

**MINUTES OF THE
NASH COUNTY PLANNING BOARD MEETING
HELD MONDAY, JUNE 18, 2018 AT 7:00 P.M.
CLAUDE MAYO, JR. ADMINISTRATION BUILDING – THIRD FLOOR
FREDERICK B. COOPER COMMISSIONERS ROOM**

BOARD MEMBERS PRESENT

Jeffrey Tobias, Vice-Chairman
Barbara Pulley
Sandra Edwards
Harold Colston
Moses Brown
DeLeon Parker, Jr.
Kevin Smith

BOARD MEMBERS ABSENT

Leonard Breedlove, Chairman
Chris Sandifer

STAFF MEMBERS PRESENT

Nancy Nixon, Planning Director
Adam Tyson, Senior Planner
Windy Braswell, Planning Technician
Jessica Flores, Permitting Technician

OTHERS PRESENT

Andrew Stocks
Tony Bartlett

1. Call to Order.

Vice- Chairman Tobias called the meeting to order at 7:00 p.m.

2. Determination of a Quorum.

Vice- Chairman Tobias recognized a quorum.

3. Approval of the Minutes of the April 16, 2018 Regular Meeting.

The minutes of the April 16, 2018 regular meeting were mailed to the members of the Board for review. Vice-Chairman Tobias asked for any revisions or corrections. None were offered.

BOARD ACTION: Mr. Parker offered a motion which was duly seconded by Ms. Pulley to approve the minutes of the April 16, 2018 regular meeting as submitted. The motion was unanimously carried.

4. Approval of the Minutes of the May 21, 2018 Regular Meeting.

Vice-Chairman Tobias announced that the minutes of the Monday, May 16, 2018 regular meeting of the Nash County Planning Board had not been completed and would be submitted for review and approval at a later date.

5. Major Subdivision Preliminary Plat – Lake Haven, Section IX

Submitted by Stocks Engineering on Behalf of the Property Owners - W. O. Baker, Jr.; Darlor P. Baker; & J. Duncan Baker, Jr. – Proposing 14 New Residential Lots to be Developed Along Tar Island Drive (S.R. 2408) and to be Served by an Extension of the Nash County Public Water System on an Approximately 13.51 Acre Portion of a Tract Located on the North Side of Bend Of The River Road (S.R. 1745) in the RA-40 Single-Family Residential Zoning District.

Vice-Chairman Tobias recognized Mr. Tyson to present the staff report.

Mr. Tyson presented the staff report and supplemental materials related to the Major Subdivision Preliminary Plat – Lake Haven Section IX as included in the June 18, 2018 Nash County Planning Board Meeting agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the Major Subdivision Preliminary Plat for Lake Haven, Section IX on June 1, 2018 and recommended conditional approval based on its determination that the proposed design is consistent with the subdivision standards of the Nash County Unified Development Ordinance.

Mr. Tyson cautioned the Board that the developer may not final plat the entire 14 lots depending on the amount of water line he intends to install. Nash County Public Utilities has verified that the developer can connect up to 10 lots before being required to install the line in its entirety to Bend of the River Road. If 10 or fewer lots are developed, the water line plan can be shortened.

Mr. Tyson identified Andrew Stocks of Stocks Engineering as present, representing the applicant and would answer any questions. Mr. Tyson stated he would also answer any questions the Board may have for the staff.

Mr. Colston suggested showing an easement for the US Postal Service because they are requiring cluster mailboxes for this phase of the development.

Mr. Tyson said this could be handled by (1) tabling this item until such time as the developer comes before the Board with a design that indicates a special purpose lot or an easement to accommodate the mailbox or (2) a condition could be added to require that an easement or special purpose lot is identified on the plat and approved by staff prior to recording the final plat.

BOARD ACTION: Mr. Parker made a motion with was duly seconded by Mr. Colston to approve the Major Subdivision Preliminary Plat for Lake Haven, Section IX subject to the following conditions:

Conditions for Preliminary Plat Approval & Construction Authorization:

- (1) Review and approval of the construction plans for the proposed public water system improvements by Nash County Public Utilities;
- (2) Review and approval of a soils report prepared by a licensed soil scientist verifying the septic suitability of the proposed new lots by the Nash County Environmental Health Division;
- (3) Verification by the developer as to whether the well and septic system that previously served the demolished dwelling formerly located at 7970 Bend of the River Rd on proposed Lot 53 still exist or have been properly abandoned;
- (4) Approval and recordation of a Tar-Pamlico Stormwater Management Permit by the Nash County Planning & Inspections Department; and
- (5) Review and approval of the preliminary plat by the N.C. Department of Transportation District Engineer.

Conditions for Final Plat Approval:

- (1) The remaining portion of the subject tract located on the north side of Bend Of The River Road shall be depicted as a lot on the final plat if it does not exceed ten (10) acres in size;
- (2) Post-construction inspection, approval, dedication, and acceptance of the public water system improvements by Nash County Public Utilities;
- (3) Documentation from the City of Rocky Mount Public Utilities shall be submitted verifying that all necessary accommodations have been made for the installation of electric and natural gas service for the new lots; and
- (4) The final plat shall depict either an easement or a separate special purpose lot reserved for ownership by the property owners association located outside of the sight distance easements designated at the intersection of Tar Island Dr. and Bend of the River Rd. to accommodate the shared cluster box unit (CBU) mailbox required by the United States Postal Service for centralized mail delivery.

NOTE: Documents to include Section IX in the existing Lake Haven Property Owners Association may be recorded along with the final plat at the discretion of the developer.

