

PITT COUNTY PLANNING BOARD
MINUTES May 20, 2020
 GREENVILLE, NORTH CAROLINA

The Pitt County Planning Board met in a regular session on Wednesday, May 20, 2020, at 5:30 p.m. in the 2ND FLOOR EUGENE JAMES AUDITORIUM of the Pitt County Office Building, 1717 W. 5th Street, Greenville, North Carolina. The meeting was conducted virtually with Board members and the public participating remotely.

1. CALL TO ORDER

Vice-Chairman Guth called the meeting to order at 5:40 p.m. and welcomed guests. Vice-Chairman Guth also welcomes Fred Austin as a voting member.

2. PRAYER AND PLEDGE OF ALLEGIANCE

Vice-Chairman Guth led the Board in a moment of silence and Mr. Rhodes led the Pledge of Allegiance.

The following members were present:

Fred Austin	Brad Guth
Faye Barefoot	Steve Little
Don Brown	Tucker Moore
David Davenport	Maria Rogerson

The following members were absent:

Naomi Buck
 R.J. Hemby
 Danny Smith

Staff in Attendance:

James Rhodes, Director
 Jason, Bryant, Planner I
 Jordan Smith, Assistant County Attorney

3. APPROVAL OF MINUTES OF APRIL 15, 2020 MEETING

UPON MOTION by Steve Little, seconded by Maria Rogerson, the Pitt County Planning Board voted unanimously to approve the minutes of the April 15, 2020 meeting.

4. PUBLIC ADDRESSES TO THE BOARD

No public participants addressed the Board.

DEVELOPMENT REVIEW

5. THE FARM: Located on County Home Road, south of its intersection with Jack Jones Road

Mr. Bryant presented the preliminary plat for The Farm by noting the size and location of the development. He reviewed the conditions and requirements pertinent to the site. Mr. Bryant stated that notices were sent to all adjacent property owners in accordance with the Planning Board's Notification policy. Mr. Bryant advised that Planning staff received a few calls and emails with interest in the general design and entrance, landscaping berm and stormwater. Mr. Bryant stated the Technical Review Committee has recommended conditional approval of this plan.

PRELIMINARY PLAN

THE FARM: Located on County Home Road, South of its intersection with Jack Jones Road.

Site Data: 48.22 acres, 24 Lots.

TECHNICAL REVIEW COMMITTEE: CONDITIONAL APPROVAL

CONDITIONS AND REQUIREMENTS

[Planning]

1. A portion of this property is located within a 100-year flood zone according to FRIS Panel #3720469400J, Effective Date 01-02-2004, Zone X and Zone AE, and will require a floodplain development permit if development is desired within that portion.
2. No stormwater BMP's are required due to the nutrient loadings being below the maximum loading requirements for nitrogen and phosphorus and the attenuation calculations not showing more than a 10% increase in peak flow volumes from pre to post development.
3. The stormwater permit shall be valid for a period of two years from the date of issuance unless a valid building permit has been issued and maintained for the site or the stormwater permit has been revoked by Pitt County. If after two years the permitted activity has not begun nor a valid building permit secured, this permit shall expire.
4. All land purchases and transfers necessary to secure the property for development shall be completed prior to issuance of this permit.
5. The development of the tract shall proceed in conformity to all plans, design features, and restrictions submitted as part of the stormwater permit application and kept on file by the Pitt County Planning Department except that the Pitt County Stormwater Administrator may approve minor changes, consistent with the approved plan, as required by field conditions and in accordance with Section 15(G) of the Pitt County Stormwater Ordinance for Nutrient Control.
6. If any amendments are made to the approved plan, revised stormwater calculations must be submitted to the Pitt County Planning Department.

7. Lot 15 is shown as 24,452.42 sf. The minimum lot size for the RR district is 25,000 sf.
8. Lots 5 and 18 do not meet the minimum lot width of 100' measured at the required MBL.
9. The zoning designation of all the adjacent properties needs to be shown on the plat.
10. Add Not located in a ½ mile Voluntary Agricultural District Buffer.
11. Add Landscape Buffer per Section 146G of the Pitt County Subdivision Ordinance. For new subdivisions that have road frontage along state-maintained roads and include the construction of new streets, a landscaped buffer meeting the requirements of Section 10H of the Pitt County Zoning Ordinance shall be installed along the existing state-maintained right-of-way.
12. Add open space, 0.72 acres is required. Per Section 156A of the Pitt County Subdivision Ordinance, all new major residential subdivisions shall provide park, recreation, or open space in the amount of 0.03 acres per lot.
13. A stub-out road is required to parcel #35435 or #35436. Due to the adjacent parcels being in the same ownership and are greater than 10 acres.

[Pitt County Engineering]

14. Add easements for Stormwater pipes for appropriate maintenance.
15. Cluster Box Unit should be on its own parcel, that is deeded to the Home Owners Association. Lot is a special use and does not need to meet minimum lot size standards.

[Pitt County Environmental Health]

16. Each lot will be evaluated in accordance with rules .1940 of the Laws and Rules for Sanitary Sewage Collection, Treatment, and Disposal (15A NCAC 18A .1900).
17. No fill material (including construction spoils) is allowed on any area to be used for a sewage disposal system or 100% repair area. Any amount of fill found on these areas will be grounds for disapproval of the proposed lot.
18. The location of any proposed berms must be shown on all subsequent maps. The final dimensions of the completed berm must be shown so that the Environmental Health staff can verify that no portion of any berms will interfere with the sewage system or 100% repair locations.
19. Locations of any soil stock pilings should be shown on the construction plan. These stock pilings should be placed in an area not to be utilized for on-site sewage disposal.
20. If underground electrical lines or natural gas lines cross the property at any point, they must be flagged by ULOCO before the site is evaluated by the Environmental Health staff.
21. The location of any existing or proposed drainage tile must be field located and shown of a surveyed map provided to Environmental Health staff.
22. A backhoe may be required for the site evaluations (15A NCAC 18A .1939(b)).
23. Any riparian buffers or floodways must be noted on subsequent maps.

