

Mayor
John Aneralla

Mayor Pro-Tem
Danny Phillips

Commissioners
Melinda Bales
Dan Boone
Mark Gibbons
Charles Guignard
Rob Kidwell

Town Manager
Gregory H. Ferguson



Department Heads
Max Buchanan, Public Works
Jackie Huffman, Finance
Michael Jaycocks, Parks&Rec
Jack Simoneau, Planning
Cleveland Spruill, Police Chief

Assistant Town Manager
Gerry Vincent

Town Clerk
Janet Pierson

Town Attorney
Bob Blythe

AGENDA
Regular Town Board Meeting
September 6, 2016 - 6:30 PM
TOWN HALL (101 Huntersville-Concord Road)

- I. Pre-meeting**
 - A. NONE
- II. Call to Order**
- III. Invocation - Moment of Silence**
- IV. Pledge of Allegiance**
- V. Mayor and Commissioner Reports-Staff Questions**
 - A. Mayor Aneralla (Metropolitan Transit Commission, Commerce Station Management Team)
 - B. Commissioner Bales (Lake Norman EDC, Lake Norman Education Collaborative)
 - C. Commissioner Boone (Public Safety Liaison, Land Development Ordinances Advisory Board)
 - D. Commissioner Gibbons (NC 73 Council of Planning, Veterans Liaison)
 - E. Commissioner Guignard (Centralina Council of Governments, Planning Coordinating Committee)
 - F. Commissioner Kidwell (Charlotte Regional Transportation Planning Organization, Olde Huntersville Historic Society)
 - G. Commissioner Phillips (Lake Norman Chamber Board, Visit Lake Norman Board)
- VI. Public Comments, Requests, or Presentations**
- VII. Agenda Changes**
 - A. Agenda changes, if any.
 - B. Adoption of Agenda.
- VIII. Public Hearings**
 - A. Conduct public hearing on Petition #R16-05, a request by Crescent Communities to rezone approximately 224 acres located northeast of Ervin Cook Road and Gilead Road from Transitional Residential to Neighborhood Residential-Conditional District. (*David Peete*)

- B. Conduct public hearing on Petition #TA16-04, a request by Godley Group of Charlotte LLC (Frankie's Fun Park - Bryton) to amend Article 8.26 SITE LIGHTING as it relates to "outdoor amusement facilities" in the Special Purpose Zoning District. (*David Peete*)

IX. Other Business

- A. Consider decision on Petition #R16-06, a request by Greenway Waste Solutions, LLC and William Hammill to conditionally rezone 135 acres (parcels 01910102, 01910109, and portions of 01918135, 01918162, and 01934118) from Transitional Residential and Neighborhood Residential to Special Purpose Conditional District. Applicant requests decision be deferred to October 3, 2016. (*Brad Priest*)
- B. Conduct evidentiary hearing and consider decision on Special Use Permit #SUP16-01, a request by Greenway Waste Solutions, LLC and William Hammill for a Special Use Permit allowing the 135 acre landfill located at 15300 Holbrook Road to expand its boundaries, add another fill area in the existing site (parcels 01910102, 01910109, and portions of 01918135, 01918162, and 01934118), and construct a recycling facility onsite. Applicant requests hearing be continued to October 3, 2016. (*Brad Priest*)
- C. Consider adopting Resolution of support for the North Mecklenburg Recreation Center. (*Michael Jaycocks*)

X. Consent Agenda

- A. Approve the minutes of the August 1, 2016 Regular Town Board Meeting. (*Janet Pierson*)
- B. Approve the minutes of the August 15, 2016 Regular Town Board Meeting. (*Janet Pierson*)
- C. Approve budget amendment recognizing insurance revenue in the amount of \$1,555.21 and appropriate to the Public Works Department's insurance account. (*Jackie Huffman/Max Buchanan*)
- D. Approve budget amendment recognizing insurance revenue in the amount of \$691.58 and appropriate to the Police Department's insurance account. (*Jackie Huffman/Chief Spruill*)
- E. Approve SL362 Property Tax Refund Report No. 68. (*Jackie Huffman/Greg Ferguson*)
- F. Approve SL362 Property Tax Refund Report No. 69. (*Jackie Huffman/Greg Ferguson*)

XI. Closing Comments

XII. Adjourn

To speak concerning an item on the Agenda, please print your name and address on the sign-up sheet on the table outside the Board Room prior to the meeting. If you wish to speak concerning an item that is added to the Agenda during the meeting, please raise your hand during that item. Each speaker will be limited to no more than 3 minutes. The Mayor, as the presiding officer may, at his discretion, shorten the time limit for speakers when an unusually large number of persons have signed up to speak.

**AS A COURTESY, PLEASE TURN CELL PHONES
OFF WHILE MEETING IS IN PROGRESS**

Town of Huntersville
REQUEST FOR BOARD ACTION
9/6/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: David Peete, Principal Planner
Subject: Ervin Cook Road CD Rezoning

Request to hold a public hearing on Tuesday, September 6, 2016 at 6:30 PM, Huntersville Town Hall on Petition # R16-05, a request by Crescent Communities to rezone approximately 224-acres from Transitional Residential (TR) to Neighborhood Residential-Conditional District (NR-CD). NR-CD zoning is requested to create a 382-lot single-family subdivision located northeast of Ervin Cook Road and Gilead Road (west of Wynfield). Property is currently, farmland, vacant and several single-family homes.

ACTION RECOMMENDED:

Conduct Public Hearing on September 6, 2016

FINANCIAL IMPLICATIONS:

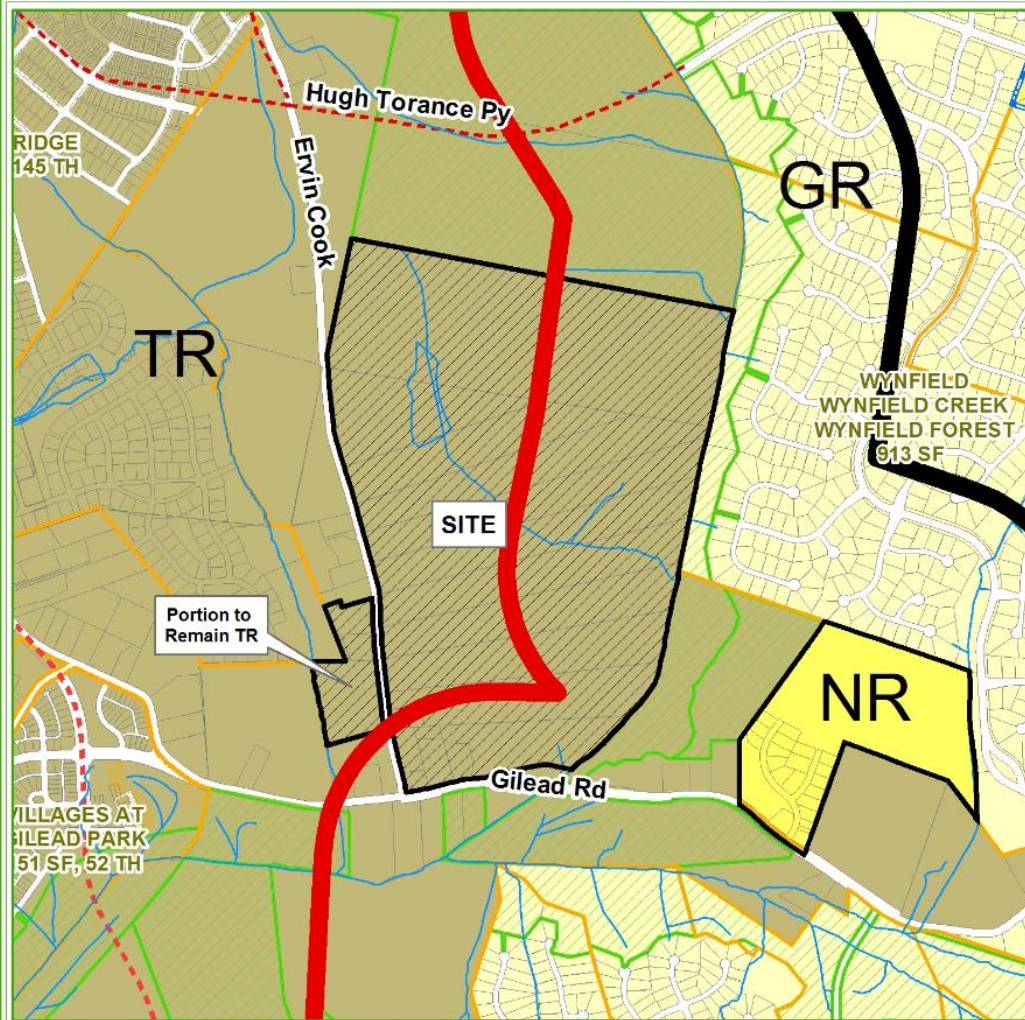
TBD

ATTACHMENTS:

Description	Type
□ Staff Report	Backup Material
□ Attachment A - R16-05 CD Rezoning Application	Backup Material
□ Attachment B - Proposed Sketch Plan (hard copy also provided)	Backup Material
□ Attachment C - APFO Letter of Determination	Backup Material

Petition R16-05 Ervin Cook Road Conditional District Rezoning

PART 1: PROJECT SUMMARY



Applicant: Crescent Communities

Property Owner: various (see Attachment A).

Property Address: N/A

Project Size: (+/-) 224-acres

Parcel Numbers: various (see Attachment A)

Current Zoning: Transitional Residential (TR)

Current Land Use: farm & single-family homes.

Proposed Zoning: Neighborhood Residential — Conditional District (NR-CD).

Proposed Land Use: 382 Lot Subdivision.

1. Purpose: Rezone 224 acres north of Gilead Road and east of Ervin Cook Road from Transitional Residential to Neighborhood Residential — Conditional District (NR-CD). The proposed rezoning is to create a 382-lot subdivision. A Subdivision Sketch Plan for this project has also been submitted concurrent with this Rezoning Plan and will go to the Planning Board on September 27, 2016.
2. Adjoining Zoning and Land Uses.
North: Transitional Residential (TR) — farm & vacant (future Cook Regional Park).
South: Transitional Residential (TR) - single-family homes & vacant.
East: General Residential (GR) & Transitional Residential (TR) — single-family subdivision (Wynfield / Wynfield Creek / Wynfield Forest Subdivisions) & McDowell Creek Neighborhood Park.
West: Transitional Residential (TR) — single-family homes & single-family subdivision (Beckett Subdivision).
3. A neighborhood meeting was held on June 22, 2016. The complete meeting summary is provided in Attachment B. Questions/concerns centered mainly on traffic and transportation improvements along Gilead Road. Additional questions were asked regarding housing type / price.

4. Notice for this rezoning petition was given via a) letters sent to adjoining property owners, b) a legal ad placed in the Charlotte Observer and c) two rezoning signs placed along the properties' public road frontage.

PART 2: REZONING/SITE PLAN ISSUES

The proposed Conditional District Plan is generally compliant with the Zoning Ordinance and Subdivision Regulations, significant elements include:

- Additional right-of-way will be dedicated along both Gilead Road and Ervin Cook Road to provide road improvements.
- Approximately 14 acres will be dedicated to Mecklenburg County along the east-side floodplain for a new section of McDowell Creek Greenway.
- Access to McDowell Creek Greenway will be provided via four (4) access trails to be built by the applicant.
- An easement or dedication of land will occur on the un-developed acreage located on the west side of Ervin Cook Road for another future greenway.
- The subdivision will be developed in multiple phases; however a phasing plan has not been submitted as it will need to tie-in with TIA phasing.

The rezoning plan has been reviewed and several issues must be addressed:

- Five (5) block length waivers are requested. Staff is supportive of some and working with the applicant on the others to address the issue. Updates will be provided as soon as possible.
- Urban Open Space has not been finalized. Several "opportunities" exist, but the type, location and size of the Urban Open Space is still being discussed.
- Additional trail/greenway access points have been recommended – one along Road K and one parallel to Gilead Road. Applicant has expressed willingness to provide but has not been finalized.
- Minimum Tree Preservation for the NR zone is 10%. The proposed NR-CD Rezoning Plan saves 10% (22.42 ac) of existing tree canopy; however, numerous trees identified to be removed are not in areas of development. Staff is working with the developer to increase this percentage, especially along the east side floodplain.
- Additional on-street parking has been RECOMMENDED to serve the alley-fed lots and large park. Applicant will review and work with Engineering to add additional spaces.
- Staff RECOMMENDS that the "typical lot layout" diagrams provide adequate space for a minimum 20'-deep driveway.
- A Willingness to Serve letter from Charlotte Water must be provided.

