

ALAMANCE COUNTY PLANNING BOARD
REGULAR MEETING MINUTES
Thursday, April 11, 2019
7:00 p.m., Board of County Commissioners Room

Members Present

Rodney Cheek
Lee Isley
Amy Galey
Edgar Pritchett
Ashley Harris
Dennis Arthur Hall
Bill Poe

Members Absent

Ray Cobb
Melissa Enoch
David Wyatt
Gene Brooks
David Spruill
Debra Hyder

Staff Present

Ben Pierce, *Assistant County Attorney*
Tonya Caddle, *Planning Director*

I. CALL TO ORDER

Mr. Cheek called the meeting to order at 7:03 pm.

II. ROLL CALL

Mr. Cheek took roll. No quorum present.

III. Approval of Planning Board Minutes

April 11, 2019: Board was not able to vote on the February 14, 2019 minutes.

IV. PUBLIC COMMENTS*

Deborah Sanders-

Ms. Sanders stated that she is a Snow Camp resident and that she has 2 properties within the 2000 feet spacing requirement of the snow camp rock quarry. She stated that she can build within that area on her property but it is at her own risk since it is in the unsafe proximity to the quarry. She stated that this will decrease her property value. She stated that she would like the spacing requirement increased to 3000 feet. She would like to have required an easement for the spacing requirement and without the owners' consent that this spacing requirement violates the constitution. She had lived near a mine in Guilford County and four or five family members that lived there also now have cancer.

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Alison Ortman-

Ms. Ortman recalled that Mr. Hagood did a presentation at the January Commissioners' meeting about the moratorium and that we were looking to do a better Heavy Industrial Development Ordinance. That would include protecting and doing environmental testing including air and water quality and protect against dewatering. There are 6000 residents that use well water in the area and we can't allow dewatering. She stated that we had talked about properly identifying the applicants that are applying for these permits and to look at the performance record of the applicants. That we need to include utilities in our review and the Fire and EMS departments need to be included in the review of the projects. As part of that, we need to make sure the proposals are consistent with deed restrictions. She said these items are not in the new draft of the ordinance.

Christopher Jones-

Mr. Jones is with Carolina Solar Energy. He let the board know that his company has a prospective project in Alamance County. He provided a handout to the Board. He said breaking the impacts out by classes would be a fair way to do restrictions and asked that solar energy be broken out into its own category. He said that solar projects bring no additional traffic to the area once construction is complete. They have no noise, no energy consumption, low earth moving and grading. He suggested that solar energy should be a class I and not a Class II. He also suggested there be a 250 foot structure setback that they are losing land due to the spacing requirements. He also presented a hand out for tax values related to solar farms.

Claire Carson-

Ms. Carson is with Carolina Solar Energy. She stated she was there for any questions about the tax data presented by Christopher.

Laura Johnson-

Ms. Johnson lives in the Snow Camp area. She let the board know that she is concerned about the license to operate. When you compare this quarry to the explosion in Durham today the line there is a 2" line and the line on the property where the quarry is going is a 3"-12" line. No provision of who the applicant for these permits is and no qualifications are written into the ordinance. She stated that Alamance Aggregates is in trouble in North Carolina. She stated that we need to know who these people are that are applying for these permits. She was also concerned that you can't grant an easement without the owner's permission.

V. BOARD/COMMISSIONER RESPONSES

Board members responded to the comments expressing that they understand the concerns that had been expressed. The board appointed the subcommittee and that committee worked against the moratorium deadline. It wasn't necessarily a complete rewrite of the ordinance but intended to be a temporary fix until the ordinance can get a complete evaluation. The subcommittee addressed the pertinent items that they felt needed the most attention and could not address some concerns simply because of legal requirements. The goal was to strengthen the ordinance so that when the moratorium is up that we have something better for these Heavy industrial uses. The concern of the land use spacing and where it is measured from was discussed. There was a discussion of the spacing requirement being partially on adjoining property owners' lands but unless they have a structure, the easement is not required. Some discussion covered whether the 2000 ft. spacing requirement should

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be changed in the new ordinance to require it to be solely on the project property. The removal of the spacing waiver was then discussed and explained that the removal would take away the rights of citizens to waive the county ordinance requirements. The rock quarry example was used that the quarry wrote checks to the people they needed waivers from and that allowed the people in the area to say yes to the waiver of the ordinance. The new ordinance would put that request in a board's hands to decide if it would be good on a case by case situation.

VI. NEW BUSINESS

HIDO subcommittee recommendation on Heavy Industrial Development Ordinance update – No quorum

VII. OLD BUSINESS

VIII. ANNOUNCEMENTS/DISCUSSION

The Board decided to recess the meeting and reconvene on April 18th at 7:00 pm.

IX. RECESS

Motion to recess at 7:43.

Motion: Mr. Isley

Second: Mr. Pritchett

Vote: Unanimous

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