

PITT COUNTY PLANNING BOARD  
**MINUTES January 18, 2023**  
 GREENVILLE, NORTH CAROLINA

The Pitt County Planning Board met in a regular session on Wednesday, January 18, 2023, at 5:30 p.m. in the 2<sup>ND</sup> FLOOR EUGENE JAMES AUDITORIUM of the Pitt County Office Building, 1717 W. 5th Street, Greenville, North Carolina.

**1. CALL TO ORDER**

Chairman Little called the meeting to order at 5:30 p.m. and welcomed guests.

**2. PRAYER AND PLEDGE OF ALLEGIANCE**

R.J. Hemby led the Board in a moment of prayer and David Davenport led the Pledge of Allegiance.

**The following members were present:**

|                 |                   |
|-----------------|-------------------|
| Fred Austin     | Lyman Hardee      |
| Don Brown       | R.J. Hemby        |
| Naomi Buck      | Steve Little      |
| David Davenport | Charles McLawhorn |
| Thompson Forbes |                   |

**The following members were absent:**

Madison Downing  
 John Landrine

**Staff in Attendance:**

James Rhodes, Assistant County Manager  
 Eric Gooby, Senior Planner  
 Ben Rogers, Planner II  
 Tabitha Auten, Administrative Assistant II  
 Jordan Smith, County Attorney

**3. APPROVAL OF MINUTES OF NOVEMBER 16, 2022 MEETING**

UPON MOTION by Lyman Hardee seconded by Don Brown the Pitt County Planning Board voted unanimously to approve the minutes of the November 16, 2022 meeting.

**4. 2023 PLANNING BOARD COMMISSIONER LIAISON**

Chairman Little advised the Board that the Board of Commissioners met on January 9, 2023, and appointed Commissioner Benji Holloman to serve as the Commissioner designee liaison on the Planning Board. His term will expire December 31, 2023.

**5. PUBLIC ADDRESSES TO THE BOARD**

Chairman Little opened the public addresses to the Board.

There being no public addresses to the Board, Chairman Little closed the public addresses to the Board.

***REZONING REQUEST***

**6. JEFFREY & DIANN ROBERTS:** Located off of NC 30, west of its intersection with SR 1510 (Thigpen Road), in the Bethel Township

Mr. Gooby presented the Board with a petition from Jeffrey Roberts requesting that his property be rezoned from Rural Agricultural (RA) to Rural Agricultural (Conditional District) (RA(CD)) to allow a group care facility. The property is located on the northern side of NC 30, west of its intersection with SR 1510 (Thigpen Road) in the Bethel Township. The property is 0.34 acres, the entirety of which is proposed for rezoning. The uses in this area are predominantly agricultural with limited residential land uses.

Mr. Gooby advised the Board that Planning staff finds that the request is consistent with the Pitt County Comprehensive Land Use Plan. The area requested for rezoning is designated as Rural Residential/Agricultural on the future land use map and the area is predominantly agricultural with limited residential uses. Mr. Gooby advised the Board that Planning staff also finds that the request is reasonable and is in the public interest because the group home may offer shelter and services needed by its occupants and will be subject to licensure by the State. Additionally, the site has frontage and access to a major State highway (NC 30).

Mr. Gooby advised the Board that Planning staff recommends approval of the request by Jeffrey and Diann Roberts to rezone 0.34 acres of their property located on the northern side of NC 30, west of its intersection with SR 1510 (Thigpen Road), Parcel 18690, from Rural Agricultural (RA) to Rural Agricultural (Conditional District (RA(CD))) to allow the operation of a group care facility, and recommends the following additional conditions:

- Obtain required license from the state to operate a group care facility prior to operation of the facility.
- No zoning compliance permit shall be issued until a site plan, prepared in accordance with Appendix B of the Zoning Ordinance, is submitted to Pitt County Planning for review and approval. The site plan must show required off street parking and screening.
- Comply with any Emergency Management requirements for fire protection.

- Obtain all required permits from Pitt County Inspection to occupy any proposed structures, and comply with any applicable Environmental Health requirements for wastewater disposal.

Chairman Little opened the public comment session for the Jeffrey and Diann Roberts rezoning request.

Ms. Auten distributed the following letter to the Board from Alexander Trull of 5710 NC 30, Robersonville, NC.

