

Chair

Ray Cobb

Planning Director

Tonya Caddle



Commissioners' Meeting Room

124 W Elm Street

Graham, NC 27253

October 13, 2022 at 7:00 PM

ALAMANCE COUNTY PLANNING BOARD

AGENDA

Virtual-

<https://www.youtube.com/channel/UC1QADkhkyUpac9rMs42imjA>

Members Present

Ray Cobb, *Chair*

Rodney Cheek

Vaughn Willoughby

Eric McPherson

Anthony Pierce

Arthur Hall

Debra Hyder

Ernest Bare

Stephen Dodson

John Paisley, *Commissioner liaison*

Members Absent

Bill Poe

Sandy Ellington-

Graves

Blake Cobb

Staff Present

Tonya Caddle, *Planning Director* (via Zoom)

Ian Shannon, *Planner I*

Rik Stevens, *County Attorney*

Ragan Oakley, *Assistant County Attorney*

I. CALL TO ORDER

Called to order at 7:03 by Chair Cobb

II. ROLL CALL

Staff handled roll call through Zoom and in-person roster.

III. APPROVAL OF PLANNING BOARD MINUTES

1) June 9, 2022

Motion to accept as presented: Ray Cobb

Second: Rodney Cheek

Vote: Unanimous

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IV. PUBLIC COMMENTS*

Paul Walker: Came before the board to talk about the proposed slaughter plant. He spoke to his experience as a retired livestock extension agent and his familiarity with livestock and slaughter plants. Spoke to the board about how the proposals he saw for the plant were unacceptable and how there were no plans to address the issues with pollutants from the proposed plant. He also spoke to the issue of developing this proposed plant in a residential area.

Judy Henderson: Spoke as a representative of the Hawfields community and as a representative of many neighbors concerned with the proposed slaughter facility. Raised some questions about the overall permit process and asked the Planning Department for answers. Also raised concerns with new schools coming to the area and with the noise, odor, runoff, and waste that the proposed facility would generate. Also raised some concerns with how the proposed facility would devalue homes in the neighborhood.

Laura Crouch: Asked the planning board to make a good decision regarding the proposed slaughter facility. Noted that the area was designated as a "suburban transition" zone according to her research of the UDO and stated that a slaughterhouse was not in harmony with that kind of land use.

Judy Brownell: Raised concerns over potential noise, smell, and traffic that would come from the proposed slaughter facility.

Judith Rogers: Informed the board that her farm and home was situated along the edge of the proposed dump site for the slaughter facility. Raised concerns with the smell and with how runoff would impact a nearby stream.

Robert Barr: Asked the board to consider the 50 families in Brandywine Estates and the nature of the area with the proposed slaughterhouse.

Chelsey Miller: Spoke to the board about their support for the Quaker Creek Solar project and their positive experience with Carson and their team.

Carol Davis: Came to the board with concerns over the proposed landfill. Asked the board why this landfill was necessary when there were already two other landfills within three miles. Raised concerns over traffic, bridge infrastructure and the impacts this might have to the land that they help work to preserve in the area.

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Johnathan Levens: Raised concerns over soil pollution, water quality, and noise impacts from the proposed landfill. Noted to the board that the landfill down the road can operate for 15 more years as is and that the incinerator they added will not impact air and noise quality. Asked the board to consider the environmental impacts of this new proposed landfill.

Jill Dixon: Expressed that they did not want to see any kind of development along John Lewis Road that they could see.

V. BOARD/COMMISSIONER RESPONSES

The board has no plans to address the slaughterhouse at this time as it is not on the agenda.

VI. NEW BUSINESS

1) Solar Energy System Application – Quaker Creek Solar

Tonya Caddle gave an overview of the application. Part of the project was originally in Green Level jurisdiction and part was in County jurisdiction so the proposal was modified and now includes multiple parcels. The project is in a Balance of Watershed area. Action tonight is the applicant is requesting approval. Total parcel acreage is 597.07 acres. The project has been reviewed under county ordinance. The developer has set up a bond per the decommissioning plan. Legal has also reviewed the application.

