**Caswell County Planning Board Meeting**

**February 25, 2020**

**Members Present:**

 *Chairman,* Russell Johnston, *Vice-Chairman,* Michael Poteat, Ray Shaffner, Keith Blalock, Steve Harris, and Jason Daniel. Also present: Matthew Hoagland, *Planner,* and Ashley Kirby Powell, *Administrative Assistant.*

**Members Absent:**

Commissioner William Carter, Don Swann, and Ron Richmond.

**Called to Order**

Mr. Johnston called the meeting to order at 1:00p.m.

**Approval of the Agenda**

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

**Public Comments**

Robert Jeffers, 8668 Old Stoney Mountain Road, Burlington NC, stated that he is here to ask the Caswell County Planning Board to take immediate action to amend the UDO. Because we deserve to be protected by the maximum regulations, buffers from any high impact land use industries such as, but not limited to, quarry’s, asphalt plants or all other forms of pollutant industries. His opinion is that this is for any company that has a negative impact on residents.

Caroline Laur, 12671 NC Hwy 62, Anderson Community, stated that she is here today to talk about the asphalt plant that the Planning Board allowed to happen in our back yard. She proceeded to read from the March 2018 Planning Board minutes “Ms. Denison 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 received all the required permits. Mr. Blalock questioned what was the name of the company. Ms. Denison replied NC Sun Rock.” Mrs. Laur stated the county may have known about this pollutant industry coming to Caswell County as early as 2016. The minutes reflect that Commissioner W Carter was present at the meeting and after reading the minutes, the Planning Board advised him not to tell the Board of Commissioners. Then she stated Ordinance Number 54, The Environmental Impact Ordinance, part of Section B “The intent of this ordinance is to provide a mechanism for full disclosure of anticipated impacts of developments and to make such information publicly available so that citizens of the county may have input into developmental issues before they become moot” Looking back how many pollutant industries have been allowed into our county, without our trusted servants enforcing this ordinance. Now we are enforcing this after, when we could have enforced this before, this is not the intent of this ordinance. At the pervious Planning Board meeting one of the Board members stated that the public needed to attend one of these meetings and yes we should. But the county has an ordinance in place to help us from having this happen. We have 24 sick people that are right under the nose of this plant, 190ft from my back door and even if you move it back 500ft or 1,000ft my doctor informed me this week that this will be to close for me; I will have to move and lose my home. Mrs. Laur then proceeded to read an article out of the Time Newspaper. “Alamance and Caswell Counties are among a handful in Central North Carolina without countywide zoning. That left the Caswell County Commissioners with limited authority to stop the mine, Miller said.” So…The County Manager is stating that the moratorium had limited authority. The Burlington City Manager contacted the Caswell County Planning Department and spoke with Mr. Hoagland. Mr. Hoagland told the city that the Caswell County Commissioners had passed a moratorium on polluting industries in early January 2020 while they considered various zoning options. Caswell County does not have county wide zoning. Mr. Hoagland said he would let the City know of any updates related to the HWY 62 asphalt plant project. Mrs. Laur then stated that she did not understand, so we know that the moratorium is not going to help. But Mr. Hoagland is telling Burlington that there is a moratorium that is going to help; we want the truth. The minutes stated that the Planning Board knew about this two years ago. We are asking for you to stop this not give us variances and to stop manipulating the truth. We are asking that you consider the EIS if this has been done before we would know about these health risks, please get the EIS in place and fight this for us. You are letting the time clock tick and you are not protecting us.

**Approval of January Minutes**

Mr. Harris made a motion to approve January 21,2020 minutes, Mr. Daniel seconded. The motion carried unanimously.

**Old Business**

1. ***Electronic Gaming Facility Regulations***

Mr. Hoagland stated that at the October 2019 Planning Board Meeting Sheriff Durden brought it to the Board’s attention about the issues that they have had with electronic gaming facilities and how they always seem to find a legal loop hole to reopen despite being shut down. Sheriff Durden suggested that the Board create a new ordinance. Mr. Hoagland stated that at the last Board meeting he presented the Board with neighboring county’s ordinances per the Chairman’s request.