PART 3: TRANSPORTATION ISSUES

Traffic Impact Analysis (TIA)

A TIA for the site was received on 7/29/16 with comments provided on 8/19/16. Based on the TIA received, the submittal was incomplete as the TIA did not provide mitigation to the study area intersections compliant to Article 14.3 of the Town Zoning Ordinance. A revised TIA is required but has not been received. Listed in the TIA's summary of results are improvements to the following intersections:

- Gilead Road at Ervin Cook Road
- Gilead Road at Bradford Hill Road
- Gilead Road at Wynfield Creek Parkway
- Gilead Road at Ranson Road
- Gilead Road at McCoy Road
- Ervin Cook Road at Site Entrance #1

NCDOT provided comments (8/21/16) on the TIA with a revised TIA required for their review. NCDOT's comments focused on three of the intersections where the improvements recommended were not adequate.

Site Plan

Comments on the site plan include:

- Parallel parking is recommended to be provided along one side of the street adjacent to 40 foot wide lots but was not provided in all cases.
- Revisions to street designs that do not comply with the Engineering Standards and Procedures Manual for street alignment, on street parking layout, storm sewer layout, and pavement design.
- Minor note revisions.

PART 4: ADEQUATE PUBLIC FACILITIES (APF)

Under the provisions of the APF Ordinance, all residential development greater than twenty (20) lots are required to receive a "Determination of Adequacy (DOA)" for the following public facilities: fire station, fire vehicles, police station, police vehicles, indoor park and recreation facilities, and parks acreage. The proposed CD Rezoning met the required threshold for submission of an APF application, and the proposed subdivision is subject to the requirements of the APFO.

A Determination of Adequacy (DOA) has been issued for the following public facilities: Fire Vehicles, Fire Stations, Police Vehicles, and Stations. However, a Determination of No Available Capacity (DONAC) has been issued for Gym and Park Acreage (see Attachment C). The APF Ordinance provides mitigation options and staff will continue to work with the applicants to address the Gym and Park Acreage impact.

PART 5: REZONING CRITERIA

Article 11.4.7(d) of the Zoning Ordinance states that "in considering any petition to reclassify property, the Planning Board in its recommendation and the Town Board in its decision shall take into consideration any identified relevant adopted land-use plans for the area including, but not limited to, comprehensive plans, strategic plans, district plans, area plans, neighborhood plans, corridor plans, and other land-use policy documents".

STAFF COMMENT – The 2030 Huntersville Community Plan supports this project through the following sections:

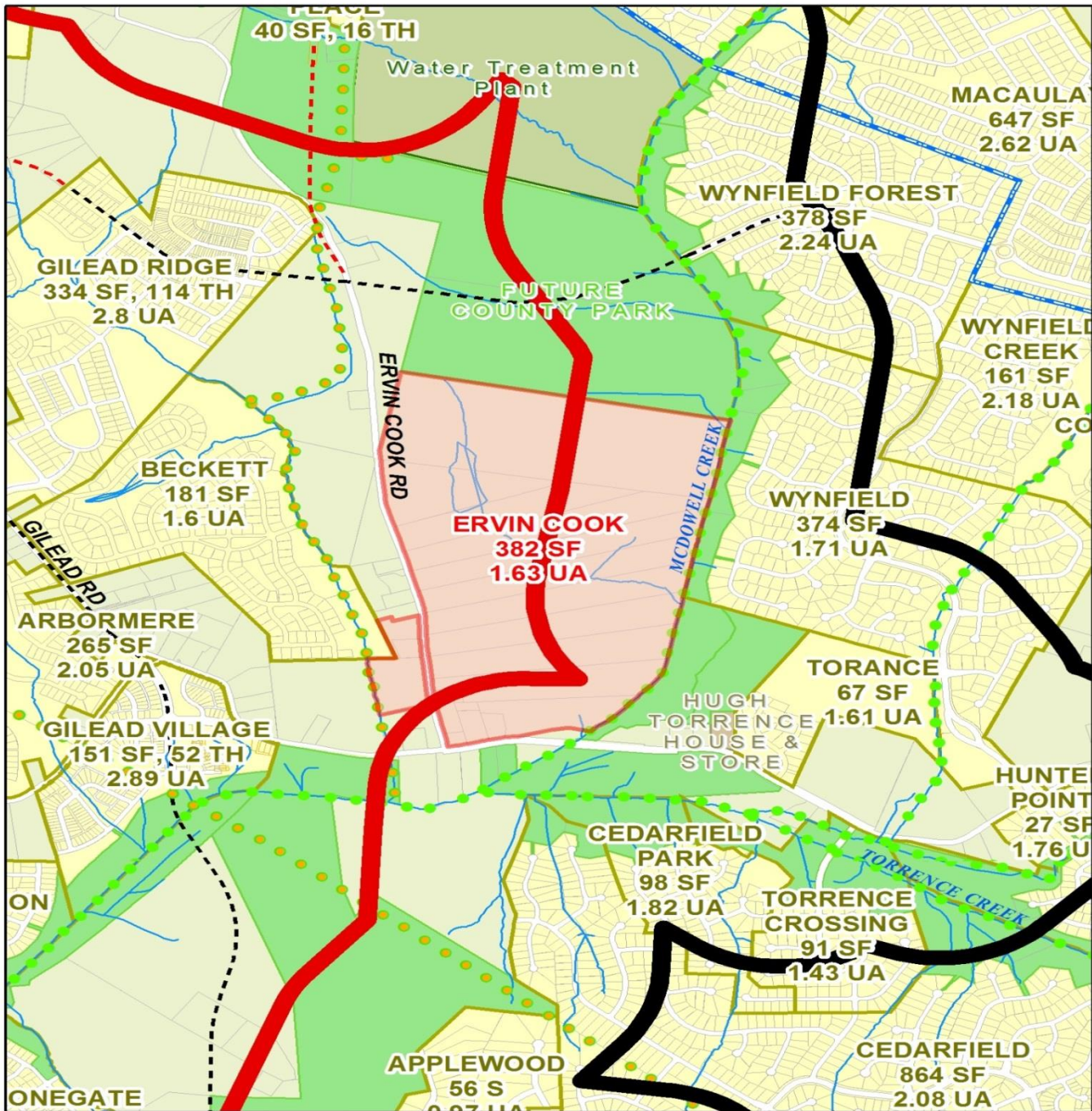
- **Policy E-1, E-2 & E-3: Preservation and Enhancement.** Support the preservation and enhancement of the natural environment, along with its scenic and cultural assets.
Comment: The proposed development does not provide adequate open space buffers along Gilead Road, however, if the 50' buffer is planted with native species and adequately screens the development, the corridor will be preserved. Staff and the applicant continue to work on this issue.
- **Policy T-5: Context-sensitive Design of Streets:** Continue to support "context-sensitive" design of streets and the selection of appropriate street section designs for residential, commercial and industrial developments.
Comment: The internal streets are appropriately sized and create short blocks to encourage pedestrian activity. Also, the proposed cross-section for the portion of Ervin Cook Road to be built adjacent the development follows context sensitive design by providing adequate lane widths, bike lanes and sidewalks.

