

**Camden County Planning Board
Minutes**

November 20, 2013, 7:00pm

Historic Courtroom

Camden County Courthouse Complex

Members Present:	Absent:
Chairman Rodney Needham	NONE
Vice Chairman Calvin Leary	
Fletcher Harris	
Ray Albertson	
David Bundy	
Michael Etheridge	
Patricia Delano	

Call to Order & Welcome

Chairman Rodney Needham called to order the November 20, 2013 meeting at 7:00 PM.

Others Present at Meeting

STAFF PRESENT

Name:	Title:
Dan Porter	Planning Director
Amy Barnett	Clerk to the Planning Board

OTHERS PRESENT

Name/Residence:	Title:	Purpose / Representing:	Meeting Section:
Clay Massey	Agent for Applicant	Bowman Consulting Group	New Business #2
Lance Large		Bowman Consulting Group	New Business #2
Terry Forehand / Trotman Road, Shiloh, NC	Adjacent Property Owner	Voice concerns regarding North River Crossing	New Business #2
Michelle Albertson / Ditchbank Road, Shiloh, NC	Adjacent Property Owner	Voice concerns regarding North River Crossing	New Business #2
Steven Forehand / Trotman Road, Shiloh, NC	Adjacent Property Owner	Voice concerns regarding North River Crossing	New Business #2

Consideration of Agenda

Proposed Meeting Agenda:

I. Call to Order; II. Consideration of Agenda; III. Consideration of Minutes;
IV. Comments from Public; V. Old Business (none); VI.1. New Business Item#1
Ordinance #2013-11-01, Amendment to Camden County Code of Ordinances;
VI.2. New Business Item #2 UDO 2012-05-01, Special Use Permit, North River Crossing;
VII. Info from Board and Staff; VIII. Consider date of next meeting; IX. Adjourn

Dan Porter pulled VI.1. New Business Item # 1, Ordinance # 2013-11-01, Amendment to Camden County Code of Ordinances, from the agenda as the party who requested this amendment no longer needs it in place.

Motion: "Approve Agenda with changes set forth by staff".
Made by: Michael Etheridge; Seconded by: Fletcher Harris.
Vote: Approved by all board members present.

Consideration of Prior Meeting Minutes

Motion: "Approve minutes from September 18, 2013 meeting as written".
Made by: Calvin Leary
Seconded by: Michael Etheridge
Vote: Approved by all board members present.

Public Comments

None

Old Business

None

New Business

Item # 1: Ordinance # 2013-11-01, Amendment to Camden County Code of Ordinances

This item was pulled from the agenda as requesting party no longer needs it in place.

Item # 2: UDO 2012-05-01, Special Use Permit, North River Crossing

Findings of Fact:

**Special Use Permit
UDO 2012-05-01
Phase I - North River Crossing
Findings of Facts**

1. **Agent for Applicant:** Bowman Consulting Group
2. **Address of Agent:** 1561 Bradford Road, Suite 202
Virginia Beach, VA 23455
3. **PIN:** 03-8965-00-24-6702
4. **Name(s) of Current Owner(s) of Record:** James R. Williams
5. **Street Address of Property:** Not Addressed
6. **Location of Property:** Off Trotman and Ditch Bank Roads Shiloh Township
7. **Flood Zone:** X
8. **Zoning District(s):** Mixed Single Family Residential (R-2)
9. **Is a Zoning Change Required for the Proposed Use?** No - Current zoning permits housing types of Site Built, Modular, and Double-wide mobile homes.
10. **General Description of the Proposal:** Phase I Preliminary Plat North River Crossing Major Subdivision - 28 lots this phase
11. **Date Application Received by County:** July 1, 2013
12. **Did the Applicant participate in a pre-application conference?** Yes
13. **Received by:** David Parks, Permit Officer
14. **Application fee paid:** Yes. \$5600.00; Check # 1111
15. **Completeness of Application:** Application is generally complete.
16. **Proposal to be completed in Phases:** Yes. Phase I will be broken down into Phases IA 7 lots, IB 10 lots, and IC 11 lots
17. **Was the Applicant given a list of agencies constituting the Technical Review Staff?** Yes
 - A. Technical Review Staff (Preliminary Plan Approval)
 - (a) South Camden Water & Sewer District
 - (b) Camden County Health Department
 - (c) Central Communications (911)
 - (d) Shiloh Fire Department
 - (e) Sheriff's Office
 - (f) Shawboro Post Office
 - (g) Albemarle Soil & Water Conservation District
 - (h) Superintendent of Camden County Schools
 - (i) Transportation Director Camden County Schools
 - (j) N.C. DOT
 - (k) Army Corps of Engineers
 - (l) Cable Company
 - (m) Division of Environmental Health - Public Water Supply
 - (n) Division of Water Quality - Stormwater Permit No. SW130507
 - (o) DENR Erosion and Sedimentation Control Plan No. Camde-2013-004
18. **File Reference:** UDO 2012-05-01