Van Joines, the business development director gave a presentation on the project and addressed public comment saying that both the sites were set back a considerable amount from John Lewis Road. The current hardwood trees and wetlands will shed the view and they are not allowed to cut those down. They are on contract with Duke Energy to sell

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them renewable power. Van also spoke on their engagement with the community and the support they had been receiving. He said the project will create a lot of tax revenue for the county, estimating 1.2 million over the next 30 years, and added that they aimed to add value to the county and were excited to be a long-term partner. He introduced some members of the project team to the board.

There was a question on the access to these two parcels. It was stated that the site would be fenced off, and improvements would be made to an existing farm access road in order to get to the project site. It was also mentioned that as a part of their decommissioning plan, everything would be removed and the site would be re-graded after the 30 year lease on the land was up. A transferrable bond has been posted should anything happen before then.

Chris Sandifor, another member of the project team, told the board that they were taking steps to avoid flooding and environmental impacts to the aquifer by using impervious surfaces and summer grasses. They stated that this project would not impact the wetland.

Another project member, Ally Ventresca, went over some of the details on the fencing and landscaping. There would be a 7-foot tall wildlife permeable fence around the site, which would allow small creatures to pass through and deer to jump. She stated that if there were any drainage or vegetation concerns, these would be caught in inspections and they would be compliant to the permit to address those concerns. Ally also stated that

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they were planting additional trees in areas with less coverage to create a visual barrier to the site as a part of the screening requirements for the permit.

It was noted that the 290 feet of forested setback was pretty substantial, and that there was little chance of seeing the solar field from the road.

Tonya informed the board that everything for this project had been submitted and that legal has reviewed it.

Motion to approve: Vaughn Willoughby

Second: Rodney Cheek

Vote: Unanimous

Tonya informed the board that from here the applicant had to file their watershed permit and the decommissioning plan. The project would then be reviewed by inspections planning board is final decision and it was estimated that construction could begin around early 2024.

2) Heavy Industrial Development Application – Euliss Road LCID

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Tonya gave an overview of the application and staff report. This is a Class 1 HIDO proposal. An inert debris landfill. No watershed. Planning Board will recommend or not to Board of Commissioners.

Chad Huffine, the applicant, presented the project to the board, stating that they have worked with the county Planning Department and DOT and had gone through the county checklist to get this done in order. They have provided the county with the site plan in accordance with ordinance requirements and the site was advertised and posted. The whole property is 30 acres, of which 13 to 17 acres will be the actual landfill. There is 400 to 700 feet from Euliss Road to the fence/boundary of the property and 150 feet beyond that to the site itself.

Chad addressed a question on the kinds of material that would be disposed of here by giving a few examples: trees, stumps, topsoil, land clearing and inert debris. He stated that this is not a waste landfill, it's as benign as it gets.

Motion to approve: Eric McPherson

Second: Rodney Cheek

Vote: Unanimous

3) Planning Board Reappointment:

Planning board has one member for reappointment:

- a. Debra Hyder – Patterson Township

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Debra is up for another appointment. The Board of Commissioners makes the final decision.

Motion to recommend Debra Hyder for reappointment: Rodney Cheek

Second: Vaughn Willoughby

Vote: Unanimous

4) Planning Board Membership Applications:

Planning Board has one vacant seat.

Applicants & Townships:

a. Max Morgan – Melville

Max presented himself to the board saying that he is a lifelong resident of the county who has worked for 10 years developing mobile home and rv parks. He wants to help guide and have a positive impact on growth in the county while protecting property values.

b. Amie Perkins – Haw River

Amie stated to the board that she grew up with her father in the building business, and is now in the business herself with Central Builders. She stated that she had a lot of commercial work experience. She considers time to be the most valuable asset. She spends her time with her children, church, and community. She told the board that she wants to be more involved in the community. She has a lot of

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expertise in development and projects that are more cohesive to their neighbors, and wants to make sure we do essential development where it makes sense.

