

PITT COUNTY PLANNING BOARD  
**MINUTES June 19, 2019**  
 GREENVILLE, NORTH CAROLINA

The Pitt County Planning Board met in a regular session on Wednesday, June 19, 2019, 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 Hines called the meeting to order at 5:30 p.m. and welcomed guests.

**2. PRAYER AND PLEDGE OF ALLEGIANCE**

Steve Little led the Board in a moment of prayer and Ricky Hines led the Pledge of Allegiance.

**The following members were present:**

Faye Barefoot	Ricky Hines
Don Brown	Steve Little
Brad Guth	Tucker Moore
R.J. Hemby	Johnny Pinner

**The following members were absent:**

David Davenport	Danny Smith
Maria Rogerson	

**Staff in Attendance:**

James Rhodes, Director  
 Tabitha Auten, Office Manager  
 Eric Gooby, Senior Planner  
 Ben Rogers, Planner I  
 Mark Nottingham, Planner II  
 Jordan Smith, Assistant County Attorney

**3. APPROVAL OF MINUTES OF MAY 15, 2019 MEETING**

**UPON MOTION** by R.J. Hemby, seconded by Brad Guth, the Pitt County Planning Board voted unanimously to approve the minutes of the May 15, 2019 meeting.

***REZONING REQUEST***

**4. HAPPY TRAIL FARMS, LLC REZONING:** located on the southwestern side of NC 33 West, southeast of its intersection with Martin Luther King, Jr. Highway in the Belvoir Township

Mr. Gooby advised the Board that the official public hearing to be held by the Board of Commissioners is scheduled to be held at the Board's meeting on July 8, 2019. The request was previously scheduled to be heard on May 15, 2019 and was postponed upon request by the applicant. Mr. Gooby noted that the rezoning requested was presented to the Planning Board at its May 15, 2019 meeting and the Board voted to table the request until the June 19, 2019 meeting.

Mr. Gooby presented the Board with a petition from Happy Trail Farms, LLC requesting that a portion of their property be rezoned from Rural Residential (RR) to General Commercial (GC). The property is located on the southwestern side of NC 33 West, southeast of its intersection with Martin Luther King, Jr. Highway in the Belvoir Township. The property is 45.28 acres, of which 28.40 acres are proposed for rezoning. Mr. Gooby noted uses in the area are predominantly residential with a mix of manufactured homes and single-family residences. The property is located on NC 33 West in close proximity to the interchange with Martin Luther King, Jr. Highway, and there is one commercial land use within the vicinity of the subject property (Animal Care Veterinary Hospital). Mr. Gooby noted that surrounding properties to the north, east, and south are located within the City of Greenville's ETJ and are zoned RA20 and R6MH for residential use.

Mr. Gooby advised that Planning staff finds that the request is not consistent with the Pitt County Comprehensive Land Use Plan given the size of the proposed rezoning request and its incompatibility with surrounding residential land uses. The property is designated as Suburban Residential which allows a broader range of land uses provided it meets locational criteria, including frontage and access to a major State highway or secondary road, location at a major intersection, proximity to similar uses and spatial separation from non-compatible uses such as existing residential development. Mr. Gooby stated the request as proposed is not within close proximity to any existing, large-scale commercial development and does not provide spatial separation from adjacent residential land uses. Mr. Gooby advised that Planning staff finds that this request is not reasonable given the size of the requested area. Planning staff finds the use is not in the public interest because the property does not provide spatial separation from surrounding residential land uses and such large scale commercial development is not appropriate for the area.

Mr. Gooby advised that Planning staff recommends denial of the request by Baldwin Design Consultants to rezone 28.40 acres located along the southern side of NC 33 West, southeast of its intersection with Martin Luther King, Jr. Highway from Rural Residential (RR) to General Commercial (GC).

Chairman Hines opened the public comment session for the Happy Trail Farms, LLC rezoning request.