- 19. Documents received upon filing application or otherwise included:**
- A. Land Use/Development Application
 - B. Deed/Offer to Purchase Contract with Seaboard Development Alliance LLC
 - C. Deed of Easement - Outfall ditch
 - D. Army Corp input on outfall ditch - does not impact jurisdictional waters or wetlands.
 - E. Albemarle Regional Health Services - Perc Tests
 - F. DENR Stormwater Permit #SW7130507 for Phase I
 - G. DENR Erosion & Sedimentation Control Plan No. Camde-2013-004
 - H. 10 Blue Line Copies of Preliminary Plat
 - I. 2 sets of Construction Drawings
- 20. Soil Classifications:**
- Predominant:** Altavista (AaA) Severe: Wetness
Other: Bojac (BoA) Moderate wetness; Tomotley (ToA) Severe wetness, percs slowly
- 21. Adjacent Property Uses:**
- A. **Predominant:** Agriculture - farming
 - B. **Other:** Residential
- 22. Existing Land Uses:** Farming
- 23. Lots:**
- A. **Total Proposed:** 28 for Phase I
 - B. **Average size:** .95 acres (40,000 sf)
- 24. Streets:**
- A. **Are all streets designed to be place under State system?** Yes
 - B. **Are proposed streets named?** Yes
 - C. **Street names:** Pasquotank Drive, Pamlico Drive, Neuse Drive, Perquimans Drive
 - D. **Are any street names already being used elsewhere in the County?** No. Verified with Central Communications.
- 25. Open Space:**
- A. **Is open space proposed?** Yes
 - B. **Area of Open Space:** 3.8 acres for phase I
 - C. **What is required minimum open space?** 5% of net tract = 4.31 acres
 - D. **Is 50% of proposed open space suitable for development and otherwise meet the requirements of Article 151.195 of the Code of Ordinances?** Yes
 - E. **Will homeowners association be needed?** Yes
 - F. **Has the applicant proposed a homeowners association?** Yes. HOA Documents required at Final Plat
- 26. Utilities:**
- A. **Does the application include a letter or certificate from the District Health Department regarding septic tanks?** Yes
 - B. **Does the applicant propose the use of public sewage systems?** No
 - C. **Does the applicant propose the use of public water systems?** Yes, with South Camden Water & Sewer District
 - D. **Distance from existing public water supply system:** adjacent to property
 - E. **Is the area within a five-year proposal for the provision of public water?** N/A
 - F. **Is the area within a five-year proposal for the provision of public sewage?** No
- 27. Landscaping:**
- A. **Is any buffer required?** Yes, a 50' vegetative buffer is required along land that abuts non-residential uses (i.e. farming).
- 28. Will trees be required along dedicated streets?** Yes

29. Findings Regarding Additional Requirements:

- A. Endangering the public health and safety:** The application does not appear to endanger the public health and safety.
- B. Injure the value of adjoining or abutting property:** The application does not appear to injure the value of adjoining or abutting property.
- C. Harmony with the area in which it is located:** Similar homes to those proposed are within the area.
- D. Conformity with the Plans:**
 - 1. CAMA Land Use Plan:** Yes, Land Use Map has area designated as Medium Density Residential
 - 2. Comprehensive Plan:** Yes. Future Land Use Map has designated as Rural Residential with densities of 1 and 2 acre lots
 - 3. Thoroughfare Plan:** Yes.
 - 4. Other plans officially adopted by the Board of Commissioners:** N/A
- E. Will not exceed the county's ability to provide public facilities:**
 - 1. Schools:** Approved by Schools. Students generated this phase: $.44 \times 28 = 12.3$ students.
 - 2. Fire and Rescue:** Approved by South Camden Fire Chief
 - 3. Law Enforcement:** Approved by Sheriff Perry
 - Other County Facilities:**
- F. Other:**