[Greenville Utilities Commission, Electric]

24. Mailbox cluster must be located outside electric easement and moved to another lot.
25. Add a 15' electric easement back of R/W opposite of the water main on lots 1-11.
26. Add additional 10' electric easement on common P/L of lots 12/13 outside of the 20' ingress/egress easement.
27. Lot 11 will also require a 10' electric easement for underground primary to provide power to this parcel.
28. Add 10' electric easement back of R/W on opposite side of water main wrapping to back of cul-de-sac.

[NC Department of Transportation]

29. NCDOT would like to request a 25'X25' ROW or public utility easement triangle at the intersection of County Home and Walt's Way on both sides.
30. Driveway permits and encroachment agreements will be required.

GENERAL COMMENTS**[Pitt County Environmental Health]**

- *No permits have been applied for at this time.*

[E-911 Addressing]

- WALT'S WAY is approved and has been added to the pending road name list.

[Pitt County Planning]

- Property is zoned Rural Residential.
- The minimum setback from internal streets is 30'.
- All stream crossings for driveways must be perpendicular to feature and associated buffer. Ensure this can be achieved on lots 11 and 12.

[NC Department of Transportation]

- NCDOT prefers 2'6" std. curb rather than roll curb.

[Southeastern Drainage District]

- Located inside the boundary of Pitt County Drainage District Three, drainage easements are as shown on plat.

[Eastern Pines Water Corporation]

- Will be able to supply water to the proposed subdivision.

[Pitt County Schools]

- As of February 2020, the school districts are Chicod and DH Conley High School.

[Pitt County Soil and Water]

- Soil type Os has a seasonal high water table. Only consist of .3 acres.

- All soil types are unstable for trenching 4 feet or more.
- There are records indicating the presence of sub surface drain tile in our office.
- Located in the Swift Creek water shed.

[Pitt County Emergency Management]

- Approves this plan.

Mr. Bryant presented the Board with the following letter from the South Family.

“With regards to the meeting on May 20th, we have some concerns we would like to hear discussed. We know that Cherry Construction builds nice homes so we are thankful for that but still...we came to NC and purchased property in this area to be away from traffic and close neighborhoods. We are concerned about the entrance and traffic turning in and out of our driveways and their driveways. We have 2 new drivers and an elderly driver in our household and our concern is that they can safely come and go. In addition, we chose this property location for the beautiful aesthetics we enjoy such as privacy, wildlife and sunrises, and we need to know these amenities will not be affected.

The water retention basin next to our home gets fairly full with a good rain and by building a neighborhood with 24 houses that creates more run off into the drainage ditch which then flows into the ditch by our house and into Fork Swamp Creek that runs behind us, which would increase water levels. We are having a pool built in the back of our property and we don't want to have drainage or structural issues.

We ask that you please understand that we all moved out into the country for space and privacy and to consider that privacy when designing ways to preserve it as naturally as possible. This should include the placement of the entrance to the neighborhood so that it is not directly across from anyone's driveway.

Thank you for your utmost consideration for these concerns. Looking forward to hearing the discussion and the ideas.

The South Family”

Mr. Bryant advised the Board that ARK Consulting Group, PLLC submitted on May 19, 2020, new information regarding the recommended condition for construction of a stub out street to the adjacent parcel to the South. Mr. Bryant presented the Board with the following email from ARK Consulting Group, PLLC.

“As we talked about last week and again today, the COVID-19 pandemic provided a challenge in obtaining permission from the owners of Parcel 35435 to perform soils investigations. That said, we were able to garner permission from the current landowners and Gene Aston has completed the soils evaluation of Parcel 35435 located adjacent to and south of The Farm. Attached is the soils report describing the soils conditions relative to septic system suitability. As illustrated in Gene's report, the soils to the south of the canal, especially on the western portion of the property, are the better soils for septic suitability. The soils deteriorate closer to the canal as we anticipated and there is also a stretch of suitable soil on the east side of the canal.

Upon receiving Gene's soils report, I was able to use that information to prepare two sketch plan options illustrating the development potential for Parcel 35435.

The attached Option 1 utilizes a street connection from The Farm under the assumption this connection will be constructed with The Farm. The portion that would be proposed for construction with The Farm is shown in light blue.

The attached Option 2 utilizes a future street connection from Parcel 19565 located to the south of Parcel 35435 under the assumption this stub would be provided in substantially the same location as the Option 1 stub at the time Parcel 19565 were to develop.

As illustrated in both options, there are limitations on the overall number of lots that can be achieved on Parcel 35435 due to the soils and the Pitt County Drainage Corporation Canal bisecting the property. The bulk of the lots will be located on the south and west side of the existing Drainage Corporation canal. Street access would be planned up to the south side of the Drainage Corporation canal to provide driveway access to buildable lots on the east side of the canal – similar to the proposed development pattern of The Farm. Again, both sketch options assume that the canal will not be crossed with a public street. With the limited development potential, or lot yield, the analysis below shows the financial challenges relative to land and construction costs because there are not many lots in which to spread these costs. There will also be additional long-term maintenance costs associated with Option 1 that will exceed the maintenance costs associated with Option 2. The additional street length to provide development potential to Parcel 35435 under Option 1 is 1,175 LF and the Option 2 street length is 180 LF.

Below is a summary of streets required to be constructed and lot yields for each of the two options along with comparative costs for both options.