*“To Whom It May Concern,*

*I was born and raised in Rocky Mount, NC. For the safety of my children I decided to leave the criminal infested city.*

*After weeks of research, and talking to neighbors we were blessed to discover NC 30 in Robersonville. Most of this street is family owned and operated. We have children, cows, crops and no criminal activity. I finally had a breath of fresh air knowing I could raise my children in the heart of America's culture. We are diverse, friendly and full of love in this neighborhood.*

#### ***The young adults disservice***

*It would be a disgrace to rezone this house on NC highway 30 and provide youth a “home”. Out here we don’t have internet, city water or hardly any cell service. In order for these young adults to be rehabilitated they need all of these things. They should be allowed to do online homework, online therapist sessions and be able to rely on city water for their needs.*

*There is nothing to do out here in the country. We don’t have nearby stores to shop, we don’t have anywhere to socialize. Without any of these things it is easy to become bored or distracted from their rehabilitation. These young adults need to be able to have resources and out here there is none. It would be a disservice to their future to put them in the “sticks”.*

*I have a personal connection to these housing arrangements as my cousin is in and out of the system. He spends all his days walking the neighborhood as he has no transportation. He bothers countless neighbors, breaking into their things, and having nothing else to do because he is also “bored”.*

#### ***My children’s safety***

*My children deserve to be able to play outside with no worries. I work hard, I pay my taxes and I deserve to have peace at night knowing my neighborhood is full of other hard-working Americans. My children play outside every day the sun is up. How would they feel if every time they went outside they had to be surrounded by criminals? Either*

*passing by, causing ruckus, or just being around them. They deserve to have peaceful days and nights as we currently do.*

*I want the best for my kids and openly allowing former criminals, current criminals in our neighborhood, right down the street, is not the way to provide a safe space for them. We enjoy walking to our neighbors homes, talking, laughing and enjoying the outdoors. Things will not be as freeing if this house gets rezoned.*

***Summary***

*Please consider what is at stake here. We have two businesses that operate from this road. Do they deserve to worry about their company's property? Do we deserve to worry about our personal property anytime we leave the house or the sun goes down? Do these young adults deserve to be dropped somewhere with such little resources to help them?*

*No one deserves what this house being rezoned will do for this neighborhood.*

*Thank you,  
Alexander Trull"*

Ken Manning of 6116 NC 30, Bethel thanked the Board for the opportunity to speak. Mr. Manning stated that he understands that the recommendation is to approve the request, but he does not want the request approved and he does not want the group home near his farm. Mr. Manning noted that his farm surrounds the area. Mr. Manning noted that his father originally sold the land to Dick Randolph's family and the lot is .34 acres. Mr. Manning advised the Board that the property drains poorly and has bad soils. Mr. Manning noted that one of the requirements stated was to check the water and the septic tank system. Around 20 years ago, a train derailed near the back of the property and dumped approximately 40,000 gallons of glycol in the creek and phosphoric acid in the creek. Mr. Manning noted that this caused water problems for the area. Mr. Manning advised that he would have the water checked.

Mr. Manning stated that his concern is the people that will be living in the house. Mr. Manning noted that from where the house is located the closest police, fire and rescue departments are located in Bethel. Mr. Manning noted that there are no stores in the area and questioned where would the occupants go. Would they remain in the house the entire time? Mr. Manning asked, with the property only being .34 acres, where are they going to park. Mr. Manning stated that he is concerned about the safety of his mother who is 93 years old and is alone at night.

Mr. Manning advised the Board that he researched the new owner of the property and found that he has another group home in Williamston, NC. Mr. Manning noted that the police department responded to this home 22 times in 2022. Mr. Manning asked the Board why they would consider putting the people of Pitt County at risk. Mr. Manning noted that he lives in a tight-knit community and they do not want their property stolen. Mr. Manning noted that he realizes that the kids are troubled youth, but he does not feel that a group home in the area of his farm is the right answer. The home should be located

in town somewhere near police, fire and rescue departments, and have access to other stores where they can buy groceries and other necessities. Mr. Manning noted that there is nothing in the area. Mr. Manning stated that if you walk out the front door of the home he has a cow pasture 40 feet away and he owns all the property around the home.

Mr. Manning stated that the Office of Juvenile Justice states that after an individual has been in a group home, they are two and half times more likely to do the same thing they were doing before.

Marty Flynn of 5959 NC 30, Bethel read the following statement to the Board.

*"I am Marty Flynn and have lived in this area all my life. My house is located approximately 140 yards from the proposed group home. I am concerned about the safety of my family, neighbors, property, and clients in the group home.*

*It is my understanding Mr. Roberts is the CEO of Amani Group Home in Williamston and is listed as the Manager of The Palace of Restoration Group Home in Ayden. Both group homes have had deficiencies according to the North Carolina Division of Health Service Regulations. Group homes are required to come up with a correction for each deficiency. The proposed group home will house 4 male adolescent residents from Division of Social Services (DSS) or the Department of Juvenile Justice (DJJ). They have a wide variety of motional, mental, and physical issues. Some of these include Bipolar, Disruptive Mood Disorder, ADHA, Conduct Disorder, PTSD, Intellectual Disorder, Oppositional Defiant Disorder, Major Depressive Disorder, Intermittent Explosive Disorder, history of self-harm, history of elopements, criminal behaviors, fire setting, stealing, and a history of sexual assault including assault on a female nurse at a previous placement.*

