

# Perquimans County Planning Board

## MINUTES

Tuesday, August 20, 2019

The Perquimans County Planning Board held a Special Called Meeting on Tuesday, August 20, 2019 at 7:00 PM in the Commissioner Meeting Room of the Courthouse Annex Building.

MEMBERS PRESENT: A.J. Moore, Chair  
Lewis Smith, Vice Chair  
Brenda Lassiter  
John Skinner

MEMBERS ABSENT: A.O. Roberts

OTHERS PRESENT: Rhonda Money, Planner/GIS  
Frank Heath, County Manager  
Applicants & 2 interested residents

Planning Board Chair, A.J. Moore, called the meeting to order at 7:00 pm and opened with prayer by Lewis Smith.

**Agenda Item I, Approval of Agenda: Ms. Lassiter made a motion, seconded by Mr. Smith, to approve the agenda with amendment to re-label Business Item A as Business Item B and make the new Business Item A "Election of Officers". The motion passed unanimously.**

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**Agenda Item II, Consent Agenda/Approval of Draft Minutes of Previous Planning Board Meetings: Attached draft of February 12, 2019 Regular Meeting minutes.**

**Ms. Lassiter made a motion, seconded by Mr. Skinner, to approve minutes of the Regular Meeting of February 12, 2019. The motion passed unanimously.**

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**Agenda Item III, (newly amended) Business Item A: Election of Officers**

**Ms. Lassiter made a motion, seconded by Mr. Skinner, to reappoint Mr. Moore as Chair. Mr. Skinner made a motion, seconded by Ms. Lassiter to reappoint Mr. Smith as Vice Chair. Both motions passed unanimously.**

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**Agenda Item III, Business Item B: Consideration of Conditional Use Permit No. CUP-19-03, requested by Perquimans Solar, LLC, for a 10 MW Large Scale, ground-mounted Solar Power Energy System Facility in the 200 block of Pender Road on property owned by T.A. Newbold Miller, LLC, Tax Parcel Number 2-0061-0076A.** Planner Money summarized the layout of the proposed project while showing an online ortho-photo of the area. Two cash bonds, vegetative and decommissioning, were summarized. Buffers, acreages and stormwater reports were discussed as technical aspects. Technical Review Committee comments were reported. Planner Money went on to point out the differences made in the draft conditional use permit CUP-19-03 compared with previous solar conditional use permits that were under older solar regulations. Lease acreage was questioned and County Manager Heath verified that the

project meets ordinance criteria. Solar regulations, when written, embodied the idea that a project boundary is clearly identified on the site plan. Project area is the space it takes up; not the total acreage of the parcel.

Phillip Harris, Attorney representing Perquimans Solar, LLC – This project will have one owner, but may have 2 different power purchase agreements with 2 different electrical companies. The approximate 100 acres listed in the lease agreement is meant to include the vegetative buffer surrounding the project. He read our Zoning Ordinance section 903 (a-d) findings then introduced the other members of the audience representing the applicant during the meeting. He handed out a paper copy of Ms. Price’s presentation to all the Board members.

Kara Price, Senior VP of Permitting & Development – She gave a slideshow presentation on the benefits of solar and specifics about this project. She reiterated that it will be one owner of the 10MW system, what will be different is the off-take. 5MW of this is grandfathered under the old standard PPA of the utility, the other 5MW of this will be sold into a different marketplace. Two homes are near the project area; the construction entrance is situated as far away from both homes as possible. There is also extensive permitting oversight on this project. 5MWac has a traditional Certificate of Public Convenience & Necessity (CPCN) that has already been approved. The other 5 MW of this, even though it is under the same owner, will go through an Electric Merchant Plant CPCN process at the state level. A local permit must be in place before the Merchant Plant CPCN process can be started.

Questions were asked and discussion ensued about where distribution lines are.

Mr. Skinner – What is your track record for employing local workers?

Ms. Price -- We are not a construction firm so we have a different firm that actually constructs the project. There is always a local job fair to try to find local people. That is why there is a robust training program in Halifax County to ensure that firms can hire locally for these projects. They will bring in supervisors from outside and they’ll bring in project managers, but in regards to installers, it is always more cost effective to hire locally. “We can certainly commit to having local job fairs, most definitely.”

