

**Camden County Planning Board
Minutes
July 17, 2013, 7:00pm
Historic Courtroom
Camden County Courthouse Complex**

Members Present:	Absent:
Chairman Rodney Needham	
Vice Chairman Calvin Leary	
Ray Albertson	
Fletcher Harris	
David Bundy	
Patricia Delano	
Michael Etheridge	

Call to Order & Welcome

Chairman Rodney Needham called to order the July 17, 2013 meeting at 7:00 PM.

Others Present at Meeting

STAFF PRESENT

Name:	Title:
Dave Parks	Permit Officer
Amy Barnett	Clerk to the Planning Board

OTHERS PRESENT

Name/Residence:	Title:	Purpose / Representing:	Meeting Section:
Pete Burkheimer	Engineer for Applicant	Revised Sketch Plan Joyce Landing UDO 2013-05-03	New Business #1
Donnie Raper	Adjacent Property Owner	Voice Concerns regarding Joyce Landing	New Business #1
Betty Dorety	Adjacent Property Owner	Voice Concerns regarding Joyce Landing	New Business #1

Consideration of Agenda

Chairman Rodney Needham called for consideration of the agenda.

Motion to approve the agenda as presented made by: Michael Etheridge.

Motion Seconded by: Vice Chairman Calvin Leary.

The motion was approved with Chairman Rodney Needham, Vice Chairman Calvin Leary, Members Ray Albertson, Fletcher Harris, Michael Etheridge, David Bundy, and Patricia Delano voting aye, none voting no, none absent, and none not voting.

Consideration of Minutes: May 15, 2013

Chairman Rodney Needham called for consideration of the minutes from the May 15, 2013 Planning Board meeting.

Motion to approve the minutes as written made by: Michael Etheridge.

Motion Seconded by: Patricia Delano.

The motion was approved with Chairman Rodney Needham, Vice Chairman Calvin Leary, Members Ray Albertson, Fletcher Harris, Michael Etheridge, David Bundy, and Patricia Delano voting aye, none voting no, none absent, and none not voting.

Comments from the Public

None

Old Business

None

New Business

***New Business, Item #1
Revised Sketch Plan Joyce Landing***

**Findings
UDO 2013-05-03
Revised Sketch Plan
Joyce Landing**

- 1. **Name of Applicant:** Camden Square Associates of North Carolina, LLC
- 2. **Agent for Applicant:** Engineering Services Inc.
- 3. **Address of Agent:** 524 Winston Salem Ave
Virginia Beach, VA 23451
- 4. **PIN:** 01-7080-00-86-8982
- 5. **Name(s) of Current Owner(s) of Record:** Camden Square Associates
- 6. **Street Address of Property:** Not addressed
- 7. **Location of Property:** Keeter Barn Road and Sandy Lane in South Mills
Township
- 8. **Flood Zone:** X/AE
- 9. **Zoning District(s):** Basic Residential (R3-2)
- 10. **Is a Zoning Change Required for the Proposed Use?** No.
- 11. **General Description of the Proposal:** Revised Sketch Plan Joyce Landing, a 18 lot
Major Residential Subdivision
- 12. **Date Application Received by County:** May 1, 2013
- 13. **Did the Applicant participate in a pre-application Conference?** Yes
- 14. **Received by:** Dave Parks, Permit Officer
- 15. **Application fee paid:** \$2,700
- 16. **Completeness of Application:** Application is generally complete.