	<u>Option 1</u>	<u>Option 2</u>
Total Lots on Parcel 35435	6 Lots	6 Lots
Additional Street from The Farm to stub to Parcel 35435 (shown in light blue)	490 LF	0 LF
Additional Street Construction Cost for The Farm (490 LF @ \$500/LF)	\$245,000	\$0
Street Constructed on Parcel 35435 (shown in light red)	685 LF	180 LF
Street Construction Cost on Parcel 35435 (685 LF @ \$500/LF)	\$342,500	\$90,000
Total Street Construction Cost Per Lot for Parcel 35435 Assuming 6 Lots	\$97,916.67	\$15,000

<i>Raw Land Sales Price for Parcel 35435 23 +/- acres @ \$12,000 / Ac (same land cost as The Farm)</i>	\$276,000	\$276,000
<i>Land Cost per Lot for Parcel 35435 Assuming 6 lots</i>	\$46,000	\$46,000
<i>Total Development Cost per Lot for Parcel 35435</i>	\$143,916.67	\$61,000

As illustrated above, there are financial challenges resulting from providing street stub from The Farm to facilitate public street access and to facilitate the potential future development of Parcel 35435. In addition, the current landowners of Parcel 35435 have expressed their desire not to have this street stub to their property from The Farm. This is active agricultural land and the family has stated that they have no plans to sell or develop this property.

As I have previously conveyed, we strongly believe in the County's policies on interconnectivity. However, given the limited development potential of Parcel 35435, the financial challenges of providing interconnectivity from The Farm to facilitate the future feasible development of Parcel 35435 due to its limited development potential, and the fact that the current owners would prefer not to have the connection at this time, our recommendation and preference is to see a future street stub provided to Parcel 35435 from Parcel 19565 at the time Parcel 19565 develops. The future connection from Parcel 19565 will yield a more pragmatic and affordable development potential for Parcel 35435.

I am glad to review this information with you in detail tomorrow if you'd like to do so.

*Thanks,
Bryan C. Fagundus, PE (NC, VA)
Ark Consulting Group, PLLC"*

Mr. Bryant advised the Board that the staff and TRC recommend construction of a stub out to the property to the south based on the stub out requirements from Section 141.5.b. of the Pitt County Subdivision Ordinance.

Mr. Little asked if the concerns addressed by the South family would be discussed.

Mr. Rhodes advised that NC Department of Transportation has already reviewed the plan and has made recommendations. There will be very limited driveway permits issued for this property. Mr. Rhodes stated there is a driveway permit for the road going into the development and one other driveway that is being permitted onto County Home Road. Mr. Rhodes noted that the Board had an in-depth discussion last month concerning stormwater regulations in cases like this where there is new development and a stormwater plan is required. What the state requirements allow for is that the runoff cannot be increased more than 10% of the predevelopment level. Mr. Rhodes stated that there is a proposed public street going into this development. Mr. Rhodes advised that sometimes roadway ditches actually help to keep the stormwater runoff on site a bit longer and therefore it's a negligible amount, if any increase, that goes off site. Mr.

Rhodes stated those were two of the main items that the South family was concerned about.

Ms. Rogerson asked if the email that was forwarded to the Planning Board members from ARK Consulting Group, PLLC would be addressed.

Mr. Rhodes stated yes. Mr. Rhodes advised the Board that from staff's perspective the recommendation for stub out still stands, and staff's interpretation of the ordinance is that there is no way to provide an exception for this stub out given the criteria, but the Board may offer a different interpretation. The email from ARK Consulting Group, PLLC will need to be addressed as part of the motion the development.

Vice-Chairman Guth opened the public comment session for The Farm preliminary plan.

Mr. Beaty Bass of 5692 County Home Road stated that he is a neighbor to the development and advised the Board he is speaking on behalf of five families. The South family is one of the families. He stated he had resided there a little over a year, and privacy was a major reason for relocating. Mr. Bass stated what they would request is a landscape berm coming down County Home Road or looking out across his front yard. Mr. Bass stated the biggest concern that he would echo is the stormwater runoff. Mr. Bass stated he heard mentioned a possibility of a 10% increase. Mr. Bass noted that his house in particular is farthest off the road so it is the closest to Fork Swamp. During large rainfall events, the drainage ditches that all run toward Fork Swamp fill up with water and it gets out of there pretty quickly, but it does flash flood pretty quickly as well. Mr. Bass stated that their major concern is how much thought in planning and engineering goes into helping reduce an increase to runoff. Are there plans for a retention pond? Would a retention pond help? Can the drainage ditches be increased to carry more or have a larger capacity?

Mr. Rhodes advised that a landscaping berm is required. The Pitt County Subdivision Ordinance was updated to require a berm along the state maintained roads, such as County Home Road, so that will be part of the development plan. Similarly the construction plan will also include any stormwater best management practices. That could include whatever features are necessary to make sure the site is in compliance with the stormwater regulations.

Bryan Fagundus, Engineer with ARK Consulting Group, PLLC advised the Board that he is representing the developer of The Farm. Mr. Fagundus stated that ARK is a civil engineering firm in Greenville. Mr. Fagundus noted that the comments that came out of the TRC meeting are being addressed. Most of them have already been addressed on paper and will be addressed especially at the time of the construction plan submittal. Mr. Fagundus stated that in regards to Mr. Bass's concerns, there will be an attractive landscape berm feature across the road frontage of this property. There will be an entrance feature at the primary street at Walt's Way turning into the subdivision. Mr. Fagundus stated that in terms of the berm, it's a County requirement but Mr. Cherry always does a really good job with aesthetics on his projects. The driveway locations and street locations were vetted very early on with the district office of the Department of Transportation through the a sketch plan phase for the project

Mr. Fagundus stated that the County does have a stormwater management ordinance that regulates two different components in stormwater runoff. The ordinance regulates the export of nutrients and the increase in runoff. Mr. Fagundus stated that the good news is, and James alluded to it a little, when you convert row crop agricultural fields to larger residential lots, that range from half an acre to in this case six acres plus, the runoff rates decrease. Mr. Fagundus advised that this site does in fact generate less runoff in its post development condition. From a stormwater perspective, the canal is the primary drainage outlet for this property that flows under County Home Road and ultimately into Fork Swamp. Mr. Fagundus noted that Mr. Bryant mentioned a small section of floodplain. That floodplain follows the culvert underneath the County Home Road and just barely touches this property. As you go back towards Fork Swamp in the woods that Mr. Bass described, that's where that floodplain opens up and then Fork Swamp has a regulatory floodway associated with it as well. Mr. Fagundus advised the Board that their expectation is this property follows more or less existing natural drainage patterns. He noted that the primary drainage feature is a canal maintained by SouthEastern Drainage Commission. Mr. Fagundus stated that from a stormwater perspective, the plan is in compliance with state and county regulations and will not cause any more downstream flooding especially in Fork Swamp and Swift Creek watershed. If stormwater calculations did not meet the requirements, the plan would be revised.