Technical Review Staff

- A. Comments: All letters attached.
 - (1) South Camden Water & Sewer District: Approved.
 - (2) Camden County Health Department: Approved perc tests attached.
 - (3) Camden County School: Approved. Place bus stop signs at designated spots.
 - (4) South Camden Fire Department: Approved w/ comments. Property located outside the 6 mile district therefore falling into a class 10 for insurance purposes.
 - (5) Central Communications (911): Approved all street names.
 - (6) Sheriff's Office: Approved with comments. Change name of Pasquotank Drive. Could be confusing for Pasquotank County in answering 911 calls.
 - (7) Shawboro Post Office: No Comment.
 - (8) NCDOT: Seeking final approval on amended drainage plan and roundabouts.
 - (9) Soil and Water Conservation District (SWCD). See attached notes.
 - (10) Camden County's Drainage Engineer's review of drainage plan. See attached letter.
 - (11) MediaCom. No Response.
 - (12) Division of Coastal Management. N/A.
 - (13) U.S. Army Corps of Engineers: There are no wetlands located on property for this phase.
- B. Adoption of all Technical Review Staff. Staff recommends adoption of all Technical Review Staff Comments.

Staff recommends approval with the following conditions and modifications as the proposed development meets all requirements of the County's Code of Ordinances and is consistent with the CAMA Land Use and Comprehensive Plans.

1. The applicant must strictly abide by all requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development.
 2. The applicant shall complete the development strictly in accordance with the approved Preliminary Plat and specifications submitted to the Planning Office of Camden County, North Carolina, and contained in the file titled (UDO 2012-05-01).
 3. Amend Preliminary Plat to reflect road name change from Pasquotank Drive to Cape Fear Drive as requested by Sheriff's Office.
 4. In accordance with Article 151.232(I) (3) Recreational Land: Developer shall make a payment to the county of an amount of money equal to the value of one acre of land per 30 lots, or fraction thereof, as it would be appraised following its subdivision. There are 88 lots proposed which totals to just less than 3 acres. Payment will be in 3 equal payments due at the final plat submission for each of the first three phases (i.e. Phases I, II, and III).
 5. All lots shall be crowned to where the dwelling is located to an elevation at or above the 100 year flood. Those elevations shall be indicated on each lot on the final plat for each phase. No building permit shall be issued until such elevations are verified by a Surveyor or Engineer licensed to do business in North Carolina.
 6. Landscaping in accordance with Article 151.232(N) shall be planted prior to submission of final plat for that phase.
 7. Developer and or Home Owners Association shall provide Camden County certification by a licensed North Carolina Engineer of compliance with approved Drainage Plan for North River Crossing every five years starting from recording of Phase I Final Plat in the Camden County Registry of Deeds.
 8. Per Camden County School Transportation place "School Bus Stop" signs at:
 - a. Pasquotank Drive Northeast corner of Lot 32.
 - b. Pasquotank Drive Northwest corner of Lot 25.
 - c. Neuse Drive Northeast corner of Lot 18.
 - d. Pamlico Drive Northwest corner of Lot 10.
 9. Home Owners Restrictive Covenants shall include the following information:
 - a. All requirements (to include Maintenance and allowable built upon area) listed under NCDENR Stormwater Permit No. SW7130507 Phase I.
 - b. Maintenance requirements of the outfall ditch leading into North River.
 - c. The re-certification to the County of the approved drainage plan every five years.
 - d. Covenants shall be amended to include NCDENR Stormwater Permits requirements for future phases prior to approval of the final plat for the phase being permitted.
 10. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval in its entirety shall be void and have no effect.
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Planning Director Dan Porter described this application for Special Use Permit and went over the information contained in the Findings of Facts and conditions and modifications (see previous 4 pages). Mr. Porter indicated that condition # 3 (change Pasquotank Drive street name to Cape Fear Drive) has already been done.

Mr. Porter added the following information:

- There is a Deed of easement for outfall ditch that runs on the opposite side of Trotman Road. The property owner there has given the developer this easement to the creek.
- There is a Letter from Army Corps of Engineers stating that outfall ditch does not impact jurisdictional waters. Also giving permission to widen that ditch and to maintain it.
- All properties have perc tests on file.
- Storm water permit from state has been obtained and copy submitted
- Erosion control plan has been submitted and approved
- Surrounding land uses are agriculture and some residential
- Property is class 10 for fire insurance (outside the 6 mile Fire Department radius).
- Additional condition not listed in Findings: Prior to any land disturbing activity, the developer shall provide a copy of the approved water line extension letter from DENR. (requirement at preliminary plat). (Has not been submitted to Planning at this point, suggestion from Planning is that this not be approved as a conditional approval based on not receiving it as of yet. They have submitted it to DENR, but have not yet received anything back.)
- Based on regulations by the county, there have been modifications to the Stormwater Plan that the developer submitted. Since the Stormwater Plan was approved by DENR, staff recommends that any changes also go back to DENR for an updated / amended approval. County regulations are more strict than the state, so the modifications will have the effect of improving the plan.