17. **Proposal to be completed in Phases:** No.
A. If yes, are phases shown on Sketch Plat? N/A.
18. **Was the Applicant given a list of agencies constituting the Technical Review Staff?** Yes
A. Technical Review Staff Comments (Sketch Plan Approval)
(a) South Mills Water District (attached)
(b) Albemarle Regional Health Department (attached)
(c) South Mills Fire Department (See attached)
(d) Sheriff's Office (approved)
(e) South Mills Post Office (info only)
(f) Camden Soil & Water Technician (See attached)
(g) Central Communications (911) (attached)
(h) Superintendent of Camden County Schools (See attached)
(i) Transportation Director of Camden County Schools (See attached)
(j) NCDOT - (Per Brent Bass NCDOT - Info only at this stage)
19. **Documents received upon filing application or otherwise included:**
A. Revised Land Use/Development Application
B. Deed
C. Agent Letter for Engineering Services Inc.
D. Tax Card
E. 10 Blue Line Copies of Sketch Plan
F. Perc Tests
G. Development Impact Statement
20. **Soil Classifications:**
Predominant: Tomotley (ToA)
Other: Altavista (AaA), Roanoke (RoA), Augusta (AtA), Munden (MuA)
21. **Adjacent Property Uses:**
A. Predominant: Agriculture
B. Other: Some Residential
22. **Existing Land Uses:** Cleared lands and farming
23. **Lots:**
A. Total Proposed: 18 lots
B. Average size: 2 acres
24. **Streets:**
A. Are all streets designed to be placed under State system? N/A
B. Are proposed streets named? N/A
C. Street names: N/A
D. Are any street names already being used elsewhere in the County? N/A
25. **Open Space:**
A. Is open space proposed? Yes. 42 x .05 = 2.1 acres required. Proposed +/- 2.1 acres
B. Recreational Land: N/A
C. Will property owner restrictive covenants be needed? Yes.
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. Septic
C. Does the applicant propose the use of public water systems? Yes, with South Mills Water Association
D. Distance from existing public water supply system: Adjacent to property.
E. Is the area within a five-year proposal for 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. In accordance with Article 151.232 (N).
B. Will trees be required along dedicated streets UDO Article 151.156? N/A

- 28. Findings Regarding Additional Requirements:**
- A. Endangering the public health and safety:** The application doesn't appear to endanger the public health and safety. There is a 55 foot Army Corp of Engineers easement along the eastern and western side of Cypress Run ditch.
 - 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:** Yes, as Camden Comprehensive Plan Future Land Use Map identifies this area as Rural Residential with density of up to 1 dwelling unit per acre. Zoned Basic Residential (R3-2).
 - D. Conformity with the Plans:**
 - 1. Comprehensive Plan:**
 - Future Land Use Maps has land identified as Rural Residential with densities up to 1 dwelling unit per acre.
 - 2. Land Use Plan:**
 - Property located outside Core Village of South Mills.
 - Policy 9 states the county supports greater residential densities in areas that are accessible to water and/or sewer services. Water lines exist adjacent to property.
 - 3. Thoroughfare Plan:** Access is off Keeter Barn Road
 - 4. Other plans officially adopted by the Board of Commissioners:** None
 - E. Will not exceed the county's ability to provide public facilities:**
 - 1. Schools:** Development will create a total of approximately 8 students (.44 x 18)
 - 2. Fire and Rescue:** Approved.
 - 3. Law Enforcement:** Approved.
 - 4. Other County Facilities:** None.
 - F. Other:** None

Planning Staff recommends approval with the following comments/recommendations:

- 1. Preliminary Plat to reflect Army Corp Drainage Easement of 110 feet (55 feet on either side of ditch) as measured from the center of Cypress Run Ditch Eastward.
- 2. Recommend 55 foot easement remain in open space. This will reduce any conflicts with property owners and access to Cypress Run ditch.
- 3. Wetland delineation will be required as part of preliminary plat process. See attached Map.