Mr. Fagundus stated he realizes the Board probably has not had ample time to review his email regarding street interconnectivity. Mr. Fagundus apologized for tardiness on providing the information. Mr. Fagundus advised the Board that they have been working since this time last month to set up meetings with the adjacent landowner to the south to discuss on-site activity and the street stub out. He advised that the COVID situation had complicated his work. He indicated that he was in favor of interconnectivity, but thinks there is a better way of achieving it. Mr. Fagundus stated that they received the soils information and he provided a summary in the email, as well as a couple of different ways to provide connectivity to the property to the south. Mr. Fagundus stated that soil analysis yields about 4 lots to the south of the drainage canal. The image of option two as opposed to option one is clearly shows the amount of street construction and the amount of infrastructure that it would take to provide the same connectivity back to County Home Road for that landlocked parcel. Parcel 19565 in option two shows a road that would come from that parcel into this parcel. Parcel 19565 already has dedicated access out to County Home Road. By foregoing the stub out from The Farm, cost will be reduced by a couple hundred thousand dollars. He noted that the existing owners and the Strong family members of the parcel to the south are not very keen on having the access. The property has been in their family for a while and they have no intentions in selling or developing the property. One of the constraints with The Farm and one of the constraints that will be in existence if the Strong property were to ever develop is the drainage corporation is extreme hesitation to allow crossings. Mr. Fagundus advised the Board that The Farm is proposing is limited residential driveways to cross the canal and that is what the expectation would be on the Strong's property.

Vice-Chairman Guth asked the Board if they had any questions for Mr. Fagundus about the options that are being requested. Vice-Chairman Guth advised the Board that the

options presented would be a change to the conditions that Planning staff is recommending.

Mr. Little asked if Planning staff what is considered the best option.

Vice-Chairman Guth stated that Planning staff recommends retaining the requirement for a stub out.

Mr. Rhodes presented the Planning Board with a visual of the two options provided by Mr. Fagundus. Mr. Rhodes advised the Board that Planning staff has reviewed at the Subdivision Ordinance based on the information that is provided. The Pitt County Subdivision Ordinance is a very objective technical ordinance and there's not much, if any, flexibility in interpretation. Mr. Rhodes noted that if the plans meet the requirements they're approved or conditionally approved. Mr. Rhodes advised that based on Planning staff's review of street section, specifically the street interconnectivity part, Planning staff doesn't see a way to provide an exception for the stub out. Planning staff believes the stub out is required. Mr. Rhodes shared with the Board with the stub out requirements from Section 141.5.b. of the Pitt County Subdivision Ordinance.

Mr. Joey Cherry, Developer of The Farm, advised the Board that he was aware of the stub out ruling and what the County preferred. Mr. Cherry stated he was considering trying to purchase the land to the south of The Farm and possibly consider developing the tract. The economics only make it feasible if they ever wanted to sell the land and after speaking with the landowner they do not want to sell. They also do not want the stub out. The stub out would have to come from the south to make it even feasible for somebody to try to develop the land. Mr. Cherry stated that he understands the reasoning for the stub out, he just thought this would possibly be an exception. Mr. Cherry noted that even if the landowner wanted to sell the property he doesn't feel that they would be able to give it away and make it a desirable piece of land for a developer. Mr. Cherry stated that he feels it's a moot point that that land will be developed. Mr. Cherry advised that he wanted to ask the Board if there was it would be considered an exception because it makes more sense for them to come in from the south and was something that would be feasible. Coming from The Farm property would be totally unfeasible. Mr. Cherry stated that he understands the ruling, but this is a case that will never work, not the way it stands without coming from the south and involving more than one farm. Mr. Cherry thanked the Board for its consideration and noted that they will certainly make it a nice development and it will be an enhancement for the County.

There being no further public comments, Vice-Chairman Guth closed the public comment session for The Farm preliminary plan.

UPON MOTION by Steve Little, and seconded by Faye Barefoot, the Pitt County Planning Board voted unanimously to conditionally approve of the preliminary plan for The Farm.

6. **TURNBERRY:** Located on Ivy Road, north of its intersection with Mobley's Bridge Road

Mr. Bryant presented the preliminary plat for Turnberry by noting the size and location of the development. He reviewed the conditions and requirements pertinent to the site. Mr. Bryant stated that notices were sent to all adjacent property owners in accordance with the Planning Board's Notification policy. Mr. Bryant advised that Planning staff received an email and phone call interested in the number of lots and how to contact the developer if they were interested in purchasing a lot. Mr. Bryant stated the Technical Review Committee has recommended conditional approval of this plan.

PRELIMINARY PLAN

TURNBERRY: Located on Ivy Road, West of its intersection with Mobley's Bridge Road.

Site Data: 63.7 acres, 46 Lots.

