

Perquimans County Planning Board

**MINUTES**

Tuesday, February 14, 2017

The Perquimans County Planning Board held its regular monthly meeting on Tuesday, February 14, 2017 at 7:00 PM in the Commissioner Meeting Room of the Courthouse Annex Building.

MEMBERS PRESENT: Paul Kahl, Chair  
A.O. Roberts, Vice Chair  
A.J. Moore  
Lewis Smith

MEMBERS ABSENT: Brenda Lassiter

OTHERS PRESENT: Frank Heath, County Manager  
Donna Godfrey, County Planner  
Rhonda Money, GIS/Planning Assistant  
Applicants  
Interested Citizens

**Chair Paul Kahl called the meeting to order at 7:00 pm and opened with prayer.**

**Agenda Item I, Approval of Agenda: Mr. Roberts made a motion, seconded by Mr. Moore, to approve the agenda as presented. The motion passed unanimously.**

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**Agenda Item II, Consent Agenda/Approval of Draft Minutes of Previous Planning Board Meeting: Regular meeting of January 10, 2017. Mr. Smith made a motion, seconded by Mr. Roberts, to approve the January 10, 2017 Planning Board meeting minutes as presented. The motion passed unanimously.**

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**Agenda Item III, Business Item A: Consideration of Sketch Plan of “The Moorings at Albemarle” for a Major Residential Subdivision located at/near the intersections of Muddy Creek, Cross Neck and Hoyle Jones Roads. Subject properties known as Tax Parcel Nos. 4-0076-0026; 4-D076-2601-TM1; 4-D076-2602-TM1; 4-D076-2603-TM1; and 4-D076-2604-TM1 and zoned RA-15(CUD) District, per Conditional Use Permit No. CUD-10-01.** Planner Godfrey stated she had little more to expand upon beyond what is written in the Staff Report and explained she has never processed a sketch plan that was based on a Conditional Use Permit/ Conditional Use District.

*Chair Kahl asked* – It’s not for us to determine if the project can move forward or not. That has already been determined. Our job tonight is to vote on a sketch plan to see if the sketch plan complies with the ordinance. And that is strictly conceptual. Correct?

*Planner Godfrey* – Yes, and determine if the sketch plan complies with the conditions that are stated in the Conditional Use Permit.

Ms. Godfrey then pointed out the site plan attached to the Conditional Use Permit's last page. Because the current sketch plan has the wastewater treatment in a different location from the CUP site plan, letters were mailed to adjacent property owners notifying them of tonight's meeting. She has received a couple of phone calls and one resulted in a letter that she handed out to the board. There is a shifting of the wastewater treatment plant and there are some open fields now with a surface drainage disposal system. There are some access management issues due to excessive lots fronting the public roads.

*Mr. Smith asked* ----Does our action tonight address all three phases or just phase one for the sketch plan?

The applicant said the preliminary plat will cover the whole subdivision then they will come back with a final plat in phases as it will be built in phases. Ms. Godfrey stated that one of the differences between a Conditional Use District and a standard zoning district is that the Conditional Use Permit asks for a lot more information than what is normally required at the sketch plan stage.

Chair Kahl questioned Mr. Moore about 5 inch quick-connects on fire hydrants. It was stated by another Board member and the applicant that the 5 inch quick-connects were standard now on hydrants.

*Applicant, Steve Janowski, a Civil Engineer and Senior Project Manager with Rivers & Associates then took the floor.* ---- Howard Nichols is the Agent for the owner of The Moorings at Albemarle, LLC and Michael Lyons is the owner representative here for The Moorings at Albemarle, LLC. In 2010 we hired Tom Hinson, a hydro-geologist, to study groundwater tables. He did analysis throughout 2010 to 2012 and created a massive report that we will use in our preparation of design and submittal of the wastewater treatment plant approval. 2014 is when I came aboard and got permission to move this project forward. One thing that came up is that the area you see on the sketch plan tonight showing the wastewater disposal area is the *only* area that will handle the wastewater. We don't have any other flexibility. Based on the criteria of the soils, it is a surface drip system. End product water actually dripping into the soil should be of potable quality. A small line is put on the surface; some mulch is placed over it and possibly one inch of soil but it is still considered surface irrigation. The covering protects the lines from sunlight. We obtained permission for a low-flow reduction from the State. Typically a system is built based on 360 gal/day of water for a 3 bedroom home, but we received permission to use 210 gal/day for a 3 bedroom home for our design. We have designed this for the capacity of a one-hundred year storm. The wastewater treatment system is an Advantex System. It will have zero smell. This system is used in Chatham County and Wake County on two-million dollar homes. There is no noise pollution associated with it because there are no blowers. The plant will consist of three phases; two systems are just redundancy, the effluent is always re-circulating. Steve Barry with AQWA will be our operator; he'll also be responsible for installing it. We also spoke with NC DOT and hired Ramey Kemp out of Raleigh to do a Traffic Impact Analysis (TIA).

Chair Kahl asked about some cul-de-sacs and how they were drawn. He asked about the existing pier and if the recreation building was already there. Mr. Janowski replied that the recreation building will be built in the future. Ms. Godfrey said they will need a new CAMA permit because their last one expired.