*Deficiencies in these group homes include medications administrated without a physician's order, psychotropic drug reviews not completed by a pharmacist or physician, medication record was inaccurate, and patients were out of or low on medication. It is imperative that clients with mental disorders consistently and accurately take their prescribed medication. This is detrimental to the safety of clients and homeowners. If a mental crisis occurs clients will need immediate access to health care providers. The nearest hospital is 20 minutes away and it takes a while for EMS to arrive.*

*There were multiple elopements, stealing of sharp tools from a neighbor, stealing an apple card, breaking in a car, property destruction, threatening to throw bricks, local police department received 22 calls for assistance. Staff were sleeping when they were supposed to be monitoring clients. There were times they did not even know they were missing until law enforcement brought them back. There is not a speedy response for law enforcement where this home is located. This is a huge liability and safety issue for clients, local families with children and elderly in surrounding homes. They need to have access to immediate law enforcement.*

*Due to the discrepancies presented, the mental and behavioral issues of the clients, and lack of safety for everyone please say no to rezone.”*

Millie House of 3558 Staton Mill, Robersonville thanked the Board for the opportunity to come before the Board and speak on their concerns. Ms. House advised the Board that she was going to speak briefly on her education background and sum up some of the areas covered by Ms. Flynn regarding deficiencies. Ms. House advised the Board that she had a prior job as a Nurse Educator. She noted that she saw a lot of the mental health illnesses and clients coming in from group homes. Ms. House noted that most of these individuals were 18 and older. Ms. House noted that these individuals had Conduct Disorder Oppositional Defiance with coexisting emotional problems and other diagnoses. Some had substance abuse, bipolar and numerous other issues. Ms. House noted that she wanted to highlight that it is very important that adolescents receive good quality care. Ms. House noted that unfortunately conduct disorder and oppositional defiant disorders are very hard to treat. It is not just that there is bad behavior or that somebody has a cognitive problem, it is a pattern of behaviors that occurs over a period of time and requires a psychiatric diagnosis. Ms. House advised the Board that some patterns that one may see are sexualized behavior, stealing, fire setting, disregard for the law and rules, cruelty to animals and people. Ms. House noted that it is a matter of being in control and controlling others. Ms. House stated that this is a concern of the difficulty of providing treatment. Ms. House stated that reading through the deficiencies of the other two group homes under the same management, there are consistently issues with supervision, elopement, criminal behavior, medication label treatment plans, knowledge, skills and abilities of people who are taking care of those in the home. Ms. House noted that many of these individuals have elopement behaviors and criminal behaviors. Ms. House advised the Board that it is difficult to keep someone in a home if they do not want to be there. Ms. House thanked the Board for their time. Ms. House noted that they do not want the group home across from their neighborhood and asked the Board if they would want it across the street from their home.

Kayla Flynn of 5959 NC 30, Bethel read the following statement to the Board.

*“Hello, I’m Kayla Flynn. I live 140 yards from the proposed rezoning for the group home. I have lived here on my family farm my entire life. My dream is to build a house beside my parents.*

*The thought of making the residence across the road into a male adolescent group home makes me physically sick. What I want to know is, how does this seem safe? The residents in these homes ended up there for a reason, why would you place them in such a rural area with no room to thrive and no civilization near. That is a risk you take when you live in the area I do. You are a solid 20-25 min away from anything other than a dollar general. We do not have city police access and ems services are quite a ways away.*

*I work in Rocky Mount, and leave by 6am every morning. It’s pitch black dark at that time and I’m the only one up. The thought of having a group home across the road where*

*residents have escaped in the past scares me to no end. Because where is the first place they'll go when they escape? The house next door, which happens to be me.*

*My dream to build and live beside my parents feels like it's being SNATCHED away from me. Who can build a house and dream of having babies within walking distance to their grandparents house but also a male adolescent group home?*

*You might wonder why I didn't just purchase the sale of the home? I can promise you if I would've known the conflict this would've become I sure would have. The house was listed for \$165k and sold for \$128,800. I would have possessed an interest then.*

*Please do not allow this rezoning to occur."*

Danny Flynn of 5959 NC 30, Bethel read the following statement to the Board.