TECHNICAL REVIEW COMMITTEE: CONDITIONAL APPROVAL

CONDITIONS AND REQUIREMENTS

[Planning]

1. Based on the calculations submitted, this development will require the installation of Best Management Practices (BMP's) and/or a payment must be approved and paid to a private mitigation bank or the Environmental Enhancement Program (EEP) to meet the Phosphorus loading requirements of the Pitt County Stormwater Ordinance. This payment must be made prior to approval of the construction/SESC plan.
2. All BMP's must meet the requirements of the Pitt County Stormwater Ordinance and must be designed according to the North Carolina BMP Manual.
3. The owner will be responsible for maintenance of all stormwater BMP's. A stormwater maintenance agreement is required.
4. A 40' MBL is required on those lots that have double frontage along Ivy Road (Lots 1-2 and 42-46).
5. Mailbox Cluster Unit must be located on a lot deeded to the homeowners' association. Lot is for a special purpose and not subject to minimum lot standards.
6. Add designation of proposed streets as Public or Private.
7. Show riparian buffer along the ditch on lots 40-43 and along the rear property lines of lots 14-18.
8. Turnberry Drive – Denied – Too similar to Turnbury Drive in Greenville and must be renamed.

[Pitt County Environmental Health]

9. Each lot will be evaluated in accordance with rules .1940 of the Laws and Rules for Sanitary Sewage Collection, Treatment, and Disposal (15A NCAC 18A .1900).
10. No fill material (including construction spoils) is allowed on any area to be used for a sewage disposal system or 100% repair area. Any amount of fill found on these areas will be grounds for disapproval of the proposed lot.

11. The location of any proposed berms must be shown on all subsequent maps. The final dimensions of the completed berm must be shown so that the Environmental Health staff can verify that no portion of any berms will interfere with the sewage system or 100% repair locations.
12. Locations of any soil stock pilings should be shown on the construction plan. These stock pilings should be placed in an area not to be utilized for on-site sewage disposal.
13. If underground electrical lines or natural gas lines cross the property at any point, they must be flagged by ULOCCO before the site is evaluated by the Environmental Health staff.
14. The location of any existing or proposed drainage tile must be field located and shown on a surveyed map provided to Environmental Health staff.
15. A backhoe may be required for the site evaluations (15A NCAC 18A .1939(b)).
16. Any riparian buffers or floodways must be noted on subsequent maps.

[NC Department of Transportation]

17. A non-access easement should be placed along lots 1,2, and 42-46 along the NCDOT ROW. An access to the cemetery on lot 44 may remain.
18. Connection to existing waterline should be constructed to not have any valves within the proposed pavement sections or invade 1:1 slopes from end of pavement.
19. Additional ROW or public utility easement should be placed at the street connection to Ivy Road and any internal intersection.
20. NCDOT driveway permits and encroachments will be required.
21. There is a Piedmont Natural Gas (PNG) permanent easement within this plan. NCDOT will need recorded ROW specific to this area. NCDOT recognizes this easement and has no concerns with its placement in the proposed NCDOT ROW. NCDOT would like the Engineer to be mindful of NCDOT requirements for utility crossings within NCDOT ROW and the roadway design should be such that PNG facilities are expressly protected for design and during construction activities.
22. Water line should be constructed within 5' or less of the ROW line as with any utility installed.

[Eastern Pines Water Corporation]

23. Show water line for permanent hammerhead on construction plan submittal.

GENERAL COMMENTS

[Pitt County Planning]

- Portions of Lots 37-42 are within the AE flood hazard area as well as the AE Floodway. Development cannot occur within the Floodway, and a floodplain development permit will be required if development is to occur within the floodplain.
- The cemetery lot as shown on the plat is considered a special purpose lot and is not subject to the minimum dimensional requirements such as lot area and width.

[Emergency Management]

- Approves this plan.

[E-911 Addressing]

- Steele Drive – Approved and added to Pending Road Name List.
- Frances Court – Approved and added to Pending Road Name List.
- Windflower Lane – Approved and added to Pending Road Name List.

[Eastern Pines Water Corporation]

- Site is currently supplied by 4” water line.

[Pitt County Soil and Water]

- Soil types Bb, By, GoA, GoB, Ly, Ra, and OcB have a high seasonal water table.
- South Eastern Drainage District
- Juniper Branch watershed.
- Existing subsurface drainage is on site.

[Southeast Drainage District]

- Site is located inside the boundary of Pitt County Drainage district 9. Drainage district easement exist on North property line 35 feet from the center line of canal.

[Pitt County Schools]

- As of April 2020, this site is assigned to Chicod and DH Conley.

[Greenville Utilities Commission, Electric]

- Approves this Plan.

Mr. Bryant presented the Board with the following email from Richard A. Tucker.

“Jason, we are the owners of parcel 48474 across the road from parcel 48471 and my family is concerned about the development of this land. Reference the attached aerial photo from possibly round 1930, my father has told us of an old cemetery on the family farm which he remembers seeing tall wooden markers as a child. This photo supports the fact there was most likely a cemetery there, as why else would a small wooded area be surrounded by farmland. This area may not be disturbed by the development, but could end up as someone's back yard, unknowingly to the homeowner. This area would most likely be the graves of the previous landowners, or possibly even slaves, prior to 1874.

We would like all parties to be aware of this, as this could impact the plan design by the developer and how that particular area is treated.

We also have the following concerns which may most likely be addressed in the

- 1. Where will the development entrance be.*
- 2. How will the developer address the graveyard at the road. We were informed a landscaped berm would be installed around it's perimeter.*
- 3. What will be the size of the lots and homes.*

I am copying the Historical Society on this and hope that this message will be passed along to Bill Kittrell, who has performed some cemetery mapping, as he may have some input on how old unmarked and unregistered grave sites are treated.”

*Respectfully,
Richard A Tucker”*

Vice-Chairman Guth opened the public comment session for Turnberry preliminary plan.