Mr. Kahl brought up a reminder of the need for handicapped accessibility at the parking spaces and public places around the subdivision. Mail delivery was also addressed. The question was whether mail would be delivered to individual houses or would a centralized delivery system based on cluster boxes be utilized?

Mr. Smith discussed Captain Riley's letter favoring the development. He suggested the letter be passed along to our local Soil & Water Technician, Scott Alons, for his opinion. Storm drainage that will need to be maintained and homeowner association fees were mentioned. Mr. Janowski and Planner Godfrey verified that before he gets approval by the Board of County Commissioners to construct homes he will have to provide a draft of homeowner association documents to the County for review and approval by the County attorney.

Planner Godfrey previously spoke with engineers and hydrologists with the Division of Water Resources in Washington, NC and reported that the local Albemarle Regional Health Services (ARHS) is not expected to be involved in the oversight or construction of the wastewater treatment system. It falls under State management and they do at least monthly checks on the system if not more.

Mr. Roberts asked if the applicant had soil types for the subject properties, which led to a big discussion. County Manager Heath said in his experience they have typically been Roanoke silt loams and Yeopim silt loams in that area. Mr. Roberts was concerned about soil saturation if you are keeping water on it continuously. Mr. Janowski explained it's a sand line trench about 40 feet wide where about 5 or 6 feet will be dug out and re-filled with sand. Then you let the 'polished' water finish the polishing process by dripping over that trench. Hydraulically the sand mass becomes a storage area for wet seasons. Then the soils report was found in an Executive Summary that Rivers and Associates had turned in and subsequently was distributed to the Planning Board members. It is indeed Roanoke Series and Yeopim Series soils.

Chair Kahl asked if there were any other questions, comments, or concerns from the Board or the audience. Planning Assistant Ms. Money, asked the applicant if a hay crop would be harvested on the wastewater treatment irrigation site and the response was no.

Driveway cuts were discussed. Ms. Godfrey read regulations regarding number of driveways per 1,000 feet. Mr. Janowski then discussed shared access. Drainage easements were discussed. A comment was made that if you put in a vegetative buffer, then it's difficult to clean out drainage areas. Planner Godfrey explained that if the Planning Board approves this conceptual sketch plan and a building lot does not meet a requirement, then it does not mean that lot is approved.

**Mr. Smith made a motion, seconded by Mr. Moore to approve the conceptual sketch plan based on it meeting minimum design standards of the County Zoning Ordinance and meeting Standards of Conditional Use Permit CUD-10-01 with the added conditions that the applicant 1) research mail delivery options with the United States Postal Service, 2) the applicant minimize driveway accesses on the state-maintained roads and 3) the applicant re-visit drainage closely. Motion was unanimously approved.**

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**Agenda Item III, Business Item B: Consideration of Administrative Text Amendment No. LUPU-17-01, to correct a “scrivener’s error” in the 2016 Land Use Plan Update, on page IX-14, WQ Policy No. 2 requiring “...that all buildings or related structures within waterfront subdivisions be set back 50 feet (vs. 40 feet or less) from the shoreline.”** Ms. Godfrey explained that when the CAMA plan was started, 50 feet was correct. Over the extended amount of time required to actually complete the plan, the County changed its Zoning Ordinance to 40 feet but forgot to adjust the CAMA plan at the same time. Ms. Godfrey has recently been told by CAMA that what we have in the Zoning Ordinance is not really attainable; there is no way to get a 25 ft setback reduction on anything. Charlan Owens, District Planner with CAMA, in a previous conversation, suggested that Planner Godfrey just remove “Perquimans County” from policy WQ #2 on page IX-14 of the CAMA Core Land Use Plan in order to give the County Boards leeway to make any text changes they like to the Zoning Ordinance. Towns must act individually on their own setbacks. **Mr. Smith made a motion, seconded by Mr. Roberts, to recommend removal of “Perquimans County” from the 50 foot setback in WQ # 2 located on page IX-14 of the CAMA Land Use Plan. Motion passed unanimously.**

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**Agenda Item IV, Other Items: A. Discussion: Request by BCC to revisit the County’s Solar regulations.** Pasquotank, Camden and Currituck are all working on the same thing. A joint session of the Planning Board and Board of County Commissioners is scheduled for Monday, February 20, 2017. County Manager Heath said, “It’s one thing to have a 5 megawatt or even a 20 megawatt farm, but when you get one that’s 175 megawatt, those problems are just expanded and compounded.” That’s why the County Commissioners want to study the regulations.

**Agenda Item IV, Other Items: B. Status Report on Previous Planning Board Recommendations:**

Alpha-Value, LLC Solar – CUP-16-06--- was approved by BCC

Parent-to-Child Deed of Gift by Wanda L. White for Brenda W. Johnson--- was approved by BCC

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**Agenda Item IV, Other Items: C. Chair’s signature on approved minutes**

**Meeting adjourned at 8:15 p.m.**

**Minutes approved this 11th day of April, 2017.**

Paul Kahl

Chairperson  
Attachments: A (Sign In Sheet)

Rhonda Money

Recorder