*"Good evening, my name is Danny Flynn and I live within 140 yards of the requested home to be rezoned. The home is surrounded by my wife's family land, which means that if there are hopes of purchasing more land for their facility, that's not going to happen. I love kids and I have a big heart for kids that need help, but this is not the place. The home has very little yard for kids to get out and get exercise. Also, the yard floods really bad in the rear after rain and it is very close to a very busy highway. The home has no community water because we don't have any out our way. We've been told that it is coming for the last 28 years, but it still hasn't. Also, the Wi-fi out our way is very slow. My daughter has always said that she was going to build beside us one day, but if this were to pass, that would change her decision. We are very concerned with safety from those troubled teens and if they could possibly sneak away, could cause us all a lot of trouble. Between theft and possible fire safety, this could be big trouble. Allpine Gas Company is 250 yards away from the home which could be catastrophic if fire was set. We are in a very rural area which means the response time for police and EMT could take a while when needed. Again, there just has to be a place for these kids to be placed. I have to ask, would any of you like to have this happen in front of your home? Please don't allow this to happen.*

Susan Manning of 6116 NC 30, Bethel advised the Board that the land around the area is her husband's land and she has lived there for 49 years. Ms. Manning advised the Board that she and Ruth Randolph were really good friends. When Ms. Rudolph decided to sell the house, she called and said that unless they can find somebody that will be really good neighbors she will not sell. Ms. Manning noted that Ms. Randolph kept having issues with the house and it was not passing inspections. Ms. Manning noted that they recently put a new roof on the house. Ms. Manning advised the Board that Ms. Rudolph ended up taking less money for the house because she did not want her son to have to continue to work on the house and he has rental property too. Ms. Manning advised the Board that she taught for 25 years at North Pitt High School. Ms. Manning noted that she taught children from group homes and it changed through the years. Ms. Manning stated that when you have 25 kids you can talk them through things, but when you have mental health issues such as those that have already been mentioned, they need to be on

medication. Ms. Manning noted that she had a brother and sister in her classroom that were bipolar and she was immediately aware of the behavior because she was familiar with the symptoms. Ms. Manning advised the Board that the brother came in one day cussing and using terms she had never heard before. He spent most of his days sitting with a counselor. The sister, who was quiet and didn't show any health issues, was bullied one day and she went into the school cafeteria and pulled a knife on another student.

Ms. Manning advised the Board that she is concerned about four to five elderly women in their 80s and 90s that are living by themselves. They can call their family or neighbors who can get there quicker than the Sheriff's Department, but that is a terrifying concern.

Jeffrey Roberts advised the Board that he and his wife currently live in Williamston. Mr. Roberts advised the Board that he lived in Greenville from 1986 until 2009. Mr. Roberts advised the Board that Greenville is a city that provides health, shopping and schools. Mr. Roberts noted that the holistic, healthful person in body and mind is mental health. You can be well in your body, but you can have mental health illness. Mental illness does not just strike and can occur in any family. Mr. Roberts noted that depression, schizophrenia, opposition defiance and many other mental illnesses can occur in anyone. Mr. Roberts advised the Board that one of the things that he feels that makes Greenville strong, is that Greenville provides some of the finest nurses in the nation at the School of Medicine and the School of Allied Health at East Carolina University. Mr. Roberts noted that U.S. News ranks Greenville in the top 10 in the nation for providing doctors in a rural area.

Mr. Roberts advised the Board that he was stricken with the last stage of lymphoma in 2009. Mr. Roberts noted that because of Dr. Leo Jenkins and the Leo Jenkins Cancer Center he was the last person to receive a stem cell transplant. Mr. Roberts noted that this is when he received an epiphany to start a residential facility. At the time he could not do it in Pitt County, but he could in Martin County. Mr. Roberts noted that at this time he moved back to Martin County and started a facility. Mr. Roberts noted that they have helped individuals from all over the state on every level of income, ethnic level and race level. Mr. Roberts stated that he now has two kids in the Martin County facility that are straight A students. They are not there because of something that they did themselves, but because of something that their parents have done. They are not bad kids. Mr. Roberts noted he shies away from saying they are bad because a bad kid could be a kid that was abused, has ADHD because his mind goes a little faster than everyone else, and it could be a kid not being taught enough to satisfy their energy.

Mr. Roberts advised the Board that they received a contract from Trillium Health Resources that there is a need in Pitt County for level three group homes. Mr. Roberts noted that a level three group home provides 24-hour staff and security. There are always two staff members on duty and it has four beds for adolescent males. Mr. Roberts noted that the home will have cameras on the inside and outside with alarms on all the windows and doors. Mr. Roberts noted that they can not guarantee that someone will not elope.



Mr. Manning asked if the group home has cameras and alarms, why were the police called to the Martin County home 22 times.

Mr. Roberts stated that anytime they feel like there is a threat to any other consumer or staff the wisest thing to do is call law enforcement. Mr. Roberts noted that they are licensed to use a therapeutic hold on the client and to decrease liability it is best to call law enforcement if the client does not deescalate his behaviors.

Ms. Flynn stated that there was one instance where a client hacked into the camera to disable them. Ms. Flynn stated that although it is stated that there is somebody there 24 hours watching the clients there was another instance where the staff fell asleep and that does not sound secure.

