

MINUTES
MOORE COUNTY PLANNING BOARD
THURSDAY APRIL 7, 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR

Board Members Present: Aaron McNeill (Vice Chairman), Buck Mims, Scott McLeod, Bobby Hyman, Joseph Garrison, David Lambert

Board Members Absent: Rich Smith (Chair), Eddie Nobles, Gene Horne

Staff Present: Debra Ensminger, Planning Director
Brenda White, Deputy County Attorney
Theresa Thompson, Senior Planner
Lydia Cleveland, Administrative and Transportation Program Manager

CALL TO ORDER

Vice Chairman Aaron McNeill called the meeting to order.

INVOCATION

Board Member Bobby Hyman offered the invocation.

PLEDGE OF ALLEGIANCE

Vice Chairman McNeill led in the reciting of the Pledge of Allegiance

MISSION STATEMENT

Board Member Scott McLeod read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of April 7, 2016
- C. Consideration of Abstentions

Board Member Joseph Garrison motioned to approve the Consent Agenda and the motion was seconded by Board Member David Lambert. The motion passed unanimously (6-0).

PUBLIC HEARING(S)

Vice Chairman McNeill introduced the public hearing as the following.

Pinesage Solar Farm, LLC is requesting a Conditional Use Permit to construct a commercial Solar Collector Facility on approximately 33.48 acres of an overall approximately 53.06 acre parcel (ParID 00018479) located north of NC Hwy 211, owned by McDonald Family Farms as identified in Moore County tax records.

Senior Planner Theresa Thompson stated the following as part of her presentation. "This request is to locate a solar collector facility approximately 1200' feet north of NC Hwy 211. The proposed area is currently undeveloped. The property was formerly utilized by NCDOT as a temporary construction site and borrow pit for the NC Hwy 211 widening project. Adjacent land uses include single family homes, undeveloped property, a church, and the future Pine Forest Planned Unit Development. The project area will comprise of approximately 33.45 acres of the 53 acre lot. The applicant is securing a 50' wide access easement to NC Hwy 211. NCDOT has issued a driveway permit to access NC Hwy 211. The site plan meets the UDO's screening requirements by utilizing Type 3 Screening, to the side and rear of the property adjacent to residentially zoned property. In addition to the minimum screening requirements, the applicant is installing Type 3 screening along all property lines including the front property line and the property lines abutting Commercial zoning districts, which is not a UDO requirement. The applicant is also installing all evergreen trees and shrubs which is not a UDO requirement. The UDO only requires half to be evergreen. The applicant is imposing these standards as additional conditions for approval as listed in the staff report. The proposed site plan meets all UDO requirements. In addition, the applicant has agreed that all specific use standards will be met as specified in the UDO which will be inspected by county staff before a Certificate of Occupancy is issued. The subject property was rezoned on February 16, 2016 to the Rural Agricultural Zoning District (RA). Tonight's request is a quasi-judicial case which follows a stricter procedure and is more objective than rezoning requests. Unlike rezoning requests, conditional use permits require 4 findings of fact to be met which are listed in the staff report. Any recommendation of denial would need to include which finding is not met and how it is not met. Staff recommends the additional condition, which has been agreed upon by the applicant and listed in the staff report, of installing a Type 3 screening buffer along all front, side, and rear property lines, as illustrated on the site plan. There may need to be minor adjustments made to the site plan therefore staff also recommends including an additional condition to the motion if approved as stated in the staff report that reads "Should the Zoning Administrator, Building Inspections, Environmental Health, NCDOT, or the Fire Marshal identify minor changes, staff shall be authorized to accept such minor modifications to the site plan as necessary.'"

Vice Chairman McNeill asked the Board if they had any questions. Board Member Buck Mims asked if there was any opposition from the surrounding property owners. Ms. Thompson stated that Staff did not receive any.

Vice Chairman McNeill called on Mr. Brian Quinlan to speak. Mr. Quinlan explained that he is present on behalf of the applicant and presented background on ESA

Management Services, INC as well as the property and its zoning of RA which permits a solar collector facility through the conditional use process. Mr. Quinlan discussed that he has worked with the Planning Department and by recommendation agreed along with the landowner to the type 3 screening all the way around the site. Mr. Quinlan continued to explain that a public meeting was held with the same residents that are notified by the County in October of 2015. Approximately 40 people were in attendance however one citizen who was present at the previous rezoning was unable to make this public hearing and in response was contacted directly to answer any questions. Mr. Quinlan explained the four findings of fact and how each are met with the request. In the review of the first finding of fact or “The use will not materially endanger the public health or safety if located where proposed and developed according to plan”; Scott McLeod asked what the solar panels are made up of. Mr. Quinlan through advisement of his staff stated the solar cell itself is mostly made up of silicone, there is glass on top, aluminum, and the substrate is a different type of silicone (EDA). Mr. Quinlan continued with a review of the conditions required per the Unified Development Ordinance. During the review of conditions Board Member McLeod asked if the same appraiser is used over and over and if the appraiser is local. Mr. Quinlan stated that he is local or county specific. Board Member McLeod asked for further clarification and Mr. Quinlan explained the appraiser is North Carolina based and not county based. Mr. Quinlan continued a review of the conditions and Board Member McLeod asked how it is possible to make the claim that it does not permanently impact the permeability of the land when you have harden structures that run at an angle that there is runoff from. Mr. Quinlan stated that we review the percentage of runoff and anything under 20% does not require management of the stormwater runoff and this site is under 10%. Board Member Mims asked Mr. Quinlan what his role was in the project and Mr. Quinlan stated that he a consultant with ESA Management Services, INC.

Vice Chairman McNeill asked if there was any more questions or discussions and if not we can entertain a motion.

Board Member Garrison made a motion to endorse the Moore County Board of Commissioners to approve the Conditional Use Permit for the use of a Solar Collector Facility on the parcel known as ParID# 00018479. The motion was seconded by Board Member David Lambert and the motion passed unanimously 6-0.

OTHER BOARD MATTERS

No other board matters were discussed.

PLANNING DEPARTMENT REPORTS

Planning Director Debra Ensminger stated that at the last pre-agenda meeting, the Board of Commissioners have requested that only one solar farm be placed on each agenda due to the length of each public hearing. Ms. Ensminger provided an update on the solar farms that have been previously approved by the Planning Board. Board Member Mims asked if there is a way to control the amount that is requested in the County. Ms.

Ensminger stated this can be done through text amendments to the UDO. Angus McDonald who was present for the public hearing as the landowner stated that it is already controlled to an extent whereas only a certain amount can be placed per substation. Ms. Ensminger stated that in the re-write of the UDO we will be changing some of the requirements like bonding through our experience in dealing with this type of use. Ms. Ensminger concluded that revenues are up and this is good for Moore County.

BOARD COMMENT PERIOD

No comments were made by the Board.

ADJOURNMENT

Board Member Garrison made a motion to adjourn. The motion was seconded by Board Member Hyman. The motion passed unanimously (6-0)

Respectfully submitted by,

Lydia Cleveland