

**Planning Board Meeting**

Agenda

06/10/2014

MARSHALL BRITT – CHAIRMAN

- I Old Business** Approval/disapproval/amendment of Minutes of 03/11/2014.
- 1) Previous board minutes and attachments forwarded previously.
  - 2) Review/additions/deletions/amendments of Agenda items by planning board members and/or staff. Request for Board Members disclosure of conflicts of interest of agenda items (a time for board members to disclose any financial/personal interest on items to be considered during the meeting).
- II New Business**
- 1) Dwight Hill – requesting variance to add 1 water meter and 2 septic tanks to Outlaws Bridge Subdivision: NOTE: Expansion of the Outlaws Bridge Subdivision has been denied on at least one other occasion due to NON COMPLIANCE WITH THE DUPLIN COUNTY PRIVATE WATER LINE EXTENSION POLICY. We have been in negotiations with Value Equities (Dwight and his sister Linda) for more than 7 years) and have had no progress made on the recommendations from both the County and State NCDENR. Additional development of any portion of this property without progress being made to meet any of the agreements made to date to make remedy, in my opinion, would not in the best interest of the County and would violate County Ordinance and Policy.
  - 2) Terry Dail – requesting variance of the 0.5 acre minimum lot size requirement. “Although this lot is smaller than the minimum requirement it has an existing septic tank and drain field on the lot. There is also County water along Tram Road” as quoted from the Surveyor’s written request. This lot was reviewed by the Duplin County Environmental Health Office and was/was not recommended for approval.
  - 3) Update on FAA/FCC guidance and how an exception was determined in Magnolia for Cell Tower construction due to height being less than 200 ft above ground level and not being eligible for FAA Form 7460-1. “I have now had more time to evaluate and discuss with the Airport Manager, Mr. George Futrelle, the Notice Criteria Tool as referenced.

We both agree that the FAA 7460-1 form IS NOT REQUIRED for this project based on information listed in the FAA Notice Criteria Tool as found in <https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp>. We will advise both the Airport Commission and the Duplin County Planning Board at their next meetings and have the findings documented for record in our board minutes in order to relieve any confusion of this issue in the future.

Mr. Futrelle and I both agree that we can allow your company to be permitted to construct USCCC Site 556615 based on these findings and I am forwarding a copy of this e-mail/authority to all Duplin County departments involved in the permitting process in order to release permitting conditions. No additional action regarding this review will be required by this office nor the Duplin County Airport Commission.” as e-mailed to Mr. Michael Doran representing Tower Communications.

- 4) **Wendy Gautier – Wishes to access 4 family lots of parcel 05-53 from 50ft access easement off of paved road. Variance request for 4<sup>th</sup> lot along private easement to accommodate family division of land. Note: Property owner diagnosed with stage 4 cancer and desires to divide property between children.**
- 5) **Gary Cantrell – wished to develop a 1 acre lot for a family member residence off of NC Hwy 41 behind Cavanaugh Cemetery utilizing an existing 30ft easement. After review and discussion, a motion was made, seconded and approved to allow a **CONDITIONAL APPROVAL** provided the family resubmit the plat with an additional 20 ft added to the easement making the access compliant with the 50ft easement requirement. Jim Blanchard – Surveyor.**

### **III Other Items**

- 1) A time for Planning Board members to present items of interest or items of concern regarding the continued development of Duplin County.
- 2) Update on items in question by Planning Board members as to day to day operations of Duplin Planning Department.
- 3) **A recent publication from the UNC School of Government by Adam Lovelady dated May 27, 2014 regarding “Variance Standards: What is hardship? And when is it unnecessary? Was distributed to each of the board members present. Highlights from this article were pointed out by the Planning Director (copy attached to the minutes for record).**
- 4) **The expiring terms of Planning Board members Debbie Jones, Charles Edwards Jr., and J. B. Merritt were discussed.**
- 5) **A validation of the current Planning Board members and their ability to continue to serve after the County conversion to a 5 person Board of Commissioners was directed by the Planning Board.**

**Next Meeting** The next meeting is scheduled for July 8, 2014 at the County Commissioners meeting room at 7:00 PM and will be conducted at call of chairman.

### **Adjourn**

**\* Recommend to be added after agenda mailing.**