Mr. Roberts advised that kids are smarter and they can hack into phones and computers. Mr. Roberts noted that when kids went to school during COVID they had access to computers and knew how to go around every safeguard. Mr. Roberts noted that their facilities are insured with a one million-dollar working policy and three million for liability.

Mr. Austin asked of the 22 times that law enforcement were called to the facility, how many of those times were the clients incarcerated.

Mr. Roberts stated that the clients were not incarcerated. Mr. Roberts stated that the incident occurred at the end of COVID and the kids had been locked up and/or in quarantine. When the kids got a chance to walk the road, they walked the road.

Mr. Austin asked when the clients are allowed to leave the home, are they supervised directly or do they have free time.

Mr. Roberts stated that they are supervised and, in most cases, there are two staff members present.

Mr. Austin asked are the clients allowed to walk outside the property.

Mr. Roberts stated the clients are allowed to walk outside the property, but not off of the premises and they are continuously supervised.

Mr. Thompson asked what the age range of the clients is in the homes.

Mr. Roberts stated the age range is 14 to 17.

Mr. Thompson noted if you have two staff members in the home at all times that would mean there will be six total in the home 24-7.

Mr. Roberts stated yes.

Mr. Thompson asked who are the two other individuals that will be in the home.

Mr. Roberts stated that the other two individuals are trained staff.

Mr. Thompson asked how are the staff trained.

Mr. Roberts stated that they are trained in first-aid CPR, NCI A and B, which is a non-violent crisis intervention/crisis management. They are also trained in special populations to understand how to work with various types of mental illness. Mr. Roberts advised that staff is trained in person-centered thinking, documents, and clients rights.

Mr. Thompson asked if the staff are licensed.

Mr. Roberts advised the Board that the facility is supervised by licensed professionals and qualified mental health professionals. Facility staff are Rehabilitation Technicians and each client has a psychiatrist, therapist, medical doctor and Department of Social Services case worker.

Mr. Thompson asked what therapeutic activities could one expect outside the home.

Mr. Roberts stated that their kids do just what other kids do, such as going to the movies and the mall, etc. Mr. Roberts noted that some of their kids excel in school and play sports and participate in band. Mr. Roberts noted the kids are not bad kids. Maybe there is a reason why someone is defined or maybe there's a reason why they have anger issues.

Mr. Hemby stated that one of the presenters stated that the property floods. If the property is flooding, how will they be able to allow the clients to go outside for activities. What are your plans to provide for activities for the clients.

Mr. Roberts advised the Board that they have vans and clients will be brought to Greenville where there are many activities. Mr. Roberts stated that he brought a group to the ECU versus Cincinnati game and they will also attend baseball games. Mr. Roberts noted that Greenville is friendly to those needing mental health services.

Mr. McLawhorn asked if any of the four residents have a history of violence or sexual assault.

Mr. Roberts advised that there are currently no clients at the home. Before they receive a resident, they have to apply. Mr. Roberts noted that he requests the Director or a licensed professional to complete a comprehensive clinical assessment. The clinical team reviews the comprehensive clinical assessment, which will tell about the history of the client. The staff then will address the risk. If the client is aggressive physically to staff and others, the application will not be accepted.

Mr. McLawhorn asked if when the comprehensive clinical assessment is done and it is

determined that one of the young men has been involved in an act of sexual assault or physical violence, is that a means to exclude the applicant from the home or would it be dealt with therapeutically in the home.

Mr. Roberts stated that sexual assault would be different from physical violence. Physical violence could be a kid getting beat up in a group home or another facility and he defends himself. You will look at it according to the merit of the kid and interview the individual, as well as his therapist.

Mr. McLawhorn asked if all four clients will be enrolled in school.

Mr. Roberts stated that by law all must be enrolled in some type of educational facility.

Mr. McLawhorn asked when the client takes part in an activity, are there still two staff members in the house even though the client might be off-site.

Mr. Roberts stated that when the client is in school their staff is not there supervising, the staff is not allowed to be there.

Mr. McLawhorn asked if the staff are qualified mental health professionals.

Mr. Roberts stated that the specification and definition of a qualified mental health professional through the State of North Carolina is that a person has a four-year degree in human services and two years of experience in the field.

Mr. McLawhorn asked if the staff members employed at the home will be qualified.

Mr. Roberts stated that not every staff member will be a qualified mental health professional, but will be a certified Rehabilitation Technician.

Vice Chairman Davenport stated that what Mr. and Mrs. Roberts does is appreciated and it definitely provides a service that is needed in Pitt County. Vice-Chairman Davenport thanked Mr. Roberts for explaining to the Board what the group home is about. Vice-Chairman Davenport asked upon what criteria was used to chose the property. Vice-Chairman stated it would seem that this type of facility would be better suited in a closer proximity to law enforcement and in an area where there are more activities for the clients. Vice-Chairman asked if Mr. Roberts could help the Board better understand why this location will be a good fit for the home.

