**Caswell County Planning Department**

**Planning Board Meeting**

March 27, 2018

Members Present:

Russell Johnston *Chairman*, Michael Poteat *Vice-Chairman*, Keith Blalock, Don Swann, Ray Shaffner, Jason Daniel, Steven Harris, and Commissioner William Carter.

Members Absent:

Ron Richmond

Call to Order

Mr. Johnston called the meeting to order at 1:00pm, and welcomed everyone.

Approval of the Agenda

Mr. Blalock moved to approve the agenda, seconded by Mr. Harris. The motion carried unanimously.

Public Comments

None.

Approval of Minutes

The minutes were corrected to reflect that Mr. Poteat was elected as Vice-Chairman not Mr. Harris. Mr. Swann motioned to approve the minutes. The motion was seconded by Mr. Blalock. The motion carried unanimously.

Public Hearing

Mr. Harris motioned to open the Public Hearing, seconded by Mr. Shaffner.

*Proposed Wireless Communications Tower*

Ms. Denison stated the proposed cell tower is located off Rudd Ridge Road, south of Yanceyville, and she has a copy of the lease agreement and is awaiting a statement from 911 providers, and potential carriers to co-locate on the tower. The Board can approve the tower without those in hand they have to be received before they can receive a permit. This is the third tower in the past year. Mr. Johnston asked when she would receive those items. Ms. Denison replied she was not sure. Mr. Johnston asked if all requirements have been met for as sending out letters, and signs being placed making the public aware. Ms. Denison replied notice was published in the Caswell Messenger, letters were sent to adjacent property owners, and signs were placed at the site. Mr. Johnston asked if there was any feedback from the public. Ms. Denison replied only questioning if it would improve their service. Mr. Johnston question had she reviewed the plans. Ms. Denison said yes, and that she had shared the plans with Mark Jones the Building Inspector.

Mr. Johnston opened the floor to the Verizon Wireless representative. Mr. Hudak thanked Ms. Denison for going over the plans of the proposed tower, and stated he would get the letter to them stating for the co locators to be in place on the tower. Mr. Johnston questioned if Mr. Hudak was involved in the planning of this project. Mr. Hudak gave an overview of the proposed tower. Verizon Wireless plans to lease the area which will be 100x100ft. The tower will be 230 feet tall. It will be a fenced compound at the base of the tower which will be made of treated lumber, and the plans include purposed landscaping around the fence. Mr. Johnston questioned how far the proposed tower would be from the nearest highway and residence. Mr. Hudak replied that there is a road on the adjacent property that is also owned by William Riblen, and that tower met all requirements was far as location from nearest residents, and highways; the main part of the lot was agricultural and vacant. Mr. Johnston asked if proposed plans meet all requirements with the FCC, and with the state of North Carolina. Mr. Hudak replied yes they have completed a space study, waiting on the determination of no hazard. Once approved it will be filed with the FCC.

Mr. Blalock questioned why a lumber fence around the proposed tower instead of a chain link fence. Mr. Hudak stated because of the performance standards of the tower, normally for cost standards they normally use the chain linked fence with barbed wire. But the wooden fence has shown a big improvement on wireless communications.

Mr. Swann asked when would the project be complete. Mr. Hudak replied pending approvals could take 45-60 days to construct the sight, construction should be complete sometime in July or August.

Mr. Johnston asked if there was any further questions. There were none.

Public Comments

Mr. Johnston questioned Mr. Riblen if he had any question. Mr. Riblen stated that he just came to the meeting, and he did not have any questions.

Mr. David Mincey of 1839 Rudd Ridge Road asked if the tower was going to be located on the North side of the property. Mr. Hudak replied yes. Mr. Johnston questioned Mr. Mincey if he would like to see the layout. Mr. Mincey replied yes. After looking over the layout there were no further questions.

Mr. Carter questioned how many towers are located in the County. Ms. Denison stated two, and there are two approved towers pending construction; also co-located on other towers. Mr. Carter questioned will this help out with cellular service. Mr. Hudak replied yes.