- **Policy T-6: Pedestrian Connections:** Support the installation of sidewalks, bikeways and greenway trails connecting residential, commercial, employment, recreational and institutional uses.
Comment: The proposed cross-section for Ervin Cook Road and the new interior Town streets all provide sidewalks on both sides. Gilead Road will provide a sidewalk on the north side along the project frontage. In addition, two (2) trails will stub to the future Cook Regional Park to the north and four (4) trails will be provided to the future greenway to be located along the eastern edge. Bike lanes will also be provided along Gilead Road and Ervin Cook Road.
- **Policy T-8: Street Connectivity:** Promote and require street connectivity in the Town of Huntersville among residential, employment, recreational and institutional uses.
Comment: The proposed development provides two (2) connections to an upgraded section of thoroughfare (Ervin Cook Road) and improvements along Gilead Road. No connections are provided to the north or east of the proposed development. The property to the north will be Cook Regional Park, which has not been designed, but County Park & Recreation officials asked not to connect with roads. To the east is a wide floodplain adjacent the Wynfield / Wynfield Creek / Wynfield Forest Subdivisions that did not provide connection opportunities. In addition, a Town / County greenway will be built along the eastern edge of the new development.
- **Policy CD-5: Street Infrastructure:** Continue to require that adequate public infrastructure (roads, utilities, etc.) either exist or will be made available to support all new development.
Comment: The proposed development will develop portions of Gilead Road and Ervin Cook Road, as well as all other TIA-required improvements, extend public water and sewer, and provide two (2) connections to Ervin Cook Road.

STAFF COMMENT – The 2030 Huntersville Community Plan would not support this project through the following sections:

- **Policy T-7: Traffic Impact Analysis Ordinance:** Continue to apply requirements of “Traffic Impact Analysis” Ordinance, including Level of Service and mitigation of impacts generated by new development.
Comment: A TIA was required and the required transportation enhancements are outlined in Part 3 of this staff analysis. As presented, the TIA does not satisfy the TIA Ord. and is not adequate for this proposal.
- **Policy H-1 & H-9: Development Pattern.** Continue to follow existing residential development pattern as reflected in “Map of Zoning Districts,” focusing higher intensity development generally within two miles of the I-77/NC 115 corridor.
 - Comment: The proposed CD Rezoning is split by the “High and Low Intensity Areas” line from the 2030 Community Plan (see map below). The eastern half of the project is located within the area between the High and Low Density line and the western half (along Ervin Cook Road) is located outside of the line.
- Comment: The proposed Ervin Cook Road subdivision has a density of 1.63-units per acre. The surrounding developments average 2.08, as shown on map below:

<u>East</u>	<u>West</u>	<u>North</u>	<u>South</u>
Torrance = 1.61 (NR-CD)	Beckett = 1.6 (TR)	Vacant/Farm = n/a (TR)	Vacant / SF = n/a (TR)
Wynfield = 1.71 (GR)	Gilead Ridge = 2.67 (OPS TR)		Cedarfield Park = 1.82 (GR)
Wynfield Creek = 2.18 (GR)	Gilead Village = 2.89 (OPS TR)		
Wynfield Forest = 2.24 (GR)	Arbormere = 2.05 (OPS TR)		



- Policy PF-2: Adequate Public Facilities:** Continue use of “Adequate Public Facilities Ordinance” to ensure that demand generated by existing and future growth and development for police, fire and parks & recreation capital facilities can be met by available supply of facilities.
Comment: The APF Ordinance provides mitigation options and staff will continue to work with the applicants to address the Gym and Park Acreage impact (see Part 4 of this report).

Article 11 Section 11.4.7(e) of the Zoning Ordinance states that: “in considering any petition to reclassify property the Planning Board in its recommendation and the Town Board in its decision should consider:

1. Whether the proposed reclassification is consistent with the overall character of existing development in the immediate vicinity of the subject property.

STAFF COMMENT:

Ervin Cook Road Subdivision’s proposed density is 1.63 units per acre, which is comparable to the density of developments in the immediate vicinity. The proposed Conditional District Rezoning is partly located within the area eligible for intensification and proposes a density that is in keeping with all surrounding subdivision, regardless of when or under which regulations they were approved (see Map, page 5). The proposal’s appropriateness also stems from providing adequate infrastructure (which must include appropriate new roads, existing road upgrades and other transportation enhancements), but also from providing abundant open space.

2. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, transit service, parks and recreational facilities, police and fire protection, hospitals and medical services, schools, storm water drainage systems, water supplies, and wastewater and refuse disposal.

STAFF COMMENT:

- A Transportation Impact Analysis was required. Based on the TIA received, the submittal was incomplete as the TIA did not provide mitigation to the study area intersections compliant to Article 14.3 of the Town Zoning Ordinance. A revised TIA is required but has not been received (see Part 3 of this report). Support for this CD Rezoning is strictly based on all appropriate transportation improvements being installed, per an accepted TIA.
- The APF Ordinance Determination of Adequacy was required. The APF Ordinance provides mitigation options and staff will continue to work with the applicants to address the Gym and Park Acreage impact (see Part 4 of this report).
- Storm water drainage, water supplies and wastewater and refuse disposal and a Willingness-to-serve letter MUST BE provided, as well as a PCO-1 storm water approval from Mecklenburg County.

3. Whether the proposed reclassification will adversely affect a known archeological, environmental, historical or cultural resource.”

STAFF COMMENT:

Planning staff has no indication that the request will adversely affect known archeological, environmental, historical or cultural resources.

PART 6: STAFF RECOMMENDATION

The Ervin Cook Road Conditional District Rezoning Plan recommendation is pending by staff subject to the following:

- Address incomplete TIA/Town/NCDOT required improvements (see Part 3);
- APFO Gym & Park Acreage deficiency is addressed with staff (see Part 4);
- Need for block length waivers to be discussed with staff;
- Finalize provision of Urban Open Space;
- Provide additional trail/greenway connections, where highlighted;
- Increase tree save, as discussed;
- A Willingness to Serve letter from Charlotte Water must be provided;
- RECOMMEND garage note (see page 2);
- RECOMMEND additional on-street parking for alley-fed lots and adjacent large park;
- All outstanding redline comments are addressed.

PART 7: PUBLIC HEARING COMMENTS

Public Hearing scheduled to be held on Tuesday, September 06, 2016.

PART 8: PLANNING BOARD RECOMMENDATION

Planning Board scheduled to review on Tuesday, September 27, 2016.