Landon Weaver of Bill Clark Homes Greenville, LLC advised the Board that they have a subdivision that they are proposing that meets all requirements. Mr. Landon noted that the subdivision is located in the Chicod School District. The lots are going to be well-sized and priced to do well in this part of the County. Mr. Weaver stated that they feel that they have met all the requirements and have discussed with NCDOT, Eastern Pines Water Corporation and County staff to try to do everything that everybody sees fit on this project. Mr. Weaver stated that there will be landscaping along the front and screening around the cemetery while giving access to the individuals visiting the cemetery. Regarding Mr. Tucker’s assertion that there potentially may be some unmarked graves on site, Mr. Weaver advised that they will follow any required laws or ordinances. He stated that they have done investigating on their own and have seen no evidence of any graves through historic documentation or on-site with any kind of markings or any kind of depressions. Mr. Weaver noted that they will investigate it further and look into it more to make sure that they are not selling somebody something that they don’t feel confident about. He stated that they will treat it as the law and ordinance require.

Richie Brown of Stroud Engineering, PA advised the Board that he wanted to reiterate a few things that Mr. Bryant has already talked about. One of the comments they received was a designation of the roads being public versus private. Due to the lower density of the development the pre- and post-runoff calculations dictate that no stormwater attenuation is required and also that they are not over the threshold for nutrient export from the site.

There being no further public comments, Vice-Chairman Guth closed the public comment session for Turnberry preliminary plan.

UPON MOTION by Steve Little, and seconded by Don Brown, the Pitt County Planning Board voted unanimously to conditionally approve of the preliminary plan for Turnberry.

7. WOODBRIER: Located at the intersection of J.C. Galloway Road and Black Jack-Grimesland Road

Mr. Bryant presented the preliminary plat for Woodbrier by noting the size and location of the development. He reviewed the conditions and requirements pertinent to the site. Mr. Bryant stated that notices were sent to all adjacent property owners in accordance with the Planning Board’s Notification policy. Mr. Bryant advised that Planning staff received an email and phone call concerning the development. Mr. Bryant stated the Technical Review Committee has recommended conditional approval of this plan.

PRELIMINARY PLAN

WOODBRIER: Located at the intersection of J.C. Galloway Road and Blackjack-Grimesland Road.

Site Data: 36.8 acres, 14 Lots.

TECHNICAL REVIEW COMMITTEE: CONDITIONAL APPROVAL

CONDITIONS AND REQUIREMENTS

[Planning]

1. Add statement, "Located within ½ mile of a Voluntary Agricultural District."

[Pitt County Environmental Health]

2. Each lot will be evaluated in accordance with rules .1940 of the Laws and Rules for Sanitary Sewage Collection, Treatment, and Disposal (15A NCAC 18A .1900).
3. No fill material (including construction spoils) is allowed on any area to be used for a sewage disposal system or 100% repair area. Any amount of fill found on these areas will be grounds for disapproval of the proposed lot.
4. The location of any proposed berms must be shown on all subsequent maps. The final dimensions of the completed berm must be shown so that the Environmental Health staff can verify that no portion of any berms will interfere with the sewage system or 100% repair locations.
2. Locations of any soil stock pilings should be shown on the construction plan. These stock pilings should be placed in an area not to be utilized for on-site sewage disposal.
3. If underground electrical lines or natural gas lines cross the property at any point, they must be flagged by ULOCCO before the site is evaluated by the Environmental Health staff.
4. The location of any existing or proposed drainage tile must be field located and shown of a surveyed map provided to Environmental Health staff.
5. A backhoe may be required for the site evaluations (15A NCAC 18A .1939(b)).
6. Any riparian buffers or floodways must be noted on subsequent maps.

[NC Department of Transportation]

7. A Non-access easement should be placed along the ROW of lots #10 & 11 from the proposed driveways toward the center of the intersection on each.
8. Driveway permits and encroachment agreements should be submitted as required
9. Driveways have been pre-approved for the designated locations and should not be relocated.

[Greenville Utilities Commission, Electric]

10. Electric easements will be required based on the proposed home and septic locations.

GENERAL COMMENTS

[Emergency Management]

- Approves this plan.

[E-911 Addressing]

- Lots will have addresses assigned after the plat is recorded.

[Eastern Pines Water Corporation]

- Has no provided comment.

[Pitt County Soil and Water]

- Soil types CrA, CrB, CrB2, and LoA have a slow permeable characteristic.
- Soil types CrA, CrB, CrB2, and LoA have a high shrink swell potential.
- There are no subsurface drain tile maps on file, but it is possible that subsurface drain tile could be onsite.
- This parcel is with in the ½ mile VAD Buffer and in the Southeastern Drainage District.
- Chicod Creek watershed

[Southeast Drainage District]

- Site is located inside the boundary of Pitt County Drainage district 9. Drainage district easement exist on North property line 70 feet from the center line of canal.

[Pitt County Schools]

- As of April 2020, this site is assigned to GR Whitfield and DH Conley.

Mr. Bryant advised the Board that the owner of Parcel #40167 is concerned about water runoff from the site. They are concerned additional water that drains along their southern property line to the Cow Swamp and behind their property will lead to flooding. During most rainfall events they experience some flooding that can be seen in their back yard. The property owner would like additional drainage improvements to be considered along the common property line.

Mr. Bryant presented the Board with the following email from Ernest and Elizabeth Palmer.