At this time, Mr. Porter invited the developer to make comments to the board.

Mr. Clay Massey of Bowman Consulting gave the following information:

- Stormwater plan changes are a big improvement recommended with the plan
- A lot of drainage goes through 1 culvert on Trotman Road
- Stormwater is retained on site thereby reducing stormwater on Trotman Road
- Water is released through an outfall ditch
- Doubles the capacity of the outfall which will improve the drainage in the area
- Outfall capacity to improve from 17 cubic feet per second to 64 cubic feet per second at the outfall underneath Trotman Road

Dan Porter interjected and added the following:

- Planning required a letter from the NCDOT with their approval to place the culvert underneath Trotman Road. The letter is on file.

Mr. Massey indicated that the developer is in agreement with the recommendations and conditions set forth by staff in the findings of facts.

Fletcher Harris asked for clarification regarding the culverts and if they would take care of the flooding issues.

Mr. Massey responded that there would be 2 concrete culverts, which will replace the single corrugated metal culvert, thereby doubling the capacity of the drainage and reducing the flooding in the area. He added that the outfall and retention system should eliminate most of the flooding on Trotman Road.

Chairman Rodney Needham asked if the Army Corps of Engineers would be doing anything with the ditches upstream to further improve drainage as it relates to this project. Mr. Massey responded that there is an agreement for cleaning and maintenance of the outfall ditch. Mr. Massey then showed on a map where and how stormwater management will be improved. He also showed the location of the holding pond.

At this time, Chairman Rodney Needham asked if there were any comments from the public.

Mr. Terry Forehand, an adjacent property owner living on Trotman Road, had the following concerns:

- Concerned about the viability of the proposed drainage plan
- Stated that the farmer who originally owned the property where the development is proposed never dug a ditch on the north end (at the outfall location) because they "couldn't make water run uphill".
- Property has a gentle slope toward Ditchbank Road
- Outfall ditch is deep enough that when there is a southwest wind, water backs up out of the swamp and floods the ditch
- Groundwater seeps out and further floods the ditches in the area
- Concerned that the proposed development area will have water standing 6-8 inches deep after a rain event
- Stormwater draining to the swamp backs up the ditches on Trotman
- Stormwater around his house drains to the ditches on Ditch Bank Road
- Area floods every time it rains, has opinion that development will make it worse
- South end of the property - water tends to stand still and not drain
- Has the opinion that the land is not suitable for development
- Stated that farmers won't plant there due to the condition of the soil
- Opinion is that when developed, the impervious surfaces will cause water to run to the ditches then to the swamp and when the swamp fills up, it can only hold so much
- Wind and tides can push the water up and into / onto properties flooding them

Fletcher Harris asked Mr. Forehand how long the water stands without draining. Mr. Forehand responded that it can be 5-7 days after a rain event.

Ms. Michelle Albertson, an adjacent property owner living on Ditchbank Road, had the following concerns:

- Water stands still in the area of Ditchbank Road where she lives
- Ms. Albertson provided pictures showing the flooding from a rain event that took place October 10, 2013

Mr. Massey addressed the concerns brought up so far:

- Showed on the map where the agricultural ditches currently are and where the flooding is currently an issue
- Stated that yes, it does flood all the time as things are right now
- Agreed that the capacity of the culvert to drain stormwater is low
- Stated that the stormwater plan will add capacity which reduces the outfall to the ditches, by having a retention pond on site
- Stormwater will be retained in a controlled system and released in a controlled manner
- Stated that the development will improve the system to benefit and relieve the whole area where stormwater is concerned
- Stated that the ditches will be on a grade that will cause water to flow toward the stormwater system

Fletcher Harris asked when the first retention pond will be put in place. Mr. Massey indicated that it will be part of Phase 1.