Mike Baldwin, Baldwin Design Consultants, PA stated that he is representing Woody Whichard, the manager of Happy Trail Farms, LLC. Mr. Baldwin noted that Mr. Whichard is a developer and investor in the Greenville area. Mr. Baldwin stated that at intersections such as NC 33 and the 264 Bypass create what is known as a commercial node. Mr. Baldwin states that the Pitt County Comprehensive Land Use Plan denotes the intersection of NC 33 and the 264 Bypass as a commercial node. Mr. Baldwin stated that the Pitt County Comprehensive Land Use Plan states the node is non dimensional and dose not harm

a fixed boundary, but instead provides a general idea of what should be there and how it should be planned. He stated transitional zoning typically exists off of major thoroughfares with high impact uses, such as commercial, along the major thoroughfare and then transition down to office, a less impactful use, and then residential. Mr. Baldwin stated the reason the request was postponed is Mr. Whichard wanted to send out letters to all the surrounding property owners welcoming their phone calls. Mr. Whichard received ten phone calls and of the ten calls only one was negative. Mr. Baldwin stated they are taking what they believe is in the reasonableness of the Pitt County Comprehensive Land Use Plan and extending it to the property. Mr. Baldwin noted that he rode out to the property before the meeting and as soon as you take the bypass off ramp onto NC 33 you are looking right onto the property of Happy Trail Farms, LLC. The property is one-tenth of a mile from the interchange. Mr. Baldwin stated he feels it will provide transitional zoning. There are natural buffers around the property by some of the blue line streams. The only area that does not have a buffer is on the side of the property where there is residential. Mr. Baldwin noted that one of the things about the large sale property is that it gives Mr. Whichard the benefit to go ahead and create buffers on his own property. He Stated that Mr. Whichard spoke to Planning Director, James Rhodes before the rezoning request was submitted about creating buffers on the east and south line. Mr. Baldwin advised they have created a plan that has buffers and falls within the general intent of the commercial node.

Mr. Hemby stated he attended the previous meeting when the rezoning request was postponed. Mr. Hemby stated he understands from Mr. Baldwin that the rezoning request was postponed so that Mr. Whichard could make contact with adjacent property owners. Mr. Hemby asked if the meeting was postponed in May so that Mr. Whichard could contact the residents.

Mr. Gooby advised the rezoning request was postponed at Mr. Whichard's request. Mr. Whichard's request was so that he could have time to contact the neighboring property owners.

Mr. Moore asked if there was anyone in the audience to speak against the rezoning request.

Mr. Gooby stated no. Mr. Gooby advised the Board that Gloria Hathaway of Staton House Road attended the meeting in May because she wasn't aware that the rezoning request was being postponed. Ms. Hathaway was not in favor of the rezoning request and spoke against the request.

There being no more public comments, Chairman Hines closed the public comment session for the Happy Trail Farms, LLC rezoning request.

**UPON MOTION** by R.J. Hemby and seconded by Steve Little, the Board voted unanimously to recommend denial of the request by Happy Trail Farms, LLC to rezone 28.40 acres located on the southwestern side of NC 33 West, southeast of its intersection with Martin Luther King, Jr. Highway from Rural Residential (RR) to General Commercial (GC).

## ***DEVELOPMENT REVIEW***

5. **STATON MILL CROSSING:** Located on Staton Mill Road northeast of its intersection with David Nobles Road in the Bethel Township

Mr. Nottingham presented the preliminary plat for Staton Mill Crossing by noting the size and location of the development. He reviewed the conditions and requirements pertinent to the site. Mr. Nottingham stated the notices were sent to all adjacent property owners in accordance with the Planning Board's Notification policy. Mr. Nottingham advised that Planning staff did receive a couple of phone calls in regards to the proposed development. Mr. Nottingham noted that one of the calls was in reference to the adverse effect on property values based on future home types and another was interested in the general design. Mr. Nottingham stated the Technical Review Committee has recommended conditional approval of this plat.

### **SUBDIVISION PRELIMINARY PLAT**

**STATON MILL CROSSING** - Located on Staton Mill road, northeast of its intersection with David Nobles road, in the Bethel Township.

**Site Data:** 26.9 Acres

**TRC Recommendation:** Conditional Approval

### **CONDITIONS AND REQUIREMENTS**

#### **[Environmental Health]**

1. Each lot will be evaluated in accordance with rules .1940 through .1948 of the Laws and Rules for Sanitary Sewage Collection, Treatment, and Disposal (15A NCAC 18A .1900).
2. No fill material (including construction spoils) is allowed on any area to be used for a sewage disposal or 100% repair area. Any amount of fill found on these areas will be grounds for disapproval of the proposed lot (15A NCAC 18A .1957(B)).
3. 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.
4. 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.
5. 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.
6. A backhoe may be required for the site evaluations (15A NCAC 18A .1939(b)).
7. Any riparian buffers or floodways must be noted on subsequent maps.