Mr. Roberts stated that he feels it will be a good fit. Mr. Roberts noted that the home will be in close proximity to activities. Mr. Roberts noted that he brings his clients from Williamston to participate in activities because Greenville has so much to offer. Mr. Roberts noted that the home is 11 miles away from some of the finest hospitals, psychiatrists, and therapists in eastern North Carolina for mental health. Mr. Roberts noted that the home is in a community that understands mental health on every level. One of the greatest challenges at East Carolina University after COVID was mental

health illness due to disruption in lifestyles.

Mr. Hemby stated that in listening to the presentation and in all fairness and in good consciousness he could not sit on the Board and vote for the request. Mr. Hemby noted that with his background and experience of working in a group home, with what the applicant has discussed and other presenters, the fears are real. Mr. Hemby stated that the home is too far out and in all fairness it is just not the right location.

Mr. Gooby advised the Board that Planning staff's recommendation is to approve the request with the additional conditions presented.

There being no further public comment, Chairman Little closed the public comment session for the Jeffrey and Diann Roberts rezoning request.

**UPON MOTION** by Lyman Hardee and seconded by David Davenport, the Pitt County Planning Board voted unanimously to recommend denial of the Jeffrey & Diann Roberts rezoning.

County Attorney Smith advised that the Board needs to take action to make some type of statement as to whether or not the Board believes that the request is consistent with the Comprehensive Land Use Plan or not. The statement does not have to have any bearing on the overall recommendation to approve or deny.

**UPON MOTION** by Charles McLawhorn and seconded by R.J. Hemby, the Pitt County Planning Board voted unanimously to find that this request is consistent with the Pitt County Comprehensive Land Use Plan. The area requested for rezoning is designated as Rural Residential/Agricultural on the future land use map and the area is predominantly agricultural with limited residential uses.

The Pitt County Planning Board recommends denial of the request by Jeffrey and Diann Roberts to rezone 0.34 acres of their property, located on the northern side of NC 30, west of its intersection with SR 1510 (Thigpen Road), Parcel 18690, from Rural Agricultural (RA) to Rural Agricultural (Conditional District) (RA(CD)) to allow the operation of a group care facility.

## ***PLANNING MATTERS***

### **7. PROPOSED SUBDIVISION AMENDMENTS**

Mr. Rhodes advised the Board that at the November meeting the board appointed Fred Austin, Thompson Forbes and Charles McLawhorn to serve on a committee to review the information required at the preliminary plat review stage as outlined in the Subdivision Ordinance. Mr. Rhodes noted that the board also directed staff to identify two developers and one engineer who are willing to serve on the committee. After identifying individuals willing to serve, the chairman has selected the following individuals to fulfill these roles:

Landon Weaver, Bill Clark Homes (Developer); Bobby Tripp, Trip Brothers Construction (Developer); and Bryan Fagundus, ARK Engineering (Engineer).

Mr. Rhodes advised the Board that in addition, the Chairman has also elected to serve on the committee.

Mr. Rhodes advised the Board that Planning staff plans to hold three monthly meetings with the committee beginning in February and ending in April. Staff will then present the committee's recommendations to the Planning Board at its May meeting.

## 8. ENVISION PITT COUNTY 2045

Mr. Gooby presented the Board a brief update on the project activities for the months of November and December 2022.

### Completed tasks:

- Conducted Public Input Meetings:
  - November 29<sup>th</sup> – Community Schools and Recreation Building
  - December 1<sup>st</sup> – North Pitt High School
- Developed final draft plan and future land use map

### Next steps:

- Present draft plan to Planning Board – January 18<sup>th</sup>
- Steering Committee Meeting #4 and Planning Board public hearing – February 15<sup>th</sup>
- Board of County Commissioners public hearing for adoption – March 20<sup>th</sup>

Mr. Gooby presented the Board with the following mission statement for Envision Pitt County 2024:

*“Protect the public health, safety, and welfare by promoting reasonable, orderly, and efficient growth. Ensure that development includes a variety of land uses, is sensitive to environmental and social concerns, and maintains the County’s character and assets.”*

Mr. Gooby provided the Board with the following draft goals and recommendations:

- **Land Use & Development**
  - Utilize the Comprehensive Land Use Plan and Future Land Use Map when considering land use decisions
  - Improve the subdivision permitting and approval process
  - Define residential growth areas and protect prime agricultural lands
  - Maintain Pitt County’s rural character
- **Housing and Economic Development**