When asked about her thoughts on zoning overall, Amie stated that she thinks that it can be taken way too far. She stated that we do need some kind of overall community guidance to make sure we have the right kind of growth without going too far.

A comment from the public: zoning can be taken too far but it does good for planning the community. Overall it seems to keep some community peace.

c. David Hadley – Albright

David told the board that he had applied on the advice of some of the board members. He has been a home builder for 35 years and is a licensed home inspector. He has built homes for all of the surrounding counties. He told the board that he would like to see some sort of organization to things done in the county. Not necessarily zoning, but wants good growth in how things are moving in the county.

d. Julian Doby – Boone Station

Julian stated to the board that he grew up in Gibsonville, majored in mechanical engineering, then switched to law. He has been practicing law here for 25 years.

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He told the board that he has some history and family history in development, including a lot of legal experience helping property owners and developers. He sees that there is a hard balance between helping citizens and managing growth and would want to help bridge a gap and provide a legal perspective.

Motion to recommend the Board of Commissioners elect David Hadley to the Planning Board:

Eric McPherson

Second: Rodney Cheek

Vote: Unanimous

VII. OLD BUSINESS

1) Minimum Lot Size Discussion

Rik Stevens, the new county attorney, introduced himself to the board and stated that he was here to help answer questions on this topic.

Rodney Cheek: To date, 30,000 sq ft is the minimum. We are concerned about big developers coming in from other states/countries and buying up land at cheap prices and filling the county up with houses. We are entertaining thoughts on progressive lot size scaling.

Rik: The question is how that meshes with UDO and current standards?

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Rodney: Want to get to the point where houses are on 5-acre lots depending on the size of the overall development. We want to make sure this is legal, but want to make sure the consensus of the county is we are not overrun by these surrounding large developments.

Ray Cobb: With 30,000 sq ft you can get a well and septic system. I know that is not a lot of space for repair or maintenance. Lifespan is 20 to 30 yrs. There is no do-overs, no repair on some sites. Understand that 30,000 sq ft is good for developers but that is not enough room.

Anthony Pierce: Concerns over the rest of the county and the environment. Several small lots can drain aquifers and the county has a risk if we don't address that kind of issue.

Rik: The question I'm hearing is what is the enforceability of a minimum lot size on residential use, on a progressive scale.

Rodney: Mentioned his progressive lot size numbers for Rik. For 1 to 4 lots, the minimum lot size would be 2 acres; for 5 to 9 lots, it would be 3 acres; for 10 to 14 lots, it would be 4 acres; and for 15 or more lots the minimum lot size would be 5 acres. He also stated that there is no law in the county that says you need to maintain these septic systems, so that lifespan is an estimate for a maintained system.

Ray: Septic system repair is very expensive if it needs to be done on 30,000 sq ft.

John Paisley: What exactly are you proposing we go to?

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Rodney: Repeats the proposed numbers. The bigger the subdivision, the bigger the lots have to be. Want to deter large corporations from just doing whatever they want.

Ray: These kinds of mega-developments take away from the rural character of the county.

Stephen Dodson: There should be an option to relax requirements with community systems.

David Hadley: This seems somewhat excessive to go from 2/3 of an acre all the way to 5.

Rodney: I want to slow down residential growth in the county, especially growth from outside of the county.

Ray: Shared some more expertise on septic systems and recounted about inspecting a neighborhood community septic system that had failed.

John: Is this something we need to be looking at with the health department?

Ray: The Health Department would have to adopt its own well regulations, not the planning board. A whole different set of regulations other than how far away from a house it can be. We want to address issues with lot size and get them more reasonable. If a lot is platted after 1984 you have to have a repair area. When they issue an authorization to construct it is good for 5 years. If systems fail people will go to Environmental Health and they cannot do anything.

Rik: We will do some research on these issues and provide some answers later.

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VIII. ANNOUNCEMENTS/DISCUSSION

None at this time.

IX. ADJOURNMENT

Motion: Rodney Cheek
Second: Eric McPherson
Vote: Unanimous
Meeting adjourned at 8:40 pm

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