Revised Sketch Plan Joyce Landing
UDO 2013-05-03

Dave Parks described this item:

- Applicant revised documents that were previously submitted, due to issues relating to the wetlands on the property. Original documents which were submitted were retracted by the applicant and the revised documents were subsequently submitted, which is what is before the board now.
- This is a sketch plan, with part being conceptual, current zoning on the property is R-3-2
- No rezoning is being sought
- This development now consists of 18 lots with a 2 acre minimum per lot
- Applicant is Camden Square Associates of NC LLC
- Applicant Waverly Sawyer, his associate Robert Widener, and Engineer for Applicant Pete Burkheimer were present at meeting
- A neighborhood meeting regarding this development was held in May of 2013

- The original submittal went to the Technical Review Committee (TRC) and those comments are in the board packet for this meeting. Mr. Parks contacted the TRC members regarding the changes and there are no additional comments from the TRC.
- Some open space which is required, is included in the applicant's proposal:
 - 50 foot buffer separates the development from the Raper farm
 - Other open space separating wooded area and also separating from wooded part of Raper farm
- Cypress Creek Run ditch (part of the Joyce Creek Drainage District) runs along the western side of Lot 1
 - Army Corps of Engineers has set a 110 foot drainage easement - 55 foot on either side from the center line of the ditch
 - Recommendation from staff is to leave the ditch as open space versus an easement that way there will not be issues with the property owners regarding maintenance of the ditch
 - Board member Ray Albertson is on the Joyce Creek Drainage District Board and concurs with this.
- After letters went out to adjacent property owners, Mr. Raper called with questions:
 - Between lots 10 and 11, there is a ditch that drains from his farm and he recommended a drainage easement along that ditch
 - This is going to be a recommendation to the applicant regarding easement along this area
 - Maintenance will be by restrictive covenants in the Home Owners Association for this development and will be required at preliminary plat

Member Michael Etheridge asked if the ditch between lots 10 and 11 ties into the Cypress Creek Run ditch. Engineer for the Applicant, Pete Burkheimer from Virginia Beach VA, answered saying that both drain only private property so there would not be any reason for public maintenance on those.

Dave Parks asked what is involved in the proposed best management practices, would it include constructed wetlands and the like? Mr. Burkheimer answered that given the low density, probably just a wide dry pond, like a fat place in the ditch. Every other lot will have a shared culvert for access to the ditch.

Dave Parks stated that staff is recommending approval of this sketch plan with the recommendations as set forth in the findings of fact. Mr. Parks re-iterated that this is a conceptual plan and that the developer is not vested in this until the application for special use permit.

Chairman Rodney Needham asked if there were any questions on this.

Mr. Donnie Raper, an adjacent property owner, stepped up to the podium. Mr. Raper asked if there was going to be a right of way on each side of the property along the ditch that runs adjacent to lots 10 and 11. Is there going to be an easement or boundary in case the ditch needs to be dug out for drainage reasons, from the property side belonging to Mr. Raper.

Mr. Parks asked Mr. Burkheimer to address this question.

Mr. Burkheimer stated that his proposal would be to make it so it does not need much maintenance, perhaps widening the bottom of the ditch to as much as 8 feet and then letting the slope of the ditch be very gentle so that the banks of the ditch are mow-able. It may take a bit more excavation, but will make for a more attractive situation. Eventually the bottom will fill up, but not near as quick as a conventional ditch. There will be an easement in favor of the upstream land (which belongs to Raper) so that adjacent property owners will have the right to come in and maintain it if need be. Developer will try to make it as maintenance free as possible.

Member Fletcher Harris commented that the ditch in question is a pretty small ditch. Mr. Burkheimer responded saying that in the neighborhood meeting, the adjacent property owners made it clear that even though the ditch at the back of lots 10 and 11 is not very large, it is very important for the drainage of their properties. This is why it is important to make it as maintenance free as possible.

Mr. Parks stated that when the drainage plan is submitted at preliminary plat stage, that Mr. Raper will be notified and have an opportunity to review it and be involved in the whole process as far as it relates to the drainage of his farm.

Mr. Raper re-iterated his desire to have an easement along the ditches bordering his property and the development for maintenance purposes. Mr. Burkheimer stated he has no objection to this. Mr. Raper and Mr. Burkheimer discussed the addition of a 15 foot easement on the Joyce Landing side of the 50 foot ditch.

Mr. Raper asked if the ditch behind the graveyard which runs to Cypress Run ditch would be elevated. He stated that if it is not elevated there may be flooding issues. Mr. Burkheimer stated that he will look at that very closely to make it drain properly.

