

Perquimans County Planning Board

**MINUTES**

Tuesday, May 9, 2017

The Perquimans County Planning Board held its regular monthly meeting on Tuesday, May 9, 2017 at 7:00 PM in the Commissioner Meeting Room of the Courthouse Annex Building.

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

MEMBERS ABSENT: Paul Kahl, Chair  
Brenda Lassiter

OTHERS PRESENT: Sam Barrow, Planner  
Rhonda Money, GIS/Planner  
Frank Heath, County Manager  
Applicant  
Interested Citizens

**Vice Chair A.O. Roberts called the meeting to order at 7:00 pm and opened with prayer.**

**Agenda Item I, Approval of Agenda: Mr. Smith 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 Meetings: Regular meeting of April 11, 2017. Mr. Moore made a motion, seconded by Mr. Smith, to approve the April 11, 2017 Planning Board meeting minutes as presented. The motion passed unanimously.**

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**Agenda Item III, Business Item A: Consideration of Conditional Use Permit No. CUP-17-02 (Brown Family Sun Farm), requested by Heath McLaughlin on behalf of Blue Green Energy, LLC, for a 5 MW Large Scale, ground-mounted Solar Power Energy System Facility on the east side of Ocean Highway South (US Hwy. 17) approximately 3,000 feet south of Perry Long Road, on property owned by Robert L. Brown, Tax Parcel No. 2-0069-0013J. Ms. Money gave a brief report on the Brown Family Sun Farm explaining that the front acreage of Mr. Brown's current parcel is proposed to be traded for land of Ambrose Proctor so that the proposed solar farm will be at the back of the current field, over a thousand feet from Highway 17 and be constructed parallel to the Highway. Proposed access and power lines would run down the current field access on the Southwest end of the current crop field. Solar panels are now proposed to be rotating rather than fixed and the applicant has offered a \$20,000 vegetative**

buffer bond. Mr. McLaughlin said Mr. Brown started discussing this with adjacent landowners about a year ago to determine what land configuration would work for all parties involved. This new configuration will be much farther away from Hwy 17 and will use solar panels that track the sun east to west. Panels will be low-profile which makes them easier to obscure with a vegetative buffer. Mr. McLaughlin then did a slide show presentation.

Mr. Roberts asked how far away the substation is. Mr. McLaughlin said about 5 miles. Mr. Smith asked if that was the one in Edenton close to the High School ball field and Mr. McLaughlin said yes it is. One of the Board members asked about wetlands and Mr. McLaughlin said they will need to do wetland delineations but they work around them.

Mr. Robert Brown, Jr. spoke of the history of his family farm land going back to his great-grandparents who purchased it in 1943. Mr. Brown's local ties are significant due to the land being passed down through generations and multiple members of his family owning and operating businesses in Hertford. Although his father is losing approximately 750' of valuable road frontage, he feels like the plan submitted today is a win-win situation for all involved.

Vice-Chair Roberts asked if anyone in the audience wanted to speak about this project.

County Manager Heath asked Mr. McLaughlin how he was going to handle the cut-over woodland area where the solar panels are proposed to be. Mr. McLaughlin said he'll grind as few stumps as possible in an effort to decrease holes and work with engineers about drainage. Mr. Smith discussed stumps again then Mr. Roberts asked how many acres we were talking about. Mr. McLaughlin said about 10 acres. He also pointed out that the panel type, size and technology might make a slightly different footprint and that there were tricks to use to decrease a footprint, like orienting panels at a slightly different angle or making the space between rows narrower.

Table of Findings Motions:

**Mr. Smith made a motion, seconded by Mr. Moore, to recommend approval to the BCC finding that the CUP will not materially endanger the public health or safety if located according to the plan submitted and approved. The motion passed unanimously.**

**Mr. Moore made a motion, seconded by Mr. Smith, to recommend approval to the BCC finding that the use meets the required conditions and specifications. The motion passed unanimously.**

**Mr. Smith made a motion, seconded by Mr. Moore, to recommend approval to the BCC finding that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity. The motion passed unanimously.**

**Mr. Moore made a motion, seconded by Mr. Smith, to recommend approval to the BCC finding that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in**