PART 9: ATTACHMENTS/ENCLOSURES

Attachments

A – Rezoning Application

B – Neighborhood Meeting Report from June 22, 2016.

C - APFO Letter of Determination

PART 10: CONSISTENCY STATEMENT - R 16-05 Ervin Cook Road Subdivision

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed rezoning application R16-05; Ervin Cook Road Subdivision Conditional District Rezoning, the Planning staff recommends conditional approval as it is consistent with Implementation Goals H-1, H-9, T-5, T-6, T-8, CD-5 and PF-2 of the 2030 Community Plan. The property is also located partly within the transitional area between high and low intensity development and the proposed density is consistent with surrounding developments (see Part 5). Recommendation of approval is also based on <u>all provisions outlined in Part 6 being addressed, especially all TIA required improvements.</u></p> <p><u>With those provision, it is reasonable and in the public interest to approve the Conditional District Rezoning Plan.</u></p>	<p>APPROVAL: In considering the proposed rezoning application R16-05; Ervin Cook Road Subdivision Conditional District, the Planning Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference).</u></p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>	<p>APPROVAL: In considering the proposed rezoning application R16-05; Ervin Cook Road Subdivision Conditional District, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference).</u></p> <p><u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>
<p>DENIAL:</p>	<p>DENIAL: In considering the proposed rezoning application R16-05; Ervin Cook Road Subdivision Conditional District, the Planning Board recommends denial based on <u>(consistent OR inconsistent) with (insert applicable plan reference).</u></p> <p><u>It is not reasonable and not in the public interest to amend the approved Rezoning Plan because... (Explain)</u></p>	<p>DENIAL: In considering the proposed rezoning application R16-05; Ervin Cook Road Subdivision Conditional District, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference).</u></p> <p><u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u></p>



General Application

Incomplete submissions will not be accepted. Please check all items carefully.

1. Application Type

Please indicate the type of application you are submitting. If you are applying for two (2) actions, provide a separate application for each action. In addition to the application, the **submission process** for each application type can be found at

<http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>

- ☐ CHANGE OF USE
- ☐ COMMERCIAL SITE PLAN
- ☒ CONDITIONAL REZONING
- ☐ GENERAL REZONING
- ☐ MASTER SIGNAGE PROGRAM
- ☐ REVISION to _____
- ☐ SPECIAL USE PERMIT

SUBDIVISION CATEGORIES: *Per the Huntersville Subdivision Ordinance*

- ☐ SKETCH PLAN
- ☐ PRELIMINARY PLAN
- ☐ FINAL PLAT (includes minor and exempt plats)
- ☐ FINAL PLAT REVISION
- ☐ FARMHOUSE CLUSTER

2. Project Data

Date of Application Revised July 11, 2016

Name of Project Brown/Ervin Cook Site Phase # (if subdivision) _____

Location Northeast corner of Ervin Cook Road & Gilead Road Intersection.

Parcel Identification Number(s) (PIN) See Attached Joinder Agreements.

Current Zoning District TR Proposed District (for rezonings only) NR(CD)

Property Size (acres) Approx. +/-224 Acres Street Frontage (feet) +/- 3400 LF- Ervin Cook Road & +/- 630 LF- Gilead Road

Current Land Use Single Family Homes & Vacant Land

Proposed Land Use(s) Master Planned Single Family Residential Community.

Is the project within Huntersville's corporate limits?

Yes ☒ No ☐ If no, does the applicant intend to voluntarily annex? _____

3. Description of Request

Briefly explain the nature of this request. If a separate sheet is necessary, please attach to this application.

Conditional Rezoning Review for a Master Planned Single Family Residential Community.

4. Site Plan Submittals

Consult the particular type of *Review Process* for the application type selected above. These can be found at <http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>.

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies.

For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility *Willingness to Serve* letter for the subject property.

6. Signatures

*Applicant's Signature   Printed Name James Martin
Address of Applicant 227 W. Trade Street, Suite 1000 Charlotte, NC 28202
Email jmartin@crescentcommunities.com

Property Owner's Signature (if different than applicant) See Attached Joinder Agreements.

Printed Name See Attached Joinder Agreements.

Property Owner's Address See Attached Joinder Agreements. Email _____

* Applicant hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Development Firm	Name of contact	Phone	Email
ESP Associates, P.A	Matt Levesque	(704)634-2056	mlevesque@espassociates.com
Design Firm	Name of contact	Phone	Email

If Applying for a General Rezoning:

Please provide the name and Address of owner(s) of fee simple title of each parcel that is included in this rezoning petition. If additional space is needed for signatures, attach an addendum to this application.

If Applying for a Conditional Rezoning:

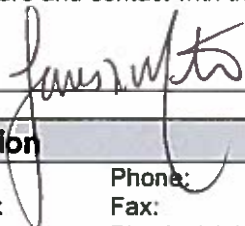
Every owner of each parcel included in this rezoning petition, or the owner (s) duly authorized agent, must sign this petition. If signed by an agent, this petition MUST be accompanied by a statement signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in filing this petition. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID PETITION. If additional space is needed for signatures, attach an addendum to this application.

Signature, name, firm, address, phone number and email of Duly Authorized Agent by owner needed below:

See attached Joinder Agreements

If Applying for a Subdivision:

By signature below, I hereby acknowledge my understanding that the Major Subdivision Sketch Plan Process is a quasi-judicial procedure and contact with the Board of Commissioners shall only occur under sworn testimony at the public hearing.



SIGN HERE

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	http://www.huntersville.org/Departments/Planning.aspx



GENERAL NOTES:

BOUNDARY INFORMATION
BOUNDARY INFORMATION OBTAINED FROM SURVEY PREPARED BY ESP ASSOCIATES, P.A., ENTITLED "ALTA/ACADEMIA AND TOWN OF HUNTERVILLE SURVEY OF TRACTS I-XIX TOTALING 233.783 ACRES" DATED FEBRUARY 2, 2016.

