

# **Guilford County Planning Board SEPTEMBER 11, 2013**

The Guilford County Planning Board met on Wednesday, September 11, 2013 at 6:30 p.m., Old Guilford County Courthouse, County Commissioner's Meeting Room, Second Floor, Greensboro, North Carolina. There was a brief Business Meeting prior to the regular session.

Members Present: Ms. Bailey, Chair; Mr. Collins, Alternate; Mr. Leonard, Mr. Derrickson, Mr. Wood, Mr. Westcott, Alternate; Mr. Apple, Alternate; Ms. Gibson, Alternate; Mr. Nelson, Alternate

Planning Staff Present: Les Eger and Tonya Hodgin, Planning Staff, as well as Leslie Bell, Director.

## **APPROVAL OF MINUTES:**

Ms. Bailey noted that the date on the August minutes read April and should be amended. With that change, Mr. Wood moved to approve the minutes of the August 14, 2013 meeting, as corrected, seconded by Mr. Derrickson. The Board voted unanimously in favor of the motion. (Ayes: Leonard, Derrickson, Wood, and Bailey, Apple, Collins, Gibson, Westcott and Nelson: None.)

Chairwoman Bailey explained the procedures followed by the Guilford County Planning Board. She stated that cases are usually called as they are listed on the agenda, Withdrawals and Continuances may be handled before other cases. For public hearing items, the applicant and proponents will have a total of 20 minutes to present their case. The opposition will then have a total of 20 minutes to present any concerns. A five-minute rebuttal for the applicant may be granted by the Chair. Approvals require a 5-7 majority vote, a vote of less than 5-7 on a motion to approve will be forwarded to the Board of Commissioners for a final decision. A tie vote on any motion constitutes denial of the request. Decisions of the Planning Board can be appealed to the Board of Commissioners and appeals must be made within 15 days on most items, must be in writing and there is a processing fee.

## **ROAD CLOSING CASE #13-08-GCPL-03724:**

Les Eger stated that this is a Road Closing case, #13-08-GCPL-03724 for the closing of a portion of Joe Drive, approximately 1750' north of Sandy Ridge Road ST #1850, extending approximately 1149' north to the terminus of Joe Drive in Deep River Township of Guilford County. The Resolution for this closing case was adopted last month and set for hearing this evening. The following are the staff comments: Pursuant to NCGS 153A-241 concerning closing public roads, the Planning Board must hold a public hearing before the road can be closed. Based upon the information presented at the hearing, the Board must find the following: 1) the

closing of the road is not contrary to public interest; and 2) that no individual owning property in the vicinity of the road or in the subdivision in which it is located would be deprived of reasonable means of ingress and egress to their property. Staff submits the following findings for consideration by the Board: The Planning Department has reviewed the request to close that portion of Joe Drive described above and it has been determined that closing of said road is not contrary to the public interest and that no individual owning property in the vicinity would be deprived of reasonable access to their property.

Chairwoman Bailey asked if there was anyone wishing to speak on this matter.

Bob Dischinger, Representing Evans Engineering, 4609 Dundas Drive, stated that he also represents the petitioner that owns land on both sides of this portion of Joe Drive. There is approximately 500 acres in that total area that is being annexed and rezoned into the City of High Point. They recently went to the NCDOT Board and had the maintenance abandoned by the NCDOT. He had nothing to add to what was previously stated by staff, but he is available for any questions the Board members may have.

There being no one to speak in opposition to the request, the public hearing was closed.

Mr. Wood moved that in the matter of Case # 13-08-GCPL-03724, WHEREAS, a petition has been filed pursuant to GS153A-241 Chapter 282 of the 1979 Session Laws, and Chapter 59 of the 1981 Session Laws requesting the Board to close and remove for dedication, being that portion of Joe Drive, State Road 1877, approximately 1750 feet north of Sandy Ridge Road, State Road #1850, extending 1149 feet north to the terminus of Joe Drive in the Deep River Township of Guilford County. Whereas, pursuant to a Resolution of Intent to close said road was adopted by this Board on August 30, 2013 and appropriate notice was published that a hearing would be held concerning said petition on September 11, 2013 at 6:30 p.m. in the Old Guilford County Courthouse, 2<sup>nd</sup> Floor, Greensboro, NC. And whereas, that it appears that all owners of property adjoining said road have signed the petition or have been notified of the closing thereof, and whereas, after inquiry by the Chairwoman, all interested persons were provided an opportunity to be heard on the request contained in the petition and, whereas, after all interested persons were heard, it appears to the satisfaction of the Board that the removal of said road from dedication is not contrary to the public interest and that no individual owning property in the vicinity of said road will be deprived of any reasonable means of ingress or egress to his property, now therefore, be it resolved that 1) the following described road in Deep River Township is hereby closed and removed from the dedication to the public's use, being that portion of Joe Drive State Road #1877, approximately 1750 feet north of Sandy Ridge Road, State Road #1850, extending 1149 feet north to the terminus of Joe Drive, Deep River Township, Guilford County and 2) a certified copy of this Resolution together with a copy of the published notice of this hearing is hereby ordered recorded in the office of the Register of Deeds of Guilford County, North Carolina, seconded by Mr. Derrickson.

Les Eger asked that a correction be made on the date from August 30<sup>th</sup> to August 14<sup>th</sup>. Mr. Wood accepted the friendly amendment to the motion.

The Board moved unanimously in favor of the motion. (Ayes: Bailey, Collins, Gibson, Nelson, Leonard, Wood, Derrickson. Nays: None)

**Business or Comments from Board Members**

Mr. Wood stated that last month there was discussion asking staff to start working on presenting something to the Board and an informative package related to possible future ways to resolve the issue of solar farms in Guilford County.

Les Eger stated that he did not realize that he was to present a package to the Board. Mr. Wood stated that he was not sure it was to be a formal package of information. He explained that either we don't have Special Use Permits or we do, for those matters.

Chairwoman Bailey stated that given the fact that solar farms are still fairly new to Guilford County, and there is a great deal of lack of understanding within the community, that it is important to continue with that, at least for the time being.

Mr. Derrickson stated that there was also discussion about giving the people of Guilford County the opportunity to come forth and either decide they do or do not want solar farms in their area or if they have any questions. He feels that if they are barred from having their right to hear these matter before the Board, there may be serious problems in the future. Chairwoman Bailey stated that she agreed.

**ADJOURNMENT:**

There being no further business before the Board, the meeting adjourned at 7:57 p.m.

Respectfully submitted,

---

Donna Bailey, Chairwoman

---

Les Eger, Secretary to the Board

LE/sm:cw