

# MINUTES

## RANDOLPH COUNTY PLANNING BOARD

October 8, 2013

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, October 8, 2013, in the 2<sup>nd</sup> Floor Meeting Room, Randolph County Historic Courthouse, 145 Worth Street, Asheboro, North Carolina.

1. **Chairman Reid Pell** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: **Reid Pell**, Chairman, present; **Wayne Joyce**, Vice Chairman, present; **Chris McLeod**, present; **Phil Ridge**, absent; **Jim Rains**, present; **Kemp Davis**, present; and **Larry Brown**, present. County Attorney **Ben Morgan** was also present.
3. **Rains** made the motion, seconded by **Joyce**, to approve the Minutes of the September 10, 2013 Randolph County Planning Board meeting. The motion passed unanimously.
4. **REQUEST FOR PROPERTY REZONING:**
  - A. **TWO MILLS, LLC**, Asheboro, North Carolina, is requesting that 50.77 acres located at 2205 Lassiter Mill Road, Cedar Grove Township, be rezoned from RA to CVOE-CD. Tax ID# 7629462058. Secondary Growth Area. The proposed Conditional Zoning District would specifically allow the development of a 7-lot residential subdivision for site-built and conventional modular homes with a minimum house size of 1,200 sq. ft.

### **Technical Review Committee Recommendation:**

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the 2009 Growth Management Plan adopted by the Board of County Commissioners. The Technical Review Committee recommends to the County Planning Board that this request be approved as consistent with the Growth Management Plan.

### **Examples of Growth Management Policies that the Technical Review Committee found supporting this recommendation are:**

*Policy 6.4 Innovative and flexible land planning techniques should be*

*supported as a means of encouraging development configurations which are more desirable and which may better safeguard existing natural land and water resources.*

***Policy 6.13 Conventional residential subdivisions are anticipated of similar housing characteristics to the community.***

**Dale Cox**, Two Mills LLC, was present to discuss his desire to development a residential subdivision. Cox said that he has developed a small subdivision south of this area and that he and his wife reside in that subdivision. **Rains** asked Cox what his plan were to construct a road across the stream. **Cox** said that he would meet all requirements/standards from NCDOT and NCDENR in development of the road. Cox described the stream as a summer-time stream. Cox said they crossed a stream in the other development also. **Brown** asked if there were proposed private covenants for this development. **Cox** answered yes and also a road maintenance agreement for the private road.

**Bobby Green** was present and explained that he didn't get a letter concerning the first meeting. Green said that he and his neighbors wanted the houses to be bigger and no modular homes. Green expressed concern that some modular homes look like double-wide mobile homes. **Cox** said that the homes would be stick-built and off-frame modular homes. **Green** said they would like to see 1,600 or 1,800 sq. ft. minimum house sizes. **Johnson** said that in the state of North Carolina a modular home is consider the same as a stick-built home and that most homes a normally built larger than the minimum requirement.

**Mark Collins** was present and asked if a hydrology report been done on the property. **Johnson** said that lots this size normally control any soil erosion problems. **Collins** said that they own the property next to this site and is concerned about run-off. **Johnson** said that the County requires 50' buffers along both sides of any streams to control any run-off. **Cox** said that most of the building sites are near the newly proposed road. **Collins** said that when they have 1" of rain within an hour their driveway floods. **Cox** said that they won't clear-cut the site and they have some areas they will not allow any cutting of trees. Cox said that the intention is to leave no-cut zones, but some areas would need to be cut. **Rains** said that the run-off would be handled in the permitting process. Rains added, that when the buffers are crossed, Cox will be required to replace that buffer. **Cox** said he was aware that he would have to work with NCDENR concerning soil erosion before development.

**Rains** asked what type of modular homes Cox would allow in the development. **Cox** said that they would only allow off-frame modulars brought in and placed on the lots by a crane.

**Davis** made the motion, seconded by **Joyce**, to recommend to the Board of Commissioners that this request be **approved**. The motion passed unanimously.

- B. **STRATA SOLAR DEVELOPMENT, LLC**, Chapel Hill, North Carolina, is requesting that 43.98 acres located at 4477 Wall Brothers Road, New Market Township, be rezoned from RA to RIO-CD. Tax ID# 7745862260. Secondary Growth Area. Randleman Lake Watershed. The proposed Conditional Zoning District would specifically allow the development of a 5 Mega-Watt Solar PV Farm as per site plan.