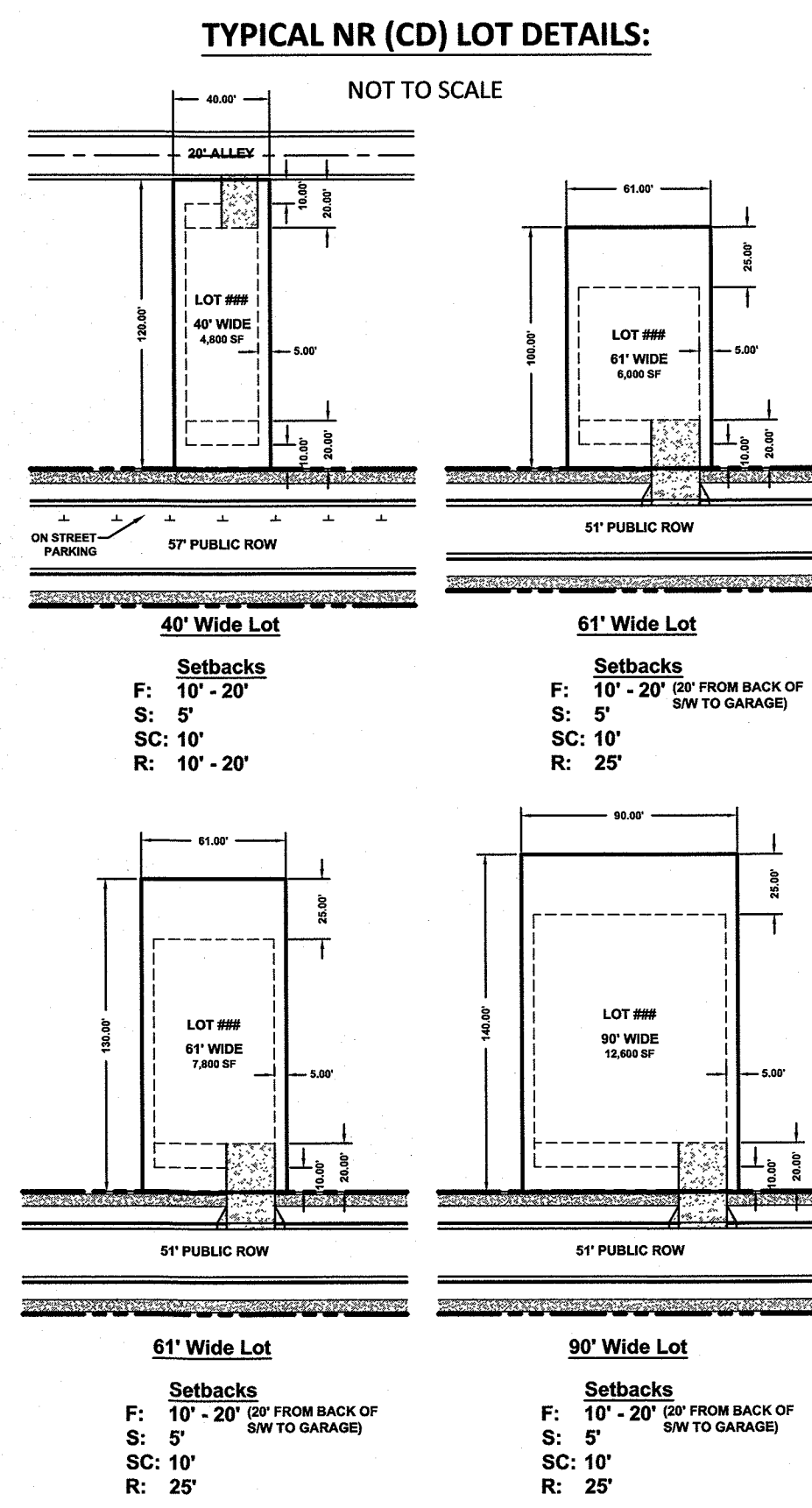
TOPOGRAPHIC INFORMATION
TOPOGRAPHIC INFORMATION BASED ON GIS INFORMATION OBTAINED FROM MECKLENBURG COUNTY, NC.

FLOODPLAIN, STREAM, AND WETLAND INFORMATION
FLOODPLAIN, STREAM AND WETLAND INFORMATION OBTAINED FROM SURVEY PREPARED BY ESP ASSOCIATES, P.A., ENTITLED "WETLANDS SURVEY OF TRACTS I-XIX TOTALING 233.783 ACRES" DATED MARCH 18, 2016.

ACCESS POINTS/DRIVEWAYS/STREETS
1. PROPOSED PROJECT SITE ENTRANCE LOCATIONS ARE CONSIDERED PRELIMINARY IN NATURE AND SUBJECT TO CHANGE. NEED TO BE VERIFIED FOR ADEQUATE SIGHT DISTANCE.
2. ALL ROADWAY AND STREET SYSTEMS ARE CONSIDERED TO BE PRELIMINARY AND WILL NEED TO BE VERIFIED FOR SUFFICIENCY TO SATISFY OR EXCEED MINIMUM REQUIREMENTS ESTABLISHED IN THE TOWN OF HUNTERVILLE ZONING AND SUBDIVISION ORDINANCES, AND APPLICABLE STANDARDS IDENTIFIED BY NCDOT. STREET CONNECTIONS ARE CONCEPTUAL AND MAY BE SUBJECT TO CHANGE BASED ON AGENCY INPUT AND REVIEW.

PUBLIC INFORMATION
ESP ASSOCIATES IS NOT RESPONSIBLE FOR PLAN DEFICIENCIES CREATED BY INCORRECT, INCOMPLETE, MISSING OR OUTDATED INFORMATION DERIVED FROM PUBLIC SOURCES SUCH AS GIS, PLANNING AND ZONING DEPARTMENTS.

