providing guidance for the recommendations made by staff; Director Breuer stated that staff would take into consideration the Board's feedback and initiate a Zoning Text Amendment which would be presented to the Board at a later date.

Vice-Chairman McClammy made a motion to deny the requested Zoning Text Amendment; seconded by Board member Edens. The vote was unanimous. Director Breuer stated that the Board of Commissioners will hear the request at their February 17, 2015 meeting, where they will give the final decision and staff will report that decision back to the Planning Board. Attorney Kenan requested that staff move the hearing to the March 16, 2015 Board of Commissioners' meeting.

6. Preliminary Plat:

Parker and Associates, Inc., applicant, on behalf of IC3 Partners, LLC, owner, requested Preliminary Plat approval of a major subdivision containing seventy- three (73) single family lots known as The Reserve on Island Creek residential subdivision. The project consists of ± 69 acres of a ± 124 acre parcel located on Island Creek Road (SR 1002), adjacent to the New Hanover County line, Rocky Point, NC. The property is zoned RP, Residential Performance and may be further identified as Pender County PIN 3252-97-7356-0000. Senior Planner O'Hare presented and gave background information for agenda item 6. Senior Planner O'Hare stated that staff recommended approval and there was a representative from the applicant's engineering firm present to answer any questions. Lori Morris, Parker and Associates, stated that she was very pleased with the Technical Review Committee (TRC) meeting, changes that were requested by the North Carolina Department of Transportation (NCDOT) were being made, and that all state permits had been applied for.

Board member Edens made a motion to approve the requested Preliminary Plat as presented and stated in the staff report; seconded by Board member Nalee. The vote was unanimous.

The entire recording of the Public Hearings is on file with the permanent records in the Planning Department office.

(Public Hearings Closed)

7. Discussion Items:

a. Planning Staff Items:

- i. By-Right and Master Development Plan process: Director Breuer presented and reviewed the memo provided to the Board outlining the current review process and the proposed changes. Director Breuer stated that the overall objective that staff is trying to gain the Planning Board's support on is eliminating the By-Right reviews that the Board currently provides as well as eliminate any expectancies that a

condition could be changed. Director Breuer stated that he believed the Board's time would be better used reviewing larger projects and giving guidance to staff regarding policy updates such as the Comprehensive Land Use Plan and the Unified Development Ordinance that staff will begin updating. Board members gave staff their feedback and recommended that staff move forward. Director Breuer stated that staff would present the information to the Board of Commissioners in March and with their support staff would proceed with a text amendment.

- ii. Collector Street Plan Needs: Director Breuer presented and reviewed the provided memo outlining the Collector Street Plan updates. Board member Fullerton requested to know the ideas of what the priorities were for the needs list. Vice-Chairman McClammy asked what the projection of completion for the plan was; Director Breuer answered that it would be an estimated 12 month process. Director Breuer stated that staff would prioritize the list and send it to the Planning Board members, so that comments can be communicated back to the MPO.
- iii. Director Breuer shared with the Board that funds from the STP-DA were awarded for Doral Drive.

b. Planning Board Members Items:

Chairman Williams thanked the Board for being allowed to serve as Chairman another year.

8. Next Meeting: March 3, 2015

9. Adjournment: 8:58 pm