The motion was unanimously carried.

6. Subdivision Waiver Request – Dennis R. Langley & Christina L. Langley

Submitted by Bartlett Engineering & Surveying in Relation to the Minor Subdivision & Recombination Plat for the Property of Dennis R. Langley & Christina L. Langley Located Along the East Side of S NC

Highway 58 & the South Side of Joyner Road (S.R. 1753) in the RA-40 Single-Family Residential Zoning District to Request a Waiver of the Additional Lot Width Required Along High Traffic Roads by UDO Article X, Section 10-7, Subsection 10-7.2 (F) for Proposed Lot 2, Subject to the Establishment of a Private Ingress / Egress & Utility Easement to Serve as a Shared Driveway.

Vice- Chairman Tobias recognized Mr. Tyson to present the staff report.

Mr. Tyson reviewed the subdivision waiver procedure. He then presented the staff report and supplemental materials related to the request to waive the additional lot width required along high traffic roads (UDO Section 10-7.2 (F)) for proposed lot 2, with the private ingress/egress and utility easement to serve as shared driveway as submitted in the June 18, 2018 Nash County Planning Board Meeting agenda document. He noted that the Nash County Technical Review Committee (TRC) considered the waiver request on June 1, 2018 and recommended conditional approval based on its determination that the proposed design was otherwise consistent with the subdivision standards of the UDO and on the grounds that the waiver will result in equal or better performance in the furtherance of the purposes of the ordinance.

Mr. Tyson recognized Tony Bartlett of Bartlett Engineering and Surveying as present on behalf of the property owner and applicant. Mr. Tyson relayed Mr. Bartlett's statement that the property owner was agreeable to all the suggested conditions and is planning to meet said conditions if the waiver is approved by the Board of Commissioners. Both Mr. Tyson and Mr. Bartlett were available for questions.

Mr. Tobias asked the reason for this requested subdivision waiver.

Mr. Tyson speculated that in its current configuration, the lot is only marketable to an individual who desires 3 homes on a single lot whereas, if the property owner is able to subdivide the lot so that each home has its own lot, the properties would have broader appeal.

Mr. Colston expressed concern for continued access to Oakdale Baptist Church.

Mr. Tyson suggested a Deed of Easement clarifying the Church as a lot owner with legal rights to continue to utilize the access.

Mr. Tobias asked if lot 4 has access to Joyner Rd.

Mr. Tyson answered that lot 4 touches Joyner Rd but there is no driveway constructed there. Lots 4 and Lot 1 use the same driveway. The developer designed the easement to provide the other lots with access to the easement because the other lots derive their road frontage requirement from Joyner Road or S NC 58.

BOARD ACTION: Mr. Brown made a motion which was duly seconded by Mr. Colston to recommend approval of the subdivision waiver request submitted in relation to the "Minor Subdivision & Recombination Plat for the Property of Dennis R. Langley & Christina L. Langley" on the grounds that the waiver will result in equal or better performance in the furtherance of the purposes of the ordinance to the Nash County Board of Commissioners, subject to the following conditions:

Conditions for Plat Approval:

- (1) The two subject properties shall be titled in the same ownership in order to accommodate the recombination of proposed Lot 4 (the larger parcel is currently titled to Dennis Ray Langley and wife, Carol A. Langley (now deceased), while the smaller parcel is titled to Dennis Ray Langley and wife, Christina L. Langley);
- (2) Nash County Emergency Services shall approve and assign a unique, new road name for the 45' wide private ingress / egress and utility easement to be recorded on the final plat;
- (3) Nash County G.I.S. shall assign new physical E-911 addresses based on the new road name for the existing structures located at 7453, 7535, & 7555 S NC Highway 58 on the subject property and at 7541 S NC Highway 58 on the adjacent property of the Oak Level Baptist Church;
- (4) Nash County Planning & Inspections shall conduct a field inspection of the minimum 20' wide passable travel way required to be cleared within the 45' wide private ingress / egress and utility easement to allow unobstructed vehicular access to each served lot;
- (5) Nash County Environmental Health shall evaluate proposed Lot 2 for the issuance of an Onsite Wastewater Improvement Permit; and
- (6) The property owner / developer shall submit and record a Deed of Easement & Easement Maintenance Agreement explicitly granting the right to use the 45' wide private ingress / egress and utility easement to proposed Lots 2 & 3 as well as to the adjacent lot in the ownership of the Oak Level Baptist Church and designating responsibility for any future required easement maintenance.

The motion was unanimously carried.

7. Other Business.

Mr. Tyson reported that Conditional Use Permit CU-180501 for construction of a Convenience Center on Preacher Joyner Rd which the Planning Board recommended for approval on May 21, 2018 has been delayed at the request of the applicant, Nash County, pending evaluation of requirements related to Rocky Mount – Wilson Airport. The public hearing has been tentatively rescheduled to July 9, 2018. He reported regarding the Ground Mounted Solar Panel Item, Text Amendment Request A-180501, which was tabled pending further information until the July 16, 2018 Planning Board meeting, and information is still being gathered. He reminded the Board that the July meeting will begin a new fiscal year, requiring election of a Chairman and Vice-Chairman.

Ms. Nixon thanked Mr. Brown and Ms. Edwards who attended the Upper Coastal Plain Council of Government training workshop in Tarboro on June 14, 2018.

8. Adjournment.

There being no further business, Vice-Chairman Tobias adjourned the meeting at 7:55 p.m.