

**MINUTES**  
**YANCEYVILLE PLANNING BOARD**  
**January 20, 2016**  
**5:15 PM**

The meeting of the Planning Board was held at the Yanceyville Municipal Services Building on January 20, 2016 at 5:15 p.m.

**Board members present:** Chairman Fred Smith, Vice-Chair, Patricia Price-Lea, Sylvia Johnson, Darrell McLean, and Layton Everitt.

**Also present:** Brian Collie, Town Manager & Phillip Martin, representing Cypress Creek Renewables.

**1. Call To Order**

Chairman Smith called the meeting to order at 5:15 PM.

**2. Approval of 2016 Chair & Vice-Chair**

Chairman Smith informed the Board that it was time to select the Chair and Vice-Chair for 2016. After short discussion Vice-Chair Lea made a motion that the Board re-appoint Mr. Fred Smith as Chairman of the Yanceyville Planning Board for 2016. The motion was seconded by Mr. McLean and passed with a unanimous vote.

A motion was then made by Mr. Everitt to re-appoint Mrs. Patricia Price Lea as Vice-Chairwoman of the Yanceyville Planning Board for 2016. The motion was seconded by Mr. McLean and passed with a unanimous vote.

**3. Approval of Minutes- November 18, 2015**

After short review Chairman Smith asked for a motion to approve the Yanceyville Planning Board minutes from November 18, 2015 as presented. Vice-Chairwoman Lea stated that there were two (2) grammar corrections that needed to be made on page 2. Manager Collie stated that he would make sure the corrections were made. A motion was then made by Vice-Chairwoman Lea to approve the minutes as presented with the two stated corrections. The motion was seconded by Mr. Everitt and passed with a unanimous vote.

**4. Special Use Permit Application Review**

Manager Collie stated that the board had before them a special use permit application for a solar facility located at tax map & parcel 0082.00.00.0016.0000, off of Firetower Rd. & NC Hwy 86, owned by Richard M. Johnston, Jr. & William Russell Johnston, and submitted

by Caswell Solar, LLC, owned by Cypress Creek Renewables. Mr. Collie went over the application and site plan as presented giving the board needed details relating to the town's solar facility requirements. He stated that he has reviewed the application and confirmed that the application meets all of the requirements from Sec. 42-202 of the Town of Yanceyville's code of ordinances.

Manager Collie stated that Mr. Phillip Martin from Cypress Creek Renewables was present to discuss the proposed project and answer any questions that the board may have. Mr. Martin thanked the board for allowing him to speak and briefly went over the proposed project. He stated that the leased parcel was 45.62 acres and contained three (3) different zoning designations, office & institutional, highway business, & residential agricultural. He then said that the proposed location of the solar facility would only be located on the portion zoned residential agricultural because the town's zoning ordinance only allows solar facilities in RA zones. He stated that the proposed facility met all of the zoning ordinance requirements as well as the criteria listed in the town's code for special use permit adoption. Mr. Martin stated that he would be happy to answer any of the board's questions.

Chairman Smith asked Mr. Martin how long the lease contract was for the proposed use. Mr. Martin stated 40 years. Chairman Smith stated that there are already three (3) solar farms on the same substation and asked if the station could handle a fourth (4<sup>th</sup>)? Mr. Martin stated that Duke Energy Progress had permitted the facility.

Chairman Smith said that there are four (4) criteria items that the proposed use cannot affect that must be reviewed before granting a special use.

1. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved;
2. The use meets all required conditions and specifications;
3. The use will not substantially injure the value of adjoining or abutting property, or the use is a public necessity; and
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the city and its environs.

Chairman Smith stated that he felt the proposed solar facility may affect the surrounding property values and that it was not harmonious with the area. Mr. Martin disagreed stating that a licensed real estate appraiser had reviewed the plans and deemed otherwise. Mr. Everitt asked why they were proposing such a small farm. Mr. Martin stated that it is on the smaller size but is large enough to produce their

desired amount of electricity. He also stated that the property was an ideal location because of its close proximity to the substation. Mr. Collie asked if the proposed screening method will block the view of the farm and if all of the surrounding property owners had been contacted about the proposal. Mr. Martin stated that the proposed screening was consistent with the requirements set forth in the town's zoning ordinance and that they had contacted the Credit Union to make them aware of the proposal and that they had no problem with the proposal as long as they abided by the setback requirements.

Mr. McLean asked would additional power poles be needed or if upgrades would need to be made to the existing infrastructure. Mr. Martin said that he wasn't sure what Duke Progress Energy's plans were. Mrs. Johnson stated that she felt the proposed use just wasn't in the best location, since it was in the center of town. Mr. Everitt referenced an article he had brought to the meeting for the board to review titled "Solar farm ratings are shady business". Mr. Collie asked approximately how many residential homes could this proposed farm power. Mr. Martin stated that generally a 5 megawatt facility could power up to 900 homes. Vice-Chairwoman Lea asked about the levels of security since the proposed farm was so close to an elementary school and recreational park. Mr. Martin stated that it would have the required six (6) foot chain-link fence with barbed wire for security purposes. Mr. Collie asked how many solar facilities Cypress Creek Renewables had in North Carolina. Mr. Martin stated that they currently have twenty five (25) but that sixty (60) are in progress. Mr. Collie asked approximately how long the construction of the farm will take. Mr. Martin stated that a lot depends on the weather but generally four (4) to ten (10) weeks.

Following additional discussion from the board Chairman Smith made a motion to deny the special use application for the Solar Generation Facility proposed at Tax Map 0082, Parcel 016 because he finds that the use will substantially injure the value of adjoining or abutting property, and the location and character of the use, if developed according to the plan as submitted, will not be in harmony with the area in which it is to be located and in general conformity with the plan of development of the city and its environs. The motion was seconded by Vice-Chairwoman Lea and passed with a four (4) to one (1) vote. Mrs. Johnson voting no.

## **5. Other Business**

Chairman Smith asked the Board if there was any other business to discuss. After no reply, Chairman Smith stated that the next Planning Board meeting would be held on February 17<sup>th</sup>.

**6. Adjournment**

After no further business, Mr. Everitt made a motion to adjourn seconded by Vice-Chairwoman Lea. The motion passed with a unanimous vote.

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Respectively Submitted:

Fred Smith, Chairman

Brian Collie, Town Manager, prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting. A detailed account of this meeting is available for review on tape at the Yanceyville Municipal Services Building.