Mr. Skinner – Can we go back to the full-time positions... landscapers and site operations and maintenance. Are you responsible for site operations and maintenance?

Ms. Price--- There is an Operations and Maintenance (O&M) contract that will come into play with the project. The owner will enter into an O&M contract and sometimes it’s the entity itself doing that O&M and sometimes it’s another company that is doing it, which is why you have additional hires. Then there is landscape and grounds-keeping. We are going to have to find a local source because you have a mandate where grass can’t grow beyond 12 inches. Usually we just make sure we cut the grass before it is shading our panels. I can’t guarantee that the O&M person is someone sitting here in Perquimans County. She went on to discuss tax revenue and other economic and educational development.

Mr. Smith – What kind of concession would be made to the people living next to the site during construction in regards to noise?

Ms. Price – We could limit hours of construction and use portable noise barriers.

Grass height was discussed in general.

Ms. Price – Are we the first project to go through under the new solar ordinance? Planner Money answered yes.

Mr. Skinner – How will this be taxed?

Mr. Heath, County Manager, explained the two parts: 1) real estate deferral use switching to market value and 2) business personal property being taxed.

Questions and discussion revolved around drainage and real estate volatility next to solar farms. Blayne Kime, 190 Pender Road, voiced his concerns. Mr. Phillips offered to exchange contact information with Mr. Kime after the meeting to try to mitigate his concerns.

Mr. Skinner is concerned about solar projects not hiring workers from the local community, and even having maintenance agreements from outside the community. He believes the tax benefits and job benefits are not very significant for the county. Mr. Skinner stated that solar energy is a great thing but he's concerned that its benefit to county residents is being misrepresented.

Mr. Smith asked Mr. Kime if they get their vegetation barrier established would that make it more palatable for him. Mr. Kime has not been impressed by any vegetation barriers that he has seen. Mr. Skinner asked if the county inspects vegetation barriers. County Manager Heath answered yes.

**Ms. Lassiter made a motion, seconded by Mr. Skinner, to find proposed Conditional Use Permit CUP-19-03 to be consistent and in harmony with the existing development pattern around the 200 block of Pender Road, Hertford, NC. Motion passed unanimously.**

**Ms. Lassiter made a motion, seconded by Mr. Skinner, to recommend to the Board of County Commissioners, approval of Proposed Conditional Use Permit No. CUP-19-03, for a large scale, ground-mounted Solar Power Energy System Facility in the 200 block of Pender Road on property owned by T.A. Newbold Miller, zoned RA, Rural Agriculture District, on Tax Parcel Number 2-0061-0076A conditioned upon the applicant meeting with adjacent property owners to discuss their concerns, adopting the Table of Findings from Zoning Ordinance Section 903 to support the motion. Motion passed unanimously.**

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**Agenda Item IV, Other Items A: Status Report on Previous Board Recommendations:**

- **Conditional Use Permit No. CUP-19-01**, requested by Mamie & Kenneth Hoffer to operate a "Special Events Venue" as a Home Occupation at 158 East Camp Perry Road: [Tabled at Feb. 12<sup>th</sup> meeting]. Planner Money informed the Board that the application was withdrawn by the applicant before March Planning Board.
- **Conditional Use Permit No. CUP-19-02**, requested by Marty & Sheryl Hurdle to operate a "Special Events Venue" as a Home Occupation at 305 Swing Gate Road; known as the Crawfish Shack. Planner Money informed the Board that this was approved at the March 4<sup>th</sup> County Commissioner meeting.

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Discussion was introduced about grass heights being too tall at 2 previously permitted solar farms in Winfall. Enforcement options and re-plantings of several solar farm vegetation buffers were discussed.

**Agenda Item IV, Other Items B: Chair's signature on approved minutes.**

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**Meeting adjourned at 8:16 p.m.**

**Minutes approved this 8th day of October, 2019.**

Lewis Smith  
~~Chairperson~~ Vice Chair

Rhonda Mowry  
Recorder

Attachments: A (Sign In Sheet);  
B (slideshow handout given by applicant)