**general conformity with the Perquimans County Land Use Plan. The motion passed unanimously.**

**Mr. Smith made a motion, seconded by Mr. Moore, to recommend to the BCC approval of Conditional Use Permit No. CUP-17-02 (Brown Family Sun Farm), requested by Heath McLaughlin on behalf of Blue Green Energy, LLC, to operate a 5 MW Large Scale, ground-mounted Solar Power Energy System Facility on the east side of Ocean Highway South (US Hwy 17) approximately 3,000 feet south of Perry Long Road on property owned by Robert L. Brown, Tax Parcel No. 2-0069-0013J, conditioned upon adding the following language to CUP Condition (I): “vegetative buffer must be completed and approved prior to commercial operation date”. Section 903 Findings were adopted to support the motion. The motion passed unanimously.**

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**Agenda Item III, Business Item B: Consideration of Conditional Use Permit No. CUP-17-03 requested by Ismael Melendez on behalf of Island Christian Fellowship, to construct a church on previous Tax Parcel Nos. 2-D082-O046-HI, 2-D082-O059-HI and 2-D082-J001-HI, which as of April 20, 2017 have been combined into one parcel zoned RA-25.** Ms. Money gave a brief summary explaining that the applicant is making a major modification to their current CUP-10-03. One of three parcels was dropped and a different parcel added. A septic system has been installed in a location different from originally proposed. With this new site plan, the church will be built on the highest ground possible. Drainage is a concern between the two parking areas and vegetative screening will be required behind the church to obstruct the view of an existing dwelling. Seventy seat capacity churches, as this one is proposed to be, require 18 parking spaces.

Mr. Smith asked if handicapped parking spaces are in addition to the 18 required spaces or included in the 18. Ms. Money said that since Perquimans’ Zoning Ordinance designates 18 and a permit would be handed off to the Building Inspector to tell the applicant they need 2 handicap spaces, then she feels that the handicap spaces are extra beyond the 18.

Pastor Melendez then spoke saying he has been with this group for about 9 years and attendance is running about 30 people per Sunday. He informed the Board that the septic permit was about to expire, so Bass Septic put in a system for them near Holiday Lane at the front of the parcel.

Vice-Chair Roberts asked if anyone in the audience wanted to speak in opposition to this project and no one commented.

Discussion ensued about where the current drainage is and what the church group is considering doing with it. Mr. Smith encouraged the applicant to meet with our District Soil & Water Technician to get some help with their drainage plan.

Table of Findings Motions:

**Mr. Smith made a motion, seconded by Mr. Moore, to recommend approval to the BCC finding that the CUP will not materially endanger the public health or safety if located according to the plan submitted and approved. The motion passed unanimously.**

**Mr. Moore made a motion, seconded by Mr. Smith, to recommend approval to the BCC finding that the use meets the required conditions and specifications. The motion passed unanimously.**

**Mr. Moore made a motion, seconded by Mr. Smith, to recommend approval to the BCC finding that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity. The motion passed unanimously.**

**Mr. Smith made a motion, seconded by Mr. Moore, to recommend approval to the BCC finding that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Perquimans County Land Use Plan. The motion passed unanimously.**

**Mr. Smith made a motion, seconded by Mr. Moore, to recommend to the BCC approval of Conditional Use Permit No. CUP-17-03, to approve the construction of a church on combined current parcel 2-D082-O059-HI (also know as 315 Holiday Lane), conditioned upon 2 additions: approval by a Homeowner's Association or other governing body and that the applicant ask for professional assistance in developing the proper drainage. The motion passed unanimously.**

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**Agenda Item IV, Other Item A: Discussion: Status Report on Previous Planning Board Recommendations: 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. Money reported this text amendment was approved at the Coastal Resources Commission meeting in Manteo on April 26<sup>th</sup> and 27<sup>th</sup>.**

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**Agenda Item IV, Other Item B: Consideration of Conditional Use Permit No. CUP-17-01 (White Family Sun Farm), requested by Heath McLaughlin on behalf of Blue Green Energy, LLC, for a 5 MW Large Scale, Solar Power Energy System Facility.** Ms. Money reported that the project was approved.

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

**Meeting adjourned at 8:05 p.m.**

**Minutes approved this 8th day of August, 2017.**

*H. J. Moore*  
Chairperson  
Attachments: A (Sign-In Sheet)

*Rhonda Money*  
Recorder