Mr. Harris asked if the plan related to a 25 year storm or 100 year storm. Mr. Massey responded saying that they have analyzed the plan for the 2 year, 5 year, 10 year, 25 year, and 100 year storm. Mr. Massey added that the 25 year storm will still flood Trotman Road. Mr. Massey further added that the water elevation at the outfall after improvement will go from 6 foot to 5 foot (a drop of about 1 foot).

Calvin Leary asked Mr. Massey to address the concerns about the swamp. Mr. Massey stated that their starting point was an elevation down-water and worked their way back through the system. He also stated that it was reviewed by the county and felt the elevation was an appropriate level that a storm with everything else draining to the river and swamp to use the water elevation as a starting point for this development. This is the reason that this system is sized as large as it is.

Mr. Dan Porter stated that the county has a requirement that the development maintain the pre and post development stormwater outflow for a 10 year storm event. The developer has exceeded that by designing to a 25 year system, that is some of the requirements for NCDOT that they look at the 25 year storm. The developer is required to model a 10 (for drainage), 25 (for NCDOT for roadways), and 100 (for placement of houses) year storm. The developer has done that.

Fletcher Harris asked what type of septic systems would be placed. Mr. Massey stated that they would be conventional septic systems and a few raised systems.

Fletcher Harris asked what the acreage of the retention pond would be. Mr. Massey stated that the volume of retention would be approximately 200,000 cubic square feet.

Calvin Leary observed that from the way it has been described, the retention ponds and added/improved culverts look like it will eliminate much of the flooding.

Mr. Forehand re-iterated some of his earlier concerns and added the following:

- Is afraid that if development goes forward, that his house, his son's house, and the farmland will all flood worse than they currently do.

Michael Etheridge asked for clarification regarding the purpose of the retention pond. Mr. Etheridge asked Mr. Massey if the purpose was to retain and monitor water and to reduce the amount of water volume being released to the ditches and swamp. Mr. Massey affirmed this.

Michael Etheridge asked if it would be a true statement that the problem at present is that there is no control of outflow. With the improvements, the amount of standing water will be reduced. Mr. Massey agreed and added that the water will be managed and retained.

David Bundy asked if at present the water is going to all the ditches connected to Ditchbank. Mr. Massey showed on the map where the ditches were and how they currently drain.

Mr. Bundy asked if the ditches on the developments property were connected to Ditchbank Road ditches. Mr. Massey stated that they do not go to Ditchbank Road. Mr. Porter added that when the area floods those ditches cannot outflow and so they back up to Ditchbank (flood over into ditches on Ditchbank).

Mr. Etheridge asked if the retention ponds will reduce the amount of outfall to the swamp. Mr. Massey said Yes they would.

Lance Large, of Bowman Consulting, stated that it is basically flood control. That the ponds will reduce the outfall thereby giving the swamp a chance to process the water therein to a point that the swamp doesn't flood when the water is released from the pond to it. Mr. Large also said that it would contribute a measure of erosion and sediment control to the system.

Steven Forehand, an adjacent property owner living on Trotman Road, had the following concerns:

- Concerned about the ability of septic systems to function properly in the area
- Concerned that if a septic system fails, it will produce contamination
- Concerned about the health of the water table
- Concerned about the level of and amount of mosquitoes that standing water and water areas tend to produce
- Considers the water levels as hazardous

Mr. Massey stated that with the stormwater system everything will be directed to the culvert and not to Ditchbank Road.

Ray Albertson asked how Phase 2 stormwater would get to the system. Mr. Massey stated that there would be swales, and that the lots would be graded toward the system.

At this time, Chairman Rodney Needham asked if there were any further comments. Hearing none, he called for a motion.

Motion Made: "Approve UDO 2012-05-01, Special Use Permit, North River Crossing"
Motion Made By: Vice Chairman Calvin Leary
Seconded By: No One Seconded The Motion.

With no second, there could be no vote. Mr. Porter stated that this application for special use permit will be sent to the Camden County Board of Commissioners without a recommendation from the Planning Board.

Mr. Porter also stated that there would be a public hearing at the Camden County Board of Commissioners Meeting on December 2, 2013 at 11:00 AM in the Community Room at the Public Library to hear comments from the public relating to this application.

Information From Board and Staff

None

Adjournment

Motion: "Adjourn the meeting"
Time of Motion: 7:55 PM
Motion made by: Fletcher Harris
Seconded by: Ray Albertson
Vote: Approved by all board members present.

Date: _____

Approved: _____
Chairman Rodney Needham

Attested: _____
Amy Barnett, Planning Clerk