**Technical Review Committee Recommendation:**

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the 2009 Growth Management Plan adopted by the Board of County Commissioners. The Technical Review Committee recommends to the County Planning Board that this request be **approved** as consistent with the Growth Management Plan.

**Examples of Growth Management Policies that the Technical Review Committee found supporting this recommendation are:**

*Policy 3.11 New rural industrial development shall be located in areas of the site that would lesson impact to adjoining residential and agricultural lands.*

*Policy 3.12 New rural industrial development should provide site specific development plans along with vegetated buffers or other landscaping designed to reduce substantial impacts to adjoining land uses.*

*Commissioner Resolution Adopting the 2009 Randolph County Growth Management Plan, #3. Ensure the opportunity for landowners to achieve the highest and best uses of their land that are consistent with growth management policies in order to protect the economic viability of the County's citizens and tax base.*

**Jordan Nance**, Carolina Solar Energy, was present and explained that his company started in 2004 and are partnered with Strata and have done 12 projects with Strata in the past 18 months. Nance said they have a long-term lease with the Wall family and have been approved to inter-connect with Duke Energy from this site. They will be able to get a 15 year contract with Duke Energy. There are no chemicals and no noise with this type facility. The facility will be monitored by computer 24-hours each day. Nance said the facility will be completely fenced and locked for safety and security purposes. The site will be comprised of 575 panels that generate power. The facility will be landscaped and they plan to hire 120-130 temporary employees for the development and construction of the

facility.

**Johnson** said this would be the largest solar farm in Randolph County. Johnson asked Nance if there would be any reflection off these panels. **Nance** answered no, that the panels are designed to absorb light and not reflect. Nance said that this facility would have the capability to power 600-700 homes per year.

**Johnson** asked if the 5-mega watts would all be generated at one time. **Nance** said that would be the maximum power generation at any one time. **Johnson** asked if the temporary jobs he spoke of would be filled by Randolph County citizens. **Nance** said that they will have some job fairs so that some of the positions would be local, but they have a team that is trained to work on these facilities and they cluster these projects across several counties at one time. Nance added that these people that work for them would be spending money in Randolph County.

**Johnson** asked why they did not include the area of the property that is within Randleman's jurisdiction. **Nance** said that they didn't want to have to coordinate with two separate jurisdictions and the remainder of the property would continue to be farmed by the Wall Family.

**There was no one present in opposition to this request.**

**McLeod** made the motion, seconded by **Rains**, to recommend to the Board of Commissioners that this request be **approved**. The motion passed unanimously.

5. **SPECIAL USE PERMIT REQUEST:**

*Swearing in of the Witnesses - "Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God."*

5 citizens took this Oath.

- A. **BRUCE HACKER**, Seagrove, North Carolina, is requesting a Special Use Permit for the construction of a 60' x 100' metal building for classic car storage at his residence located at 1287 Ralph Lawrence Road, on 6.61 acres, Richland Township, Zoning District RA, Tax ID# 7684060674.

**Hacker** said they moved to this home in July of this year and they will be using the building for personal use only. Hacker said he has antique trucks and wants to store them in a building. Hacker explained that all the vehicles are finished (not junkers). **Brown** asked Hacker if he would have any outside storage, and **Hacker** answered no, everything will be housed inside. Hacker presented pictures of his vehicles to the Board.

**There was no one present in opposition to this request.**

**McLeod** made the motion, seconded by **Joyce**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

- B. **AMERICAN TOWER, LLC.**, Cary, North Carolina, is requesting a Special Use Permit to construct a 195' monopole telecommunications tower as per site plan at 1906 Bethel Lucas Road, on 82.73 acres, Union Township, Zoning District RA, Tax ID# 7655119303. Property Owner - Steven Williamson.