- Consider allowances for different housing types in key areas
  - Support new affordable and workforce housing initiatives
  - Promote commercial development in key locations
  - Promote the development of prime industrial lands
  - Explore opportunities to expand broadband internet access
  - Wayfinding and lighting along major corridors
  - Recruitment and support of businesses
- **Cultural Assets & Agriculture**
    - Continue programs to protect and support agriculture
    - Encourage only low-density development in prime agricultural areas
    - Promote and protect Pitt County's cultural resources
- **Parks & Community Health**
    - Provide passive and active recreational opportunities for County residents
    - Coordinate with BOE and PCS for the planning of future public school facilities
    - Enhancements to Alice F. Keene District Park
    - Improve access to recreational facilities north of the Tar River
    - Improve access to health care and County services.
    - Support the production of, access to, and consumption of locally- produced foods.
- **Transportation**
    - Connectivity and emergency access in new residential development
    - Intersection improvements and roadway modernization needs
    - Improve circulation and safety adjacent to school sites
    - Bus service enhancements
    - Regional transportation priorities
    - Subdivision street maintenance
- **Natural Environment**
    - Protect water quality and manage stormwater
    - Maintain and improve drainage
    - Protect significant natural features
    - Protect the Tar River and existing floodplains
    - Increase access to outdoor assets
    - Targeted litter campaign

Mr. Gooby presented the Board with a draft Future Land Use Map. The map highlighted the following areas.

- Open space/Conservation
- Agricultural
- Rural Residential
- Suburban Residential
- Rural Center
- Commercial Crossroads
- Commercial/Mix Use

- Employment/Industrial

Mr. Gooby advised the Board that the map also incorporates the existing Southwest Bypass Land Use Plan and NC 43 South Corridor Land Use Plan.

### ***INFORMATIONAL ITEMS***

#### **9. PLANNING DEPARTMENT 2023 WORK PROGRAM**

Mr. Rhodes presented the Board with the Planning Department's Work Program for 2023. Mr. Rhodes discussed the status and timeline for completing current projects and briefed the Board on upcoming Projects.

#### **10. SAWYER'S PROPERTY MANAGEMENT GROUP, LLC CONDITIONAL DISTRICT REZONING – ZONING ORDINANCE MAP AMENDMENT**

Mr. Rhodes advised the Board that Planning staff received a petition from Sawyer's Property Management Group, LLC requesting several properties be rezoned from Rural Residential (RR) to General Commercial (Conditional District) (GC(CD)) to allow the operation of the following uses: Athletic Fields; Coin Operated Amusement; Golf Course, Miniature; Go-Cart Raceway; Private Club or Recreation Facility; Sports and Recreation Club, Indoor; and Restaurant (without drive-thru). Mr. Rhodes noted that the properties are owned by Sawyer's Property Management Group, LLC and P & D Property Management Group, LLC. These properties are located on the western side of SR 1709 (Corey Road), north of its intersection with SR 1711 (Worthington Road) in the Winterville Township. Mr. Rhodes noted that the properties are 31.93 acres, of which 22.38 acres were proposed for rezoning.

Mr. Rhodes advised that the Board reviewed the rezoning request at its November 16, 2022 meeting and voted unanimously to recommend denial of the request and to advise that it is not consistent with the Pitt County Comprehensive Land Use Plan.

Mr. Rhodes advised the Board that Sawyer Property Management Group, LLC withdrew the rezoning request at the Board of Commissioners December 19, 2022 meeting.

#### **11. AMERICAN MATERIALS COMPANY CONDITIONAL DISTRICT REZONING – ZONING ORDINANCE MAP AMENDMENT**

Mr. Rhodes advised the Board that Planning staff received a petition from American Materials Company requesting several properties be rezoned from Rural Agricultural (RA) to Rural Agricultural (Conditional District) (RA(CD)) to allow the expansion of an existing sand mine. Mr. Rhodes noted that the properties are owned by William D. Mitchum, Jr., NRNS, LLC and JK Properties of Pitt County, LLC. Mr. Rhodes advised that the properties are located on the southwestern side of SR 1403 (Stokes Road), south of its intersection with SR 1401 (Old River Road) in the Belvoir Township. The properties are 157.26 acres, of which 107.26 acres were proposed for rezoning.

Mr. Rhodes advised that the Board reviewed the rezoning request at its November 16, 2022 meeting and voted unanimously to recommend approval of the request and to advise that the request is consistent with the Pitt County Comprehensive Land Use Plan.

Mr. Rhodes advised the Board that the Board of Commissioners approved the American Materials Company Conditional District rezoning at its December 19, 2022 meeting.

**12. STROUD ENGINEERING, P.A. CONDITIONAL DISTRICT REZONING – ZONING ORDINANCE MAP AMENDMENT**

Mr. Rhodes advised the Board that Planning staff received a petition from Stroud Engineering, P.A. requesting that property owned by Jones and Smith Contractors, LLC be rezoned from Rural Agricultural (RA) to Rural Agricultural (Conditional District) (RA(CD)) to allow the operation of a sand mine. Mr. Rhodes noted that the property is located off of Carraway Lane, east of its intersection with SR 1914 (Jolly Ole Field Road) in the Grifton Township. Mr. Rhodes noted that the property is 33.21 acres, the entirety of which was proposed for rezoning.

