

**Town of Zebulon
Planning Board
Minutes
April 22, 2019**

Present: Larry Ray, Gene Blount, Stephanie Jenkins, Stan Nowell, Shannon Baxter, Laura Johnson, Joe Moore-Town Manager, Teresa Piner-Planning, Meade Bradshaw-Planning, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Eric Vernon-Attorney
Absent: David Covington

Gene Blount called the meeting to order at 6:00pm.

AGENDA

Laura Johnson made a motion, second by Stephanie Jenkins to approve the agenda. There was no discussion and the motion passed unanimously.

APPROVAL OF MINUTES

Stephanie Jenkins made a motion, second by Larry Ray to approve the February 25, 2019 meeting minutes. There was no discussion and the motion passed unanimously.

Stan Nowell made a motion, second by Laura Johnson to approve the March 11, 2019 meeting minutes. There was no discussion and the motion passed unanimously.

Larry Ray made a motion, second by Stephanie Jenkins to approve the April 8, 2019 meeting minutes. There was no discussion and the motion passed unanimously.

OLD BUSINESS

A. LEGISLATIVE

1. RZ 2019-01 – Cardinal Pines

Meade Bradshaw stated the request was from Dennis Tharrington to rezone 7.07 acres of land located at 303 Pony Road from Heavy Business (HB) to Transitional District (TR).

There was a question about road improvements and it was stated any road improvements would be decided once the site plan review was received. The applicant estimated 10 trips per day therefore a Transportation Impact Analysis was not required.

Laura Johnson made a motion, second by Stephanie Jenkins to recommend approval of RZ 2019-01 based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable. There was no discussion and the motion passed unanimously.

2. RZ 2019-03 – The Fetching Post

Meade Bradshaw stated the request was from Amy Brown-Pearce to rezone an approximately 7-acre property at 571 W. Barbee Street from Transitional District (TR) to Residential-20 District (R-20).

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Larry Ray made a motion, second by Shannon Baxter to recommend approval of RZ 2019-03 based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable. There was no discussion and the motion passed unanimously.

B. QUASI-JUDICIAL

1. SUP 2019-04 – GREC

Golden Renewable Energy, LLC (GREC) requested a Special Use Permit for their business at 517 Industrial Drive zoned as Heavy Industrial District. GREC refined diesel fuel from waste products using pyrolysis and stored the fuel. Staff recommended approval with the following condition:

1. masonry screening will be required around the fuel tanks and dumpster approved at the time of Zoning Permit issuance.

Some Planning Board members expressed concerns about safety with regards to the charter school in close proximity. Shannon Baxter expressed concern about carbon gas emissions according to the applicant's testimony. There was concern with finding of fact 1 - the proposed special use will not materially endanger the public health, safety or welfare. Some Planning Board members stated public safety was a concern. There was discussion about the masonry screening being used as a containment in the case of a leak, a fire suppress system for the outside tanks, raw materials being stored outside, and ramifications of micro plastics in the case of contamination of the nearby waterways.

Shannon Baxter made a motion, second by Larry Ray to recommend denial of SUP 2019-04 based upon the lack of evidence and testimony to support finding of fact 1 "the proposed special use will not materially endanger the public health, safety or welfare." There was no discussion and the motion passed unanimously.

2. SUP 2019-05 – Green Pace Road Commercial Center

Meade Bradshaw explained the proposed 10-lot commercial subdivision was approximately 32.03 acres zoned Heavy Business (HB) and was located within the Town of Zebulon's extraterritorial jurisdiction.

There was discussion about the sewer and water connection. The Town was not responsible for the sewer and water connection, that would be the responsibility of the property owners.

It was stated the Transportation Impact Analysis would identify if road widening was necessary. The applicant was required to provide a one-year road warranty to meet the Town's 20-year standard.

Shannon Baxter made a motion, second by Laura Johnson to recommend approval of SUP 2019-05 based upon the consistency with the Town of Zebulon Comprehensive Plan, Zebulon Code of Ordinances, and any other official plan that is applicable and with the following conditions including condition three as amended by staff:

1. The property is annexed into the Town of Zebulon prior to lot recordation;

2. A developer's agreement is created and approved by the Town of Zebulon regarding the future connection to sanitary sewer service prior to lot recordation. The agreement will address, but is not limited to the following discussion points: a. The Town of Zebulon is not responsible for the connection or extension to the sanitary sewer service; b. The Town of Zebulon is not responsible for the maintenance of the septic systems on the individual lots; and c. When the sanitary sewer line is extended, the lots fronting on Green Pace Road will be required to connect at the expense of the commercial park.
3. A one year road warranty to meet the Town's 20 year standard is approved by the Public Works Director for the cul-de-sac being constructed.
4. The requirement of a Transportation Impact Analysis will be determined during Technical Review Committee Review.
5. The project must receive Technical Review Committee approval from the Town of Zebulon conforming to the Code of Ordinances and Land Development Regulations and the Planning Board agrees the findings of fact were met.

There was no discussion and the motion passed unanimously.

STAFF REPORT

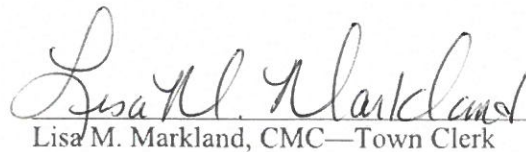
Joe Moore introduced the new Planning Director, Michael Clark.

Laura Johnson made a motion, second by Stephanie Jenkins to adjourn the meeting. There was no discussion and the motion passed unanimously.

Adopted this the 10th day of August, 2020.



Gene Blount—Chair



Lisa M. Markland, CMC—Town Clerk