ROAD	ROAD FROM	ROAD TO	LENGTH
ROAD A	ERVIN COOK ROAD	ROAD B	210.22 FT
ROAD A	ROAD B	ROAD C	391.57 FT
ROAD B	ROAD C	ROAD G	242.70 FT
ROAD B	ROAD A	ROAD E	315.03 FT
ROAD B	ROAD E	ROAD C	323.71 FT
ROAD B	ROAD A	ROAD F	276.10 FT
ROAD B	ROAD F	ROAD G	516.72 FT
ROAD C	ROAD A	ROAD E	473.24 FT
ROAD C	ROAD E	ROAD D	251.00 FT
ROAD C	ROAD D	ROAD D	301.25 FT
ROAD C	ROAD D	ROAD D	889.91 FT
ROAD C	ROAD D	ROAD A	356.69 FT
ROAD C	ROAD A	ROAD C	349.97 FT
ROAD D	ROAD C	ROAD C	398.40 FT
ROAD E	ROAD A	ROAD C	442.67 FT
ROAD F	ROAD B	ROAD H	501.08 FT
ROAD G	ROAD B	ROAD H	611.67 FT
ROAD H	ROAD J	ROAD G	325.93 FT
ROAD H	ROAD G	ROAD F	301.37 FT
ROAD H	ROAD F	ROAD A	180.65 FT
ROAD H	ROAD A	ROAD I	697.53 FT
ROAD H	ROAD I	ROAD I	159.93 FT
ROAD I	ROAD H	ROAD H	397.52 FT
ROAD J	ERVIN COOK ROAD	ROAD K	191.34 FT
ROAD J	ROAD K	ROAD B	254.38 FT
ROAD J	ROAD B	ROAD J	596.63 FT
ROAD J	ROAD H	ROAD R	341.02 FT
ROAD J	ROAD R	ROAD K	183.40 FT
ROAD J	ROAD K	ROAD M	268.72 FT
ROAD K	ROAD J	ROAD L	237.05 FT
ROAD K	ROAD L	ROAD L	303.76 FT
ROAD K	ROAD L	ROAD O	1491.75 FT
ROAD K	ROAD O	ROAD M	825.84 FT
ROAD L	ROAD K	ROAD K	250.85 FT
ROAD M	ROAD K	ROAD J	477.80 FT
ROAD M	ROAD J	ROAD P	203.00 FT
ROAD M	ROAD P	ROAD Q	120.00 FT
ROAD M	ROAD Q	ROAD Q	181.14 FT
ROAD M	ROAD N	ROAD N	377.16 FT
ROAD M	ROAD N	ROAD O	366.86 FT
ROAD N	ROAD P	ROAD M	551.29 FT
ROAD O	ROAD K	ROAD P	357.59 FT
ROAD O	ROAD P	ROAD M	600.80 FT
ROAD O	ROAD M	ROAD O	1305.87 FT
ROAD P	ROAD O	ROAD N	409.20 FT
ROAD P	ROAD N	ROAD M	401.52 FT
ROAD Q	ROAD M	ROAD S	392.48 FT
ROAD Q	ROAD S	ROAD R	376.71 FT
ROAD R	ROAD J	ROAD Q	316.00 FT
ROAD R	ROAD Q	ROAD S	652.81 FT
ROAD R	ROAD S	ROAD R	256.18 FT
ROAD S	ROAD R	ROAD S	941.79 FT



SITE PLAN DATA TABLE:

PARCEL NUMBERS:	009-04-106, 009-05-118, 009-05-117, 009-05-116, 009-05-115, 009-05-114, 009-05-113, 009-05-112, 009-05-111, 009-05-110, 009-03-201, 009-03-233, a portion of 009-03-208, 009-05-106, 009-05-107, 009-05-102, 009-05-105, 009-05-108, 009-05-119, & 009-05-109
TOTAL ACREAGE:	+/- 234.744 AC
AREA REMAINING TR:	+/- 11.585 AC
AREA BEING REZONED TO NR(CD):	+/- 223.159 AC
TOTAL FORECROFT FEET:	+/- 10,183,587.48 SF
PRINCIPAL USES:	DETACHED SINGLE FAMILY RESIDENTIAL
BUILDING TYPE:	DETACHED SINGLE FAMILY HOMES
ZONING DISTRICT:	TR - TRANSITIONAL DISTRICT TR - TRANSITIONAL DISTRICT & NR - NEIGHBORHOOD RESIDENTIAL (CD) MIL-O - MOUNTAIN ISLAND
EXISTING:	TR - TRANSITIONAL DISTRICT
PROPOSED:	TR - TRANSITIONAL DISTRICT & NR - NEIGHBORHOOD RESIDENTIAL (CD) MIL-O - MOUNTAIN ISLAND
OVERLAY DISTRICT:	
% OF IMPERVIOUS ALLOWED:	70% W/ BMP
HIGH DENSITY:	27% (2,797,000 SF FOR BMP SIZING)
% OF IMPERVIOUS SHOWN:	382
LOT COUNT:	382
TOTAL NUMBER OF DWELLINGS:	382
MIXED-USE/# OF LIVE/WORK UNITS:	N/A
LOT SIZE RANGE:	4,800 SF - 12,600 SF (6,837 SF AVERAGE)
NUMBER OF LOTS WITHIN EACH RANGE:	382
LOT WIDTHS RANGE:	40' - 90'
NUMBER OF LOTS WITHIN EACH WIDTH:	95 LOTS 93 LOTS 84 LOTS 57 LOTS 43 LOTS
PROPOSED DENSITY:	1.63 DU/AC
TREE SAVE (NR (CD) PORTION):	22.42 ACRES (10% OF TOTAL SITE AREA)
REQUIRED:	22.42 ACRES (MINIMUM)
PROPOSED:	
SPECIMEN TREES:	1,906
EXISTING SPECIMEN TREES ON SITE:	742 (39%)
SPECIMEN TREES TO BE REMOVED:	1,164 (61%)
SPECIMEN TREES TO REMAIN:	
SETBACKS AND BUILD-TO-LINES (NR)	
FRONT BTL RANGE OR SETBACK:	10' - 20'
CORNER SETBACKS:	10'
RIGHT SETBACKS:	25'
RIGHT SIDE SETBACK:	5'
LEFT SIDE SETBACK:	5'
WATERSHED INFORMATION	
WATERSHED DISTRICT:	MIL-O - MOUNTAIN ISLAND - PA1
HIGH DENSITY:	70% B.U. W/ BMP
% OF ALLOWABLE IMPERVIOUS AREA:	70% B.U.
AMOUNT OF LOT AREA SET ASIDE FOR FUTURE IMPERVIOUS BY HOMEOWNER:	MIN. 1% OF LOT AREA (150 S.F. MINIMUM)

DEVELOPMENT NOTES:

- ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERVILLE, MECKLENBURG COUNTY, AND NCDOT, AS APPLICABLE.
- THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAY OF RECORD.
- ALL AREAS DESIGNATED AS COMMON AND/OR OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND DEDICATED FOR PERPETUITY.
- ACCESS (INGRESS/EGRESS) LOCATION SHOWN ON THIS SKETCH PLAN AREA SUBJECT TO ACHIEVING VERTICAL AND HORIZONTAL SIGHT DISTANCES. TURN LANE IMPROVEMENTS (INCLUDING RIGHT-OF-WAY) AND INTERSECTION WITH ADJACENT AND OPPOSING ACCESS POINTS. MODIFICATIONS TO PLAN MAY RESULT.
- LARGE MATURING TREES WILL BE PLANTED 40' O/C WITHIN THE REQUIRED PLANTING STRIP ALONG ALL STREETS WITH THE EXCEPTION OF RURAL PARKWAYS WHERE EXISTING TREES CAN SATISFY THE STREET TREE REQUIREMENT. SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.
- MAIL KIOSK LOCATIONS WITHIN THE SITE TO BE COORDINATED WITH USPS DURING CONSTRUCTION DOCUMENT PHASE. GARAGE TO BE PAVED UP AT EACH RESIDENCE BUT NOT CONTAINERS. THESE METHODS ARE SUBJECT TO CHANGE PENDING FINAL DESIGN AND APPROVAL.
- DEVELOPERS SHALL HAVE THE OPTION TO PROVIDE LOTS 50 FEET WIDE OR LESS WHEN ALLEY ACCESS ALLOWING ON SITE PARKING IS PROVIDED FOR DETACHED HOUSE TYPES AND TWO-UNIT ATTACHED HOUSE TYPES. FURTHER, DEVELOPERS SHALL ALSO HAVE THE OPTION TO APPLY FOR A CONDITIONAL DISTRICT REZONING TO CREATE LOT WIDTHS OF 50 FEET WIDE OR LESS WITHOUT AN ALLEY PROVIDED IT CAN DEMONSTRATE THE DEVELOPMENT CAN ACCOMMODATE ON-STREET PARKING, MEET ALL THE PROVISIONS OF THE ZONING ORDINANCE INCLUDING INSTALLATION OF STREET TREES, AND DEMONSTRATE PUBLIC SERVICES SUCH AS TRASH PICKUP CAN BE PROVIDED (TOWN OF HUNTERVILLE ORDINANCE 8.16.3).
- FOR LOTS 60 FEET WIDE OR LESS, DRIVEWAYS SHALL BE NO MORE THAN 24 FEET WIDE AS MEASURED ALONG THE PUBLIC STREET RIGHT-OF-WAY FOR A DETACHED HOUSE AND TWO-UNIT ATTACHED HOUSE TYPE. FOR LOTS WIDER THAN 60 FEET, DRIVEWAYS SHALL BE NO MORE THAN 20 FEET WIDE AS MEASURED ALONG THE PUBLIC STREET RIGHT-OF-WAY FOR A DETACHED HOUSE AND TWO-UNIT ATTACHED HOUSE TYPE. FOR THREE OR MORE UNIT ATTACHED HOUSE TYPES, DRIVEWAY WIDTH SHALL NOT OCCUPY MORE THAN 50% OF THE PUBLIC STREET FRONT OF A LOT AS MEASURED ALONG THE PUBLIC STREET RIGHT-OF-WAY OF HUNTERVILLE ORDINANCE 8.16.3).
- WHEN FRONT ENTRY GARAGES ARE USED, IT IS RECOMMENDED TO MINIMIZE EMPHASIS ON FRONT LOADED GARAGES BY HAVING A BUILDING FEATURE PROJECTING FROM OR FLUSH WITH THE GARAGE, HAVE A COLUMN TO SEPARATE A TWO-CAR GARAGE OR ANY OTHER TECHNIQUE AS DETERMINED BY THE OWNER TO BE APPROPRIATE (TOWN OF HUNTERVILLE ORDINANCE 8.16.4).
- DIRECT ACCESS FROM LOTS TO A THOROUGHFARE IS PROHIBITED.
- LOTS SUBJECT TO FLOODING SHOULD NOT BE ESTABLISHED IN SUBDIVISIONS EXCEPT AS PROVIDED IN SECTION 7.280 OF THE TOWN OF HUNTERVILLE SUBDIVISION ORDINANCE.
- ANY CONSTRUCTION OR USE WITHIN THE AREAS DELINEATED BY FLOODWAY FRINGE DISTRICT BOUNDARY LINE AND FLOODWAY DISTRICT ENCROACHMENT LINE IS SUBJECT TO THE RESTRICTIONS IMPOSED BY FLOODWAY REGULATIONS.
- ALL ALLEYS SHALL BE OPEN FOR GENERAL USAGE BY THE GENERAL PUBLIC BUT SHALL NOT BE PROVIDED BY THE PUBLIC FOR MAINTENANCE. MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/ASSOCIATIONS OF HOMEOWNERS.
- THE TOWN OF HUNTERVILLE BUILD-TO-LINE IS DEFINED AS, "A LINE EXTENDING THROUGH A LOT WHICH IS GENERALLY PARALLEL TO THE FRONT PROPERTY LINE AND MARKS THE LOCATION FROM WHICH THE PRINCIPLE VERTICAL PLANE OF THE FRONT BUILDING ELEVATION, EXCLUSIVE OF PORCHES, BAY WINDOWS AND SIMILAR APERTURES, MUST BE ERRECTED; INTENDED TO CREATE AN EVEN BUILDING FACADE LINE ON A STREET. THE BUILD-TO-LINE IS ESTABLISHED ON THE RECORD PLAT (FINAL PLAT).
- RESIDENTIAL LOT TREES - "IN ORDER TO MAINTAIN OR REPLENISH THE URBAN/RESCAPE IN AREAS OF NEW RESIDENTIAL SUBDIVISION, EXCEPT WHEN LOCATED IN THE T-20-R ZONING DISTRICT, EACH LOT SHALL PROVIDE CANOPY TREES IN ACCORDANCE WITH THE FOLLOWING SCHEDULE" (TOWN OF HUNTERVILLE ORDINANCE 17.3):
 - LOTS LESS THAN 10,000 SF - 1 FRONT YARD, 1 REAR YARD TREE REQUIRED
 - LOTS LESS THAN 10,000-15,000 SF - 1 FRONT YARD, 2 REAR YARD TREES REQUIRED
 - LOTS LESS THAN 15,001-20,000 SF - 2 FRONT YARD, 2 REAR YARD TREES REQUIRED
 - MORE THAN 20,000 SF - 3 FRONT YARD, 3 REAR YARD TREES REQUIRED
- ALL LOTS TO BE LOCATED WITHIN A MILE OF URBAN OPEN SPACE.
- WATER SERVICE TO BE PROVIDED BY CHARLOTTE-WATER.
- SANITARY SEWER SERVICE TO BE PROVIDED BY CHARLOTTE-WATER.
- THE SITE PLAN AND LAYOUT FOLLOW TOWN OF HUNTERVILLE FOUR-STEP PROCESS.
- STREET TREES TO BE PROVIDED 40' ON CENTER AND MAY BE ADJUSTED TO ACCOMMODATE DRIVEWAY LOCATIONS.
- 50' THOROUGHFARE BUFFERS TO BE PLANTED WITH 3.5 CANOPY TREES PER 1,000 SF.
- SIDEWALK CROSSINGS TO BE PROVIDED AT STREET INTERSECTIONS PER TOWN STANDARDS.
- FIRE HYDRANTS TO BE PROVIDED WITHIN 750 FEET OF MOST REMOTE POINT OF ANY STRUCTURE AS THE FIRE APPARATUS TRAVELS.

ARCHITECTURAL STANDARDS:

- VINYL SIDING, VINYL SