

Perquimans County Planning Board

MINUTES

Tuesday, January 12, 2016

The Perquimans County Planning Board held its regular monthly meeting on Tuesday, January 12, 2016 at 7:00 PM in the Commissioners Meeting Room located on the 1st floor of the Perquimans County Courthouse Annex Building.

MEMBERS PRESENT: Paul Kahl, Chair
A.O. Roberts, Vice Chair
Brenda Lassiter
Donald Manley
Lewis Smith

MEMBERS ABSENT: None

OTHERS PRESENT: Donna Godfrey, County Planner
Frank Heath, County Manager
Rhonda Money, GIS/Planning Assistant
Applicant & Other Interested Parties

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

Agenda Item II, Consent Agenda/Approval of Minutes of Previous Meetings: Mr. Smith made a motion to approve the agenda as presented. Ms. Lassiter seconded it. The motion carried unanimously. Ms. Lassiter made a motion to approve the previous Planning Board Minutes of December 8, 2015 Regular Meeting with the correction of Mr. Smith's name and the correction of a quote by Mr. Roberts on page 6. Mr. Manley seconded and the motion carried.

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Agenda Item III: Consideration of Case No. NZV-15-01, requested by Atlantic Wind, LLC, to create a 2.742-acre parcel for the existing Electrical Substation located at 1024A Swamp Road, Belvidere NC, without an individual sewage disposal system and with a 2,474 ft. easement access. Reference County Subdivision Regulations [Sections 206(a) thru (d) for findings, and Sections 402(B)(4) and 402(B)(9)(b) for standards requiring variance]. Planner Godfrey summarized the case. A variance is needed because the length of the flagpole portion of the proposed flag lot will be over 1,000 feet which is too long to be in compliance with our subdivision ordinance. There will be no occupied structure, no sewer nor water. The local fire official verified no water would be needed for fire-fighting at that location. Lots 1 and 3 on the sketch plat are not discussed because they are over 10 acres which exempts them from the definition of subdivision by State law and by Perquimans County Subdivision Ordinance. Planner Godfrey acknowledged that she received an emergency response plan along with a fire safety plan Tuesday, January 12th. She did recommend wording be corrected on the subdivision sketch plat. "Variable width" on the easement needs to say "minimum 25 foot width" to comply with our subdivision ordinance. Mr. Manley asked if this was a purchase, not a lease. Applicant Craig Poff explained the original plan was for it to be conveyed as a perpetual easement but around October 2015 Dominion Power requested a fee simple ownership and that necessitated a subdivision of land. Mr. Kahl verified it was a parcel for an electrical substation. Mr. Poff explained the sketch plat. Three lots are being created. The parent tract is owned by Lyndon White and about half of that will be retained by Mr. White. The remainder will be subdivided into two lots; 2.74 acres will be conveyed to Dominion and the

remaining 17+ acres will be conveyed to Iberdrola Renewables operating entity. The interconnect substation will sit on the Dominion parcel and the collector substation will sit on the 17+ acre parcel. Mr. Kahl asked if this was his power company's point of attachment. Mr. Poff answered yes. Ms. Lassiter asked if after the project was over, will the land go back to the original landowner. Mr. Poff said yes, there is an agreement with Mr. White in the deed of conveyance that if Dominion ever abandons the use of and removes the substation, the land reverts back to the landowner. Mr. Alan Lennon asked if any permitting fees were associated with this subdivision variance. Ms. Godfrey said provisions call for a \$500 water facility fee which would be unnecessary due to lack of need for water. They will still need to submit an application for an abbreviated subdivision with a \$50 review fee. Mr. Poff interjected that a \$100 application fee was associated with the current review the Planning Board is doing. (It pays for newspaper advertisement for this Planning Board Meeting and the Board of County Commissioner Meeting.) **Ms. Lassiter made a motion to recommend approval of variance request Case No. NZV-15-01, requested by Atlantic Wind, LLC, to create a 2.74 acre parcel for the existing Electrical Substation located at 1024A Swamp Road, without an individual sewage disposal system and with a 2,474 ft. easement access. Reference County Subdivision Regulations [Sections 206(a) thru (d) for findings, and Sections 402(B)(4) and 402(B)(9)(b) for standards requiring variance]. Mr. Roberts seconded and the motion was approved for recommendation to the Board of County Commissioners unanimously.** Chair Kahl read approval findings as listed in Perquimans County Subdivision Ordinance Section 206 (a) through (d) and echoed in the Planning & Zoning staff report for Case No. NZV-15-01. Planner Godfrey stated this case will go before the Board of County Commissioners February 1st.

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Agenda Item IV, Status Report on Previous Planning Board Recommendations: (1) Case No. TXT-15-01 regarding Wind Energy Facilities and (2) CAMA Land Use Plan Update Planner Godfrey informed the Planning Board that Case No. TXT-15-01 regarding Wind Energy Facilities discussion that has been taking place for several months was continued by the Board of County Commissioners (BCC) and will be discussed at their Work Session on Tuesday, January 19th. The case will be discussed again before the BCC at their next regular scheduled meeting on February 1st. The CAMA Plan was submitted to the NC Division Coastal Resource Commission (CRC) yesterday for inclusion in their meeting in Atlantic Beach, NC on February 9th and 10th. County Manager Heath said in the future the Land Use Plans will be approved at more of an administrative level so the CRC will be less involved in final approvals.

Planner Godfrey noted that two items are scheduled for Technical Review Committee on the 25th of January. Both are in the New Hope area; both are residential developments. One is a four unit apartment building and the other is picking up where they left off with Moorings at Albemarle. Ms. Lassiter asked if staff knew the status of the Vaughan's special events venue in New Hope. Ms. Godfrey said they got their zoning permit and some building permits and are trying to start business in the spring.

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Minutes approved this 11th day of February, 2016, at the regular Planning Board meeting.

Chair Paul Kahl adjourned the meeting at 7:23 p.m.

Paul Kahl
Chairperson

Rhonda Money
Recorder

Attachment: A (Sign In Sheet)