### **GENERAL COMMENTS**

#### **[Soil and Water Conservation]**

- Soils located on site include **ExA, ExB** and possess the following characteristics:
  - All soil types have seasonal high water table.
  - ExA and ExB have a moderate shrink swell potential.
  - Soils are prime farmland or have statewide importance for farming. Development will remove the site from agricultural production.
  - Grindle Creek Watershed
  
- The following agencies have reviewed the Preliminary Plan for **STATON MILL CROSSING** and **have no** comments:
  - NCDOT
  - Pitt County Engineering
  - Pitt County Planning Department, Floodplain Manager
  - Pitt County Planning Department, Zoning
  - Pitt County Emergency Management
  - Greenville Utilities Commission, Electric
  - Greenville Utilities Commission, Water
  - Pitt County Schools

Chairman Hines opened the public comment session for the Staton Mill Crossing Subdivision.

Katie Wade stated she owns the farm directly across the street from the proposed subdivision. Ms. Wade stated she wanted to bring to the Board's attention that adjacent to the proposed development site is their property that is a Purdue Production farm where they have 43 acres. Ms. Wade noted that the farm has been in production since 1991 and they have owned the property since 2014. They enlarged the property in 2017 which was not displayed on the map provided during the presentation. Ms. Wade advised that they are contract growers with Purdue and produce 200,000 chickens every six to eight weeks. Ms. Wade noted that they take great pride in operating the farm themselves along with their children. Ms. Wade stated that they raise antibiotic-free chickens and have recently been selected to be the site of Purdue's first free range flock in North Carolina. The chickens will have access to an outdoor area as well as the protection that the houses provide. Ms. Wade noted that they chose the farm based off of its rural location. Livestock production is their passion. Ms. Wade stated she knows that not everyone appreciates the sights and smells that accompany livestock farms. Ms. Wade stated that they know they cannot stand in the way of the housing development, but they do want to bring to the land owners attention that they have every intention to continue to raise birds on their farm the same way it has been done over the past 25 years. The farm is enrolled in the Voluntary Agricultural District which is another way they have chosen to make sure that the public is aware that they have an active farm. Ms. Wade noted that while most days the smells associated with the chicken houses are moderate, there are days in between flocks when the houses have to be cleaned out that the smells are not so moderate. Ms. Wade noted that they provide litter to local farmers as a valuable organic source of fertilizer for their crops. Ms. Wade advised that they follow all State and local guidelines regarding waste management and they have never had a complaint or a compliance issue listed against their farm. Ms. Wade stated that she hoped that the Planning Board would support them as farmers when they consider the development. Ms. Wade stated they have invested a lot of time, energy and finances to the farms. Ms. Wade

stated that as the general public becomes further removed from the farming lifestyle, it has become more difficult for non-farming people to understand how their food is raised and produced. Ms. Wade thanked the Board for allowing her to express her passion for farming and asked the Board that they continue to respect the rural parts of Pitt County and the farming districts that they are in.

Mike Baldwin of Mike Baldwin, Baldwin Design Consultants, PA stated he represents BP Investments which is owned by Bill Blount. Mr. Blount owns property across the street from the proposed development. Mr. Baldwin stated he has been out in the area several times and you can see the chicken houses, but has never smelled anything. Mr. Baldwin stated he thinks that anyone interested in building a house in the area would have the same opportunity that he would.

Mr. Little asked Mr. Baldwin what the intent is by Mr. Blount as far as what type housing will be built.

Mr. Baldwin stated he does not know the type housing, but he does know that at no time has Mr. Blount indicated that mobile homes would be allowed.

There being no more public comments, Chairman Hines closed the public comment session for the Staton Mill Crossing Subdivision.

Mr. Little stated he appreciates the request being presented to the Board, but he would never want to stand in the way of anyone not being able to do something with their land that they'd like to do and it follows the rules and regulations. Mr. Little stated as the concern expressed by Ms. Wade he would like to know that the future homeowners are aware of the farm across the road.

**UPON MOTION** by Steve Little, seconded by Johnny Pinner, to recommend denial of the preliminary plat Staton Mill Crossing.

Jordan Smith, Assistant County Attorney, advised that he would urge the Board if they are going to deny the preliminary plat to cite to some standard in the Pitt County Subdivision Ordinance that the preliminary plat does not satisfy.

Mr. Rhodes noted that he appreciates Ms. Wade mentioning that the farm is part of the Voluntary Agricultural District since the districts are mapped out and on the County website. Anyone that is doing research for that area has the information readily available to them. There is a sign in the area designating it as a Voluntary Agricultural District. To follow the Assistant County Attorney's comments, Mr. Rhodes advised the Board that the preliminary plat meets the Pitt County Subdivision Ordinance, and there is significant indication that development site is in a rural area and in a Voluntary Agricultural District which is likely to have agricultural related sights and smells.

Chairman Hines stated that he is familiar with the Voluntary Agricultural District. Chairman stated he concurs with Ms. Wade. The Voluntary Agricultural District sprang up so that people would know and have an opportunity before they purchased to go on OPIS to see the designated areas.

Mr. Little withdrew his motion to recommend denial of the preliminary plat.

**UPON MOTION** by Faye Barefoot, seconded by R.J. Hemby the Board voted unanimously to recommend conditional approval for the preliminary plat Staton Mill Crossing.

### ***INFORMATIONAL ITEMS***

#### **6. PAMELA LITTLE CONDITIONAL USE PERMIT REQUEST (RESIDENTIAL DAY CARE FACILITY)**

Mr. Rhodes advised the Board that the Planning Department received a petition from Pamela Little requesting a Conditional Use Permit to operate a residential day care facility as required in the Rural Residential district. The property is located at 2107 Granite Court in Crystal Acres Subdivision in the Belvoir Township. Mr. Rhodes advised the Board of Commissioners approved Conditional Use Permit at its May 20, 2019 meeting with the following additional condition:

Development Standards:

- Outdoor activity area(s) for children shall be enclosed by a security fence at least 6 feet in height and shall be located outside of the road setback.
- Centers located on a site greater than 3 acres shall have access to a collector or a thoroughfare road.
- In residential districts, the use shall not be operated on a 24 hour basis. Outdoor activities shall only be permitted during daylight hours.

Additional Conditions:

- The proposed use shall operate only between the hours of 8:00am to 11:00pm

#### **7. PROPOSED ROAD NAME (SOUTHWEST BYPASS SERVICE ROAD)**

Mr. Rhodes advised the Board that the North Carolina Department of Transportation, through its contractor Barnhill Construction, is in the process of designing and constructing the NC 11 Southwest Bypass. Construction of the bypass is accompanied by the construction of service roads which will be maintained by NCDOT. Per Pitt County's Addressing Ordinance, these service roads are required to be named following a public hearing and addresses will change for the structures located along this roadway. Mr. Rhodes stated that property owners along this portion have been notified and given the opportunity to submit a recommendation for the name of the road. Only the road names that meet naming requirements are presented for consideration. There are 3 parcels with 3 unique property owners and 2 residential homes affected by this change.

The following names were submitted and meet the naming requirements for consideration by the Board:

- 1) Pittman Farm Road
- 2) Trump Lane

Mr. Rhodes advised the Board that the Board of Commissioners approved to name the newly constructed service road located west of its interchange of Forlines Road and the Southwest Bypass as Pittman Farm Road at its May 20, 2019 meeting.

**8. NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM – CHARLIE BRANCH DRIVE AND METFIELD DRIVE IN BRANCHFIELD SUBDIVISION**

Mr. Rhodes advised that the NCDOT, after receiving a petition requesting that a road be added to the State Maintained Secondary Road System, investigates the situation to determine if the road meets their requirement. After this investigation, if it is determined that the road meets certain criteria, the NCDOT will request the County's endorsement for the addition by way of a resolution. Mr. Rhodes stated the NCDOT requested the addition of Charlie Branch Drive and Metfield Drive in Branchfield to the State's system. Mr. Rhodes advised the Board of Commissioners approved the request and resolution at the June 3, 2019 meeting.

**9. DEPARTMENTAL MONTHLY REPORT FOR MAY**

**10. VARIOUS CORRESPONDENCE AND ARTICLES**

**11. ADJOURNMENT**

There being no further business, the Pitt County Planning Board adjourned at 6:05pm.

Respectfully submitted,  
/s/James Rhodes  
Executive Secretary