With no further questions or comments Mr. Harris made a motion to close the public hearing, seconded by Mr. Daniel. The motion was carried unanimously.

Mr. Harris made a motion to approve the proposed cellular tower, seconded by Mr. Blalock. The motion was carried unanimously.

Old Business

*UDO Article 7*

Ms. Denison said that they have slowly been going through the UDO, and seeing if there are any changes that need to be made. This Article Planning uses frequently for subdivisions far as setting up lots, and she has not had any issues with this Article but would welcome any suggestions that the board would have. Mr. Johnston said for everyone’s recollection that at the last meeting there was not enough time to go over. Ms. Denison stated they could always come back at other meetings, and go over the other Articles.

Mr. Johnston questioned Ms. Denison if there are some situations of where non-conforming lots that are less than one acre that were already in place before the UDO, has there been any situations where people try to build upon lots that are platted prior too. Ms. Denison replied yes more people call about it, but it does not happen often. When it happens she recommends them to refine them because of limited space for well and septic. Mr. Johnston questioned if environmental health approves well and septic does she see any language in there that could propose a conflict. Ms. Denison replied its more for people who stopped using it, and want to start back and they cannot.

Mr. Poteat questioned could you put the same size house back on to a half acre lot. Ms. Denison replied yes you as can long as it is not making it more non-conforming. Mr. Harris stated as long as the footprint is the same. Ms. Denison agreed. Mr. Poteat stated that he has a half acre lot that a house was burnt down on several years ago, and in the process of selling.

Mr. Swann asked what the minimum lot size for well and septic is. Ms. Denison replied that it depended on where the property was located in the County, and that Environmental Health has to approve it.

Mr. Blalock asked about past issues within the County with septic systems and the current requirement for repair areas. Ms. Denison said that right now they are in the process of approving a minor cluster subdivision so the lots are smaller, they have a pump system that has been planned out. Everyone will be on the shared community septic that is all approved through environmental health it potently could have a small lot, generally it would be an acre is an average rule for the county. Mr. Carter stated that the state has change the law you can no longer have a community water system there can only be one connection per house. Mr. Blalock said so they have to have enough land to put two septic systems on. Ms. Denison replied it depends on the lot size in Article 9. The lot size is based on if you have your own well and septic or if you are on public water or sewer.

Mr. Johnston questioned if there were any further questions, suggestions, or comments with Article 7. There were no further questions, suggestions.

Mr. Harris said that in the last meeting there were questions about the status of Red Drum being placed in Hyco Lake. According to the North Carolina Wildlife Commission, they are in the process to accumate fingerlings to salt water to fresh water, and once completed they will place them in Hyco Lake.

New Business

*Watershed Review Board*

Ms. Denison said gave an overview of a proposed hot mix concrete and asphalt plant located on Wrenn Road, Prospect Hill. A few years ago they came in, and now they are ready to move forward with it. They have met with the Building Inspector, and Environmental Health to apply and receive all the required permits. This is a built upon area that is in the Hyco creek watershed area, and this is a built upon area of 12% nonresidential area, they applied for a nonresidential intensity allocation permit. It does not need to go to the watershed review board for approval, it can go through planning. And planning would like to make the board aware, and passed out the plans for the board to review. They are building a basin to catch their runoff, and they are proposing to develop about 9 acres of the property.

Mr. Blalock asked if they would be doing both asphalt and concrete. Ms. Denison replied yes. Mr. Blalock said they have a lot of equipment on the site. Ms. Denison replied yes they have been grading, and preparing for water and septic. Also stating that she had has copies of their well & septic, and soil & erosion soil plan. Mr. Blalock questioned are they set to go. Ms. Denison replied yes once shown to the Board, then a permit can be issued for them to start. This will be a great opportunity for this business because of their location, because their location is near Orange, Person, and Alamance Counties.

Mr. Blalock asked will they have their own trucks. Ms. Denison replied she was not for sure, but they are hiring quite a few employees.

Mr. Harris asked how far is their location from NC Highway 49. Ms. Denison showed the distance on the plans map.

Mr. Shaffner asked if there had been any feedback from nearby landowners. Ms. Denison replied yes in the past, but not recently.