Mr. Raper then inquired what kind of vegetative buffer there would be. Mr. Burkheimer replied that it had not been designed yet and deferred to Mr. Parks as to the requirements for such. Mr. Parks stated that it would be a mix of trees and the like. Mr. Raper suggested against using pine trees due to "sapping".

Mr. Raper asked if the open space behind lots 1-10 is going to be open space or used for something else. Mr. Burkheimer replied that the open space is jurisdictional wetlands and would be left as is. It is considered passive open space.

Member Ray Albertson asked if any dirt would be moved from the hill end by the graveyard to lots 1-10, which are about 5 feet lower in elevation. Mr. Burkheimer replied that there might be some harvesting of sand for house pads but no major movement of dirt.

Chairman Rodney Needham asked where the easement will be. Mr. Burkheimer replied that the north/south ditch (shown on the map given to board members in their packets) would need 15 feet of easement on each side. Mr. Parks added that the easements will be shown on the preliminary plat. Mr. Burkheimer further stated that per Mr. Raper's request, he would be glad to add a 15 foot easement on the development side at the back of lots 11-18.

Member Ray Albertson asked what the slope of the ditch bank would be in regards to the easement on the back of lots 11-18. Mr. Burkheimer answered that the slope will be gentle enough on both sides to work both sides of the ditch (mowing, maintenance, etc.). Mr. Albertson asked if the easement would begin at the middle of the ditch or at the side of the bank. Mr. Burkheimer stated that the easement slope would be so gentle that no matter where the easement started, Mr. Raper would have no problem accessing the ditch for any maintenance issues he may want to address.

Chairman Rodney Needham asked if anyone had any further questions or comments. Ms. Betty Dorety, of Garden City NY, co-owner of property on the other side of Sandy Lane, had questions regarding if Sandy Lane would be widened or stay the same.

Dave Parks replied that at preliminary plat, a drainage plan is required that would go to the NCDOT for them to look at. Sandy Lane is a state maintained road up to a point, so the NCDOT will make recommendations at preliminary plat as to what kinds of improvements should be made.

Ms. Dorety's concerns center around the fear that if Sandy Lane were to be widened that the widening would encroach on her property and she is against that.

Mr. Parks stated that it probably would not be widened but that there may be some ditching to take care of drainage. It will go to NCDOT for their input at preliminary plat. Mr. Parks further stated that the adjacent property owners will be kept informed at every step along the way so that they may offer their input and/or voice any concerns.

At this time, Chairman Rodney Needham asked if there were any further questions or comments from the board, hearing none he entertained a motion.

Motion Made: *"Accept the revised sketch plan as recommended by staff."*

Motion made by: Vice Chairman Calvin Leary.

Motion Seconded by: Fletcher Harris.

At this time, Member Ray Albertson recused himself from the vote as he farms some of the lands adjacent to this development.

The motion was approved with Chairman Rodney Needham, Vice Chairman Calvin Leary, Members Fletcher Harris, Michael Etheridge, David Bundy, and Patricia Delano voting aye, none voting no, none absent, and Ray Albertson not voting (recused).

Information from Board and Staff

- Dave Parks stated that the Appeals Court upheld the lower court's decision on the Camden Plantation project. It is unlikely to be appealed any further, so Camden Plantation is ready to move forward and are happy with the decisions rendered by the courts.

Consider Date of Next Meeting - August 21, 2013

Adjournment - 7:25 PM

Motion to adjourn by: Ray Albertson

Seconded by: David Bundy

The motion was approved with Chairman Rodney Needham, Vice Chairman Calvin Leary, Members Ray Albertson, Fletcher Harris, Michael Etheridge, David Bundy, and Patricia Delano voting aye, none voting no, none absent, and none not voting.

Date: _____

Approved: _____
Chairman Rodney Needham

Attested: _____
Amy Barnett, Planning Clerk