**Dave Pokela, Attorney, representing American Towers**, presented the Board with an impact study of this site. Pokela introduced **Atavions Burt, AT&T Engineer, and Graham Herring, Real Estate Appraiser**, who were present to provide the Board with any information requested by the Board concerning this request. Pokela said that they construct towers for AT&T, Verizon and Sprint to locate. This is a site that would increase cell phone services in Randolph County. 85% of American adults use mobile phones and 46% own smartphones. People use phones for texts, access internet, send emails, online banking, etc. There are 9.1 million wireless subscriptions in North Carolina. Approximately 1/3 of the Country only use wireless phones (no land-line service). Pertela presented data of the need for better cell phone coverage because of the growth trends of wireless services (text, phone use, data traffic). Pertela presented maps of AT&T's coverage and the need for this tower and also site plans. The tower is not lighted at this height and the tower would not be manned. Pertela said the tower doesn't endanger the public health or safety. The site would not substantially impact the values of adjoining properties.

**Brown** asked how many co-locations would be allowed. **Pertela** said there would be 4 total available locations on the tower.

**There was no one present in opposition to this request.**

**McLeod** said that he felt all the requirements have been met and sufficient evidence has been submitted to prove they meet the 4 tests required to have been met to issue a Special Use Permit. **McLeod** made the motion, seconded by **Joyce**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

- C. **AMERICAN TOWER, LLC.**, Cary North Carolina, is requesting a Special Use Permit to construct a 195' monopole telecommunications tower as per site plan at 6026 Sam Leonard Road, on 22.70 acres, Pleasant Grove Township, Zoning District RA, Tax ID# 8626975608. Property Owner - Kelly D. Freeman.

**Pokela, Attorney**, represented this site also, and said that he would like to

incorporate the previous information concerning towers to this site also. Pokela presented maps cell phone coverage in this area and the affect this tower would have, if constructed.

**Johnson** said that the monopole is the less intrusive tower that is used in the industry. Johnson said that the two concerns the County has in locating towers is its intrusion within the community and its impact to adjoining properties. Cell phone service in this area is poor and from a land use standpoint, these sites are good locations.

**Pokela** said approximately 65% of 911 calls in Randolph County are made by cell phones and cell phone coverage is very important to public safety.

**Patsy Hussey Garner**, adjoining property owner, said that she would like to know why this site was chosen when it is owned by someone that doesn't live in the County. Garner said that she has tried to talk to someone at American Towers and has not been able to contact them. She said she didn't feel there would be any way to get in touch with this company if there was a problem. Garner asked who the towers would be leased to, and if they would provide a written letter to her that this tower will not cause cancer or have any interference with their TV, radio and hand radios. She also expressed concern for their animals' health. Garner expressed concern with the tower having an interference with the Church Radio Station. Garner asked how far would they be required to stay away from the tower. Garner showed the Board a newspaper article concerning buzzard/bird problems that are caused to neighboring properties of towers. Garner talked about the many deer carcasses that are thrown out in the area and the attraction they have to buzzards.

**Pokela** tried to answer Garners questions by making the follow statements. The first user will be AT&T and they identified this area as an area with no coverage. Pokela said that if there is an issue or problem, there are emergency contact information posted on every site. Pertela said that the tower will be used by cell phone companies with the exception if EMS services. Pokela said they have submitted a report/letter by their engineer that address the issue of health/material risk or harm. Pokela said there will be no guide-wires to these towers. **Rains** asked Burt to speak in regards to interference of frequencies. **Burt** said that the frequencies of TVs, radios, hand-held radios, are difference than those of cell phone frequencies. Burt said there are no interferences of those things due to cell phone frequencies. **Pokela** said that if the tower fell from the base it would fall entirely on this property and not adjoining properties. Pokela said that he objected to a newspaper article being used as evidence. **Pokela** said his comments related to human health and animal health.

**Johnson** said that buzzards can be a problem to some types of towers. The tower

in this newspaper article is a lattice tower and that is not what is being considered here, this is a monopole. Johnson said the birds are a real problem on those lattice towers.

**McLeod** said that he felt all the requirements have been met and sufficient evidence has been submitted to prove they meet the 4 tests required to have been met to issue a Special Use Permit. **McLeod** made the motion, seconded by **Davis**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

6. The meeting adjourned at 7:56p.m. There were 24 citizens present for this meeting.

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**NORTH CAROLINA  
RANDOLPH COUNTY**

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**Planning Director**

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**Date**

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**Clerk/Secretary**