Mr. Poteat asked Mr. Carter on how the County Commissioners feel about this business coming to the County. Mr. Carter replied they was not aware of it. Ms. Denison said it is not something that has to be brought to the Commissioners.

Mr. Blalock asked what was the name of the company. Ms. Denison replied NC Sun Rock.

Ms. Denison stated that there is a house just to the north of the property, and suggested that they leave as much vegetation as possible to help buffer some of the sounds of the equipment. Most of the activity will be on the south end of the property.

Mr. Shaffner asked about the past complaints from adjacent land owners. Ms. Denison replied they were worried about if the highway could handle all the heavy equipment, and the highway can handle the heavy equipment because it is a state maintained road.

*Article 9 (Shooting Range Facilities)*

Ms. Denison said that in Caswell County we have two private shooting range facilities, and that she inspects them annually. And after meeting with one of the owners they are in the process of expanding and adding rifle, shotgun lanes, and skeet shooting. They will bring the proposed site plans to the board sometime in April or May, while discussing plans with the owner they had some issues with the ordinance. The issue they had with Article 9 section 9.73.1 which states the font size must be 6 inches, and the sign to be at least 12 inches X 16 inches.

For reference, Ms. Denison showed the board different font size on paper to compare the font sizes, on comparison to the paper size. With a sign the of 12 inches X 16 inches you can only get a few letters, and in order to get the required wording on the sign the sign would have to be rather large, and costly. The spacing required for this signs are in 100ft intervals.

Ms. Denison suggested that the Board make changes to the font size because the current font size cause the signs to be very costly. She said this may discourage local business owners to expand.

Mr. Johnston asked if on the signs they have to have “A Shooting Range Area Keep Out” Or “Caution Firearms in Use Keep Out.” Ms. Denison replied yes. Mr. Johnston asked what size the owner proposed. Ms. Denison replied 2-inch, and stated you can always go larger, but have a minimum of 2-inch. Mr. Harris asked if the signs have to be 100ft apart. Ms. Denison replied yes, and has to be a visible color. Suggested not to use a 1-inch because that would be too small. Mr. Johnston suggested 1.5-inch. Mr. Harris agreed 1.5-inch on a 12-inch X 16-inch sign. Ms. Denison stated that the sign could be bigger that 12-inch X 16-inch is the minimum. Mr. Johnston asked the Board how they felt about the 1.5-inch. Mr. Blalock agreed that 1.5-inch was a good size.

Ms. Denison presented the Board with a draft recommendation consistency statement. Ms. Denison recommending to the Board of Commissioners to amend the size requirements for text in Article 9.73.1, and Caswell’s County Comprehensive Plan’s Economic Development Goals.

Mr. Johnston asked if there are any other issues or complaints with the ordinance. Ms. Denison replied no. Mr. Johnston asked if this is something they need done right away. Ms. Denison replied the sooner the better. Mr. Johnston asked about the expansion, and when will they be bringing this to the Board. Ms. Denison stated that hopefully they will bring the plans to the next Board meeting or the one after.

Mr. Blalock asked about the expansion details. Ms. Denison replied the name of the range is The Distinguished Pistol which is located on New Castle Farm Road, and this is a private membership range. Mr. Swann questioned the signs that are already in place do they have to make the changes also. Ms. Denison replied no only if they need to replace a sign.

*Mr. Carter left the meeting at 1:48pm*

Mr. Daniel questioned the distance of the trespassing signs. Mr. Harris replied 300ft. Mr. Harris questioned if they go to a 2-inch font can they get all the information on the sign. Ms. Denison replied it would be rather tight, but they could change font style. Then showed the board examples of different font sizes. And stated that on the 12-inch X 16-inch sign you could do the 1-inch font and get all the proper wording on the sign. Mr. Blalock stated that he thought 1.5-inch every 100ft would be sufficient. Mr. Shaffner suggested no less than 1.5-inch.