Chairman Johnston stated that he had met with Sheriff Durden and presented him with the neighboring county’s ordinances and the Sheriff is looking over the ordinances. Sheriff Durden will meet with Chairman Johnston before the next Planning Board meeting to see what he recommends. Chairman Johnston then asked Mr. Hoagland to put the electronic gaming facility regulations on March’s agenda.

**New Business**

1. ***Heavy Industrial Ordinance Discussion***

Mr. Hoagland stated that at the February 3, 2020 County Commissioners meeting, the Commissioners voted unanimously suggesting the Planning Board review a Heavy Industrial Ordinance. He presented the Board with Alamance, Rockingham and Wake Counties Heavy Industrial Ordinance.

Chairman Johnston questioned, did Person County have a Heavy Industrial Ordinance. Mr. Hoagland replied he was not sure, the Commissioners mainly discussed Alamance County.

Chairman Johnston questioned about a petition. Mr. Hoagland replied, at the County Commissioners meeting there was a petition submitted 54 or more citizens of Caswell County are encouraging that the county amends the UDO and adopt this new type of ordinance. One aspect of their request and the Alamance ordinance is greater setbacks. Chairman Johnston questioned the distance of the setbacks. Mr. Hoagland gave a brief overview of Alamance County’s ordinance. Chairman Johnston questioned what was listed as protected facilities, schools, churches, etc. Mr. Hoagland replied, they have an itemized list of what they classify as protected facilities. Chairman Johnston stated that Alamance has a setback of 100ft. Mr. Hoagland replied yes, that’s similar to what we have. Chairman Johnston questioned if there was any state or federal guidelines determining setbacks referring to mining and asphalt plants. Mr. Hoagland replied, he was not sure, our watershed guidelines are set by the state and we have to enforce them. We currently have the state standards; we could make them stricter if need be but we cannot make them less strict. It’s the pleasure of the Board to consider what type of buffer that they want to put in place. Chairman Johnston questioned about having hours of operation. Mr. Hoagland replied, that is something that could be included. Chairman Johnston stated that he recalled there was something put in place as far as decibel levels for the Pelham rock quarry and these ordinances do not have any limit on decibel levels. That is something that we need to consider if it is not already regulated by the federal government. Mr. Hoagland replied, there may be some language in the Environment Ordinance, chapter 14 that has decibel regulations. The county also has a Noise Ordinance that may list decibels, and it lists business hours. Chairman Johnston stated, we may have to pull from different ordinances. Then he questioned Mr. Hoagland should the Board consult with the County Attorney. Mr. Hoagland agreed that may be a good idea.

Mr. Poteat questioned if there was a time line on getting this completed. Mr. Hoagland replied that the only timeline he could think of would be the moratorium requirements as passed by the Commissioners in January..

Chairman Johnston suggested to review this and bring it back at the next Planning Board meeting.

1. ***Planning Board Bylaws Discussion***

Mr. Hoagland stated that he and Chairman Johnston had briefly discussed that the Planning Board come up with bylaws for meetings, because he was not aware that they had any. Chairman Johnston stated that he was under the assumption that they mirrored the Commissioners bylaws. Chairman Johnston recommended that Mr. Hoagland try to find any old bylaws that may have been adopted by the Board in the past. He then said maybe they could take a look at bylaws at the next meeting.

**Planning Department Updates**

* Zoning Meetings
* February 27, 2020 at 6:00p.m.-Semora Volunteer Fire Department
* March 19,2020 at 6: 00p.m-Stoney Creek Elementary School
* March 19, 2020 at 6: 00p.m-Pelham Community Center
* April 2,2020 at 6: 00p.m-Providence Fire and Rescue
* April 4,2020 at 10: 00a.m-Caswell County Historic Court House
* May 7,2020 at 6: 00p.m-Cherry Grove Ruritan Building
* May 21,2020 at 6:00p.m.-Leasburg Volunteer Fire Department
* June 4, 2020 at 6:00p.m.-Southern Caswell Ruritan
* 160D Reconciliation, January 1,2021 deadline. Requested that the Board read new Land Use Law Regulations*, (Law 2019-111)*

**Adjournment**

Mr. Harris made a motion to adjourn the February 25, 2020 Planning Board Meeting at 1:37p.m., seconded by Mr. Blalock. The motion carried unanimously.

*Ashley Kirby Powell recorded the minutes above.*