Mr. Rhodes advised that the Board reviewed the rezoning request at its October 19, 2022 meeting and voted 8-1 to recommend denial of the request and to advise that it is consistent with the Pitt County Comprehensive Land Use Plan and other applicable plans. However, the Board determined the proposed use is not appropriate for the area.

Mr. Rhodes advised the Board that the Board of Commissioners denied the Stroud Engineering, P.A. Conditional District rezoning at its November 21, 2022 meeting.

**13. FRESH AIR ENERGY XI, LLC SPECIAL USE PERMIT EXTENSION REQUEST**

Mr. Rhodes advised the Board that at its regularly scheduled meeting on December 7, 2020, the Board of Commissioners granted a Conditional Use Permit (now considered a Class 1 Special Use Permit) to Fresh Air Energy XI, LLC to operate a solar energy facility (i.e. "solar farm") on several parcels located east of the Town of Grifton. Due to the COVID-19 pandemic, the North Carolina General Assembly enacted Session Law 2021-3 which stated "for any development approval that is current and valid at any point during the period beginning September 2, 2020, and ending 30 days after Executive Order No. 116 is rescinded, the expiration date of the period of the development approval and any associated vested right under G.S. 160D-108 or G.S. 160D-108.1 is automatically extended 150 days from the date the Executive Order is rescinded." Executive Order No. 116 was rescinded on August 15, 2022, therefore the issued permit would have automatically expired 150 days after this date on January 12, 2023.

Mr. Rhodes advised the Board that Fresh Air Energy XI, LLC requested a six-month extension to the permit because the project was delayed due to disruptions in the global supply chain for the solar industry caused by the COVID-19 pandemic.



Mr. Rhodes advised the Board that the Board of Commissioners approved the request by Fresh Air Energy, XI, LLC to grant a six-month extension (until July 11, 2023) to the Special Use Permit at its January 9, 2023 meeting.

**14. NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) REQUEST FOR ADDITIONS TO STATE MAINTAINED SECONDARY ROAD SYSTEM**

Mr. Rhodes advised the Board that Planning staff received a petition from NCDOT requesting the addition of two roads to the State Maintained Secondary Road System. Also included was a resolution for the Board of Commissioners endorsement, as well as copies of the NCDOT Investigation Report and maps illustrating the location of the following roads.

- Three Oaks Drive (Three Oaks Subdivision)
- Arbor Rose Drive (Three Oaks Subdivision)

Mr. Rhodes advised the Board that the Board of Commissioners endorsed the resolution at its December 5, 2022 meeting.

**15. NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) REQUEST FOR ADDITIONS TO STATE MAINTAINED SECONDARY ROAD SYSTEM**

Mr. Rhodes advised the Board that Planning staff received a petition from NCDOT requesting the addition of two roads to the State Maintained Secondary Road System. Also included were resolutions for the Board of Commissioners endorsement, as well as copies of the NCDOT Investigation Report and maps illustrating the location of the following roads.

- Winding Cove Drive (Winding Cove Subdivision)
- Turner Run Drive (Turner Run Subdivision)
- Brown Farm Drive (Turner Run Subdivision)
- Turner Court (Turner Run Subdivision)

Mr. Rhodes advised the Board that the Board of Commissioners endorsed the resolutions at its December 19, 2022 meeting.

**16. SET PUBLIC HEARING TO CONSIDER CLOSURE OF A PORTION OF RADIO STATION ROAD (SR 1296)**

Mr. Rhodes advised the Board that on August 15, 2005, the Board of Commissioners voted unanimously to adopt a resolution, at the request of the North Carolina Department of Transportation, to abandon a 0.08-mile portion of Radio Station Road. The current landowner requested that the road formally be closed.

Mr. Rhodes advised the Board that Nicholas K. Blackwood, on behalf of Commercial & Office Centers, LLC, owners of parcel numbers 18295, 35965, 45760 and 69949, submitted a written petition to close the 0.08-mile portion of Radio Station Road.

Mr. Rhodes advised the Board that at the Board of Commissioners December 19, 2022 meeting, the Board of Commissioners adopted the resolution to set a Public Hearing for the January 9, 2023.

- 17. DEPARTMENTAL MONTHLY REPORT FOR NOVEMBER AND DECEMBER**
- 18. VARIOUS CORRESPONDENCE AND ARTICLES**
- 19. ADJOURN**

There being no further business, the Pitt County Planning Board adjourned at 6:42pm.

Respectfully submitted,  
/s/James Rhodes  
Executive Secretary