Mr. Daniel asked if someone could not see the sign who would be liable. Mr. Johnston stated that was a good point. Ms. Denison said that they are required to have a large insurance policy. Mr. Daniel asked what if the owners come back if someone got injured, and say the county changed the requirements of the size of the sign. Mr. Johnston asked there is a requirement for a certain size sign when you enter the range correct. Ms. Denison replied they have certain requirements like buffers to keep the noise down, and the size of the sign has nothing to do with the county. The ordinance was put in place to protect the citizens. Mr. Harris said that when it comes to liability the shooting range should have no trespassing signs on their perimeter of their land, if an individual enters the area they have already violated the no trespassing.

Mr. Johnston stated that the Board felt like they put a good faith effort when creating the ordinance.

Mr. Shaffner questioned the font size on NC Wildlife signs far as the NC Wildlife range that is on NC Highway 86. Ms. Denison stated she was not sure and did not think they have signs up. Also she has received a lot of feedback on that range because of safety issues.

Mr. Harris questioned the visibility of 1.5-inch font at 100ft. Ms. Denison said the owner had said that 2.5-inch could work on his signs. Mr. Shaffner asked why not go with no less 2.5-inch. Mr. Harris suggested if the owner can get 2-inch on the sign, why not go with 2-inch. Ms. Denison stated the owner suggested 2.5-inch, and that is a rather large font. Then proceeded to show the board different sizes of font from a distance.

Mr. Poteat made a motion to approve a 2-inch font for the draft recommendation to amend the Unified Development Ordinance and the consistency statement presented. The motion was seconded by Mr. Harris. The motion was approved unanimously.

Planning Department Updates

*Foss Recycling*

Ms. Denison stated that Foss Recycling former Hayes Iron and Metal is getting closer to opening soon. They have cleaned up the back space of the lot that we asked them to clean up, but they are still in the process of installing fencing around the area that they will be operating in. Environmental Health completed the soil test, and copies are available for the board to see, the soil test came back clear. Once fencing is complete there will be more updates available.

Mr. Poteat stated they also have another site in Reidsville. Ms. Denison said that Foss will just be collecting at the Caswell County site and then transport materials collected to the Reidsville site for processing.

*2020 Census Local Update of Census Addresses (LUCA)*

Ms. Denison stated that she is in the process of working on the 2020 Census update address list. Making sure that all homes are identified correctly, and updating all addresses of new homes that were built in Caswell County. It is very important to have the correct amount, because this helps with funding, and how much representation we receive in congress. The process is very complex, and has strict guidelines to follow. This process will be going on for the next two months.

*Planning Department Fee Schedule*

Ms. Denison stated that today she has brought the new proposed Caswell County Planning Department Fee Schedule, the prosed schedule has been presented to the County Manager. But have not went over the budget with the County Manager yet. They are something’s that should require a fee or a higher fee, because of the time that is spent on it. The purposed fee schedule is still below other jurisdictions, this will help pay for the cost of mailing letters, the software used, basically to cover basics of cost. Mr. Johnston questioned when the last time the fee schedule was updated. Ms. Denison replied 2014 it came into effect July 2014. The old fee schedule has the new subdivision fee as $10.00, $15.00 for exempt plat, and $25.00 for minor subdivision and stated that she spends weeks on those. Basic things that are outlined in the UDO but nothing to cover the administration cost.

Mr. Harris questioned what a temporary placement permit of a recreational vehicle is. Ms. Denison replied when you place a recreational vehicle on your lot, the vehicle can only be in place for six months. With this permit there is no fee cost, and requires follow up. Mr. Blalock questioned the time length was it six months. Ms. Denison stated yes, most of the time this permit is used when people are in the process of building a manufactured home.

Mr. Daniel questioned the income that the planning board collects in a years’ time. Ms. Denison replied she has not completed her budget yet, but normally a monthly deposit is three hundred dollars unless there are cell phone tower fees. The income for the planning board is not enough to pay the planners annual salary.

Ms. Denison stated that she added sexual orientated business on the fee schedule, because there was a fee outlined in the UDO. Mr. Daniel questioned what a sexual orientated business was. Ms. Denison gave an overview of what a sexually oriented business included per the UDO.