“Re: Proposed subdivision Parcel #40550

Comments/Concerns from Adjacent Property Owners: Ernest and Elizabeth Palmer located at 1663 Blackjack Grimesland Road, Grimesland, NC 27837

“We would like to levee our comments/concerns for the proposed subdivision Parcel # 40550, located at the intersection of J C Galloway and Black Jack Grimesland Rd. as follows:

1) Egress and Ingress: The parcel in question is located on heavily travel roads, which consist of dangerous vision on curves; both roads contain curves near proposed subdivision

2) *Safety: In addition, these roads currently have posted speed of 55 mph. If the requested 14 homes are built, there would an average of approximately 28 vehicles going in and out of the development, which would present a danger to those turning in and out of said roads, due to lack of vision and the high rate of speed. In addition, over the past several years we have experienced no less than five vehicle accidents in front of our house on Blackjack Grimesland Road; in part due to curves in these roads. We feel there is no safe access to proposed parcel form either road.*

3) *Road Conditions: Both roads bordering proposed development are currently in poor condition, i.e. potholes, tar patches and poor surfaces. With the increased traffic, this would only further deteriorate the road conditions.*

4) *Fire Safety: There is currently a broken fire hydrant located on Black Jack Grimesland Rd. located on the proposed subdivision and across the street from my house. It has been broken and serviceable for over a year, leaving my home at risk in the event of a fire. Pitt County and the fire department have informed me that they are not in agreement who has to pay for the damaged hydrant – therefore no conclusion to remedy, leaving all homes in this area at risk.*

In conclusion, we strongly believe this proposal is not in the best welfare of current area residences due to above outlined concerns.

Thank you in advance for your prompt review of this very important matter.

Ernest and Elizabeth Palmer”

Vice-Chairman Guth opened the public comment session for Woodbrier preliminary plan.

Wallace Gibbs of 1569 Black Jack-Grimesland Road advised the Board that he owns the property with Gwyn Smith. There is a house and a dog pen that houses over 20 hunting dogs. Mr. Gibbs advised the Board that he has had to walk in waist-deep water to get his dogs out of the pen because of flooding associated with the blue line ditch that runs behind the property. Mr. Gibbs noted that with the amount of runoff that they have coming from the proposed development site, we’ve had an issue with floodwaters crossing Black Jack-Grimesland Road. The flooding is not just from the blue line ditch, but we’ve had flooding from both sides and it meets in the middle. If you add that many more properties to the area the runoff is going be tremendous and the swamp cannot handle it just as it is now with the blue line ditch the way it floods. Mr. Gibbs noted that when it floods if the tree limbs get caught in the culverts it backs up and it floods from east of his house to approximately 100 yards back towards the J.C. Galloway Road area. Mr. Gibbs noted that he has videos and pictures of their driveway being washed out by flooding coming across the road. Mr. Gibbs stated he doesn’t know how a development there will benefit the current property owners. Mr. Gibbs noted everything trickles down to the Cow Swamp and hits the blue line ditch to go into the Tar River. Mr. Gibbs stated that if the County continues to add property in the area everyone will be living on stilts.

If you drive through there, it’s in a blind area and they have had people run into the house and cars.

Ms. Rogerson noted that she doesn't see any topos on the map. Ms. Rogerson asked if there is going to be anything addressed about drainage. Ms. Rogerson noted that without seeing any topo and seeing how its lays she is assuming it is just going to either shed off to the back to the creek or it's going to the road.

Mr. Rhodes noted the shaded area on the map that's adjacent to the creek on the northern side. Mr. Rhodes advised that the shaded area is all regulated wetlands and will be protected. Approximately a quarter of the entire development tract will be untouched since its regulated wetlands. Mr. Rhodes noted that there is no road construction associated with the subdivision. All lots will have direct access to the existing state roads. Mr. Rhodes noted that driveways have been strategically placed along the existing state roads. Mr. Rhodes stated that at this time there will be some runoff from the driveways and the rooftops, but the lots are very large. The actual lay of the land in the area most of it is sloped toward the creek. Some of the water is absorbed by the roadside ditches along the state roads. Mr. Rhodes advised the Board that there is not a requirement for a stormwater plan given that is no new impervious surfaces being developed. These are individual lots.

Ms. Rogerson asked if there is a plan for what the common area is supposed to be.

Mr. Rhodes stated no. This area has been listed as common area and it will be undeveloped property.

There being no further public comments, Vice-Chairman Guth closed the public comment session for Woodbrier preliminary plan.

UPON MOTION by Faye Barefoot, and seconded by Maria Rogerson, the Pitt County Planning Board voted unanimously to conditionally approve of the preliminary plan for Woodbrier.

PLANNING MATTERS

8. NEUSE RIVER BASIN REGIONAL MITIGATION PLAN UPDATE

Mr. Rhodes advised the Board that over the past year Planning staff has attended numerous meetings regarding updates to the Neuse River Basin Regional Hazard Mitigation Plan which is set to expire on June 22, 2020. The plan encompasses five counties (Pitt, Wayne, Jones, Greene, and Lenoir) and 26 municipalities.

Mr. Rhodes advised the Board that the draft plan has been submitted to the North Carolina Department of Public Safety (NCDPS) and is currently being reviewed. Once approved by NCDPS, the plan must be reviewed and approved by the Federal Emergency Management Agency (FEMA). This process can take several months, and possibly longer due to the COVID-19 epidemic. In the past, plans could not be adopted by the governing board until both the State and FEMA reviews were completed. However, in order to ensure continued compliance, FEMA has authorized communities to proceed

with adoption of the plan immediately.

UPON MOTION by Steve Little, and seconded by Faye Barefoot, the Pitt County Planning Board voted unanimously to recommend approval and adoption of the Neuse River Basin Regional Hazard Mitigation Plan.

9. NC 43 SOUTH CORRIDOR LAND USE PLAN MONTHLY UPDATE

Mr. Rhodes presented the Board with the following updates on the Southwest Bypass Project activities for the month of May 2020.

Completed tasks:

- Developed project website and online public survey
- Developed draft study area along corridor

Next steps:

- Assess State and local plans/policies that are applicable to the study area
- Conduct online public survey and collect input from May 8th to June 16th
- Hold Working Group Meeting # 2 on June 24th (tentative)
- Conduct public input session on July 13th (tentative)
- Develop Community Snapshot and land suitability analysis

Mr. Rhodes provided the Board with a copy of the NC 43 Corridor Plan – Project Schedule & Public Engineering Plan.

10. CENSUS 2020

Mr. Rhodes advised the Board that Census Bureau will incorporate the most current guidance from authorities to ensure the health and safety of staff and the public.

Mr. Rhodes presented the Board with the 2020 Census Operational Adjustments due to COVID-19.

Self-Response Phase - March 12 – October 31

Update Leave – Happening Now

Nonresponse Follow Up - August 11 – October 31

Process Adjustments Counts – October 31, 2020 – April 30, 2021

Deliver apportionment counts to President - By April 30, 2021

Process Redistricting Data - May 1, 2021 – July 31, 2021

Deliver redistricting counts to States - By July 31, 2021

INFORMATIONAL ITEMS

11. FLOOD DAMAGE PREVENTION ORDINANCE AMENDMENTS

Mr. Rhodes advised the Board that the National Flood Insurance Program (NFIP) was created in 1968 to reduce the loss of life and property and the rising disaster relief costs caused by flooding. The NFIP is a voluntary program based on a mutual agreement

between the federal government and the local community. Pitt County has been a member of the NFIP since 1980, allowing citizens to purchase flood insurance. The Federal Emergency Management Agency (FEMA) published the first Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM) for Pitt County in 1983, and has published revised studies in 2004 and 2014, which were adopted by Pitt County.

Mr. Rhodes advised the Board that on June 19, 2020, FEMA will publish an updated FIS for certain areas within Pitt County, primarily east of Greenville. Pitt County is required to adopt the revised FIS and its accompanying FIRMs to remain in good standing in the NFIP.

Mr. Rhodes advised the Board that County staff, along with the staff of the NC Department of Public Safety (NCDPS), reviewed the County's Flood Damage Prevention Ordinance, and determined that the present ordinance requires some changes for clarification and to ensure consistency with the state model ordinance.

Mr. Rhodes advised that the Board of Commissioners adopted the updated ordinance, updated the FIRMS with an effective date of May 20, 2020 and updated the ordinance book at its May 18, 2020 meeting.

12. WATERWAY SNAGGING PROJECTS UPDATE

Mr. Rhodes provided the Board with an update on the waterway snagging projects.

13. 2020 ESSENTIAL SINGLE FAMILY REHABILITATION LOAN POOL GRANT (NO COUNTY FUNDS)

Mr. Rhodes advised the Board that the Planning Department has been awarded a 2020 Essential Single Family Rehabilitation Loan Pool. This grant is federally funded and is administered by the North Carolina Housing Finance Agency.

Mr. Rhodes noted that in addition to accepting the grant award and establishing the budget, the Board of Commissioners must authorize the County Manager to execute the Post Approval Documentation (PAD), designate staff who are authorized to handle the grant draw-down process by resolution and adopt the SFRLP20 Assistance Policy along with the Procurement and Disbursement Policy. All funding reimbursements will require signatures from two staff members.

Mr. Rhodes advised the Board that the Board of Commissioners approved the budget amendment, authorized the County Manager to execute the Post Approval Documentation (PAD), designated staff for draw-down authorization by resolution and adopted the ESFRLP20 Assistance Policy and Procurement and Disbursement Policy at its May 18, 2020 meeting.

14. E.R. LEWIS CONSTRUCTION COMPANY – MINOR DESIGN MODIFICATION TO CONDITIONAL USE PERMIT (SAND MIND)

Mr. Rhodes advised the Board the Planning Department received a request from E.R. Lewis Construction Company requesting a minor design modification to a previously approved site plan and Conditional Use Permit for a sand mine. The property is owned by E.R. Lewis Construction Company, Inc. This property is located on the southern side of US 264 East, east of its intersection with SR 1534 (Old Pactolus Road).

Mr. Rhodes advised the Board that a Conditional Use Permit for the sand mine was approved by the Board of Commissioners on December 21, 2015. As per the approved site plan, a 100' unexcavated buffer is provided along the perimeter of the site and includes a berm and vegetative buffer for screening purposes along US 264 East. E.R. Lewis Construction Company requested a minor design modification to the previously approved Conditional Use Permit and site plan to remove the berm and utilize only the vegetative buffer for screening purposes. Mr. Rhodes noted that as per the Pitt County Zoning Ordinance, mining operations shall be screened by a vegetative buffer in accordance with Section 10(H) of the Zoning Ordinance which requires a combination of trees and shrubs. Berms are an acceptable alternative screening method, but are not specifically required for mining operations. The vegetative screening proposed by the applicant will exceed the amount required by Section 10(H) and will provide more than adequate screening for the mining operation.

Mr. Rhodes advised the Board that the Board of Commissioners approved the request by E.R. Lewis Construction Company for a minor design modification to their previously approved site plan and Conditional Use Permit at its April 20, 2020 meeting.

15. NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) REQUESTS FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM

Mr. Rhodes advised the Board that the Board of Commissioners were presented with letters from NCDOT and petitions requesting the addition of several 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 Reports and maps illustrating the location of the following roads.

- Northgate Walk Drive in Northgate Walk Subdivision
- Alton Village Drive in Alton Village Subdivision
- High Place Court in Alton Village Subdivision
- Gilman Court in Alton Village Subdivision
- Bell Arthur Crossing Drive in Bell Arthur Crossing Subdivision
- Steinbrook Drive in Steinbrook Subdivision
- Casey Brooke Court in Steinbrook Subdivision
- Brandy Brook Drive in Brandy Creek South Subdivision
- Justin Lane in Brandy Creek South Subdivision

Mr. Rhodes advised the Board that the Board of Commissioners endorsed the resolutions at its April 20, 2020 meeting.

16. DEPARTMENTAL MONTHLY REPORT FOR APRIL

17. VARIOUS CORRESPONDENCE AND ARTICLES

18. ADJOURNMENT

There being no further business, the Pitt County Planning Board adjourned at 7:15pm.

Respectfully submitted,
/s/James Rhodes
Executive Secretary