Mr. Johnston questioned what the pleasure of the board was. Ms. Denison stated she is still awaiting to see the County Manager to get his approval. Ms. Denison stated each permit completed is different, and it is hard to gauge the cost. Because some permits require numerous trips to the site which cost the county mileage.

Mr. Johnston questioned the land development review if it would coincide with the subdivision review. Ms. Denison replied that it is something that Building Inspections suggested that planning does, because every single permit that is applied for has to go through planning for reviews for the UDO. There is no fee for the cost of planning looking over the permits, and it is amiss for the county covering some of the cost. The subdivision is not related to the subdivision if they are putting a second home on an existing lot, it is just beyond a subdivision all the requirements of a UDO.

Mr. Johnston questioned for a copy of the original fee schedule, and what changes were made in 2014. Ms. Denison handed out a copy, and showed the changes. Mr. Johnston questioned still awaiting input from the County Manager. Ms. Denison replied yes, a meeting is scheduled for the first week of April this is not something that has to be adopted by the planning board. But it would be helpful to have the board’s recommendation, and it’s not like there will be a change to the UDO.

Mr. Johnston suggested to put on the agenda at the next board meeting. Ms. Denison replied yes, and by that time we will have the County Manager’s input.

Mr. Shaffner questioned the UDO violation penalty. Ms. Denison replied yes $50.00 for the first penalty, $100.00 for the second penalty, $200.00 for the third penalty, and $300.00 for every violation afterwards. The violations was not listed on the fee schedule, and not proposing it goes on the list.

Mr. Blalock questioned the difference in a variance petition, and a variance application fee. Ms. Denison replied yes they are the same, the variance petition was approved when the fee schedule was changed in 2014. Mr. Blalock questioned the amount of the fee difference. Ms. Denison replied to ignore the difference one amount was the proposed amount. Mr. Blalock questioned how the planning department goes about receiving, collecting the fees. Ms. Denison replied most fees are collected when you apply for a permit. Sometimes we have to take action when there is a penalty, and the individual does not want to pay the County Manager, and the Board of County Commissioners will help take the action needed. Most violations are due to outdoor storage, and the county is going to start taking these individuals to court to get the violations corrected. Mr. Blalock questioned the biggest money not collected is the violation fees. Ms. Denison replied yes some individuals are very troublesome, and they clean up for a day or two then afterwards if the issues arise again there is a lot of follow up needed.

*Economic Development*

Ms. Denison stated that in the January meeting Mr. Johnston was questioning about Economic Development. There will be an Economic Development meeting held on 3/28/2018 at PCC in Yanceyville campus. Johnathan Morgan from the UNC School of Government will be there giving the presentation, and the Town Council, Board of County Commissioners will be present. The County Manager extended the invite to the Planning Board.

Mr. Blalock questioned the location. Ms. Denison replied PCC’s Caswell Campus in Building K.

Ms. Denison stated that she has spoken with Cori Lindsay the Economic Development representative for the County, and asked her to attend the next planning board meeting. This would help the board be aware of what the County is engaged in, and working on. And be helpful on making decisions with the UDO, and get the board more involved with the process.

*Other Updates*

Ms. Denison stated she had been working on the watershed review, because the state has changed the name, and department; also they have made some changes to the general statues regarding water shed regulations. With that being said we want to make sure the ordnance is in line with all the changes that was made. So in the future she might be bringing some ordinances to the board to make sure the county is in compliance with the state requirements.

Ms. Denison stated that she had also attended the administration floodplain workshop to learn some of the new requirements.

Mr. Johnston question if there was any updates on the Agriculture Complex. Ms. Denison replied nothing lately as a goal, the Cooperative Extension did a feasibility study. Because the project was so massive it would be hard to receive funding, and needed to be scaled down. She will look into it, and bring an update at the next Board meeting. Mr. Johnston replied yes please do, and questioned the funding if there are any grants available.

Adjournment

Mr. Swann made a motion to adjourn the meeting at 2:30pm. The motion carried unanimously.

*The minutes above a summary of the discussion at this meeting and were prepared by Ashley D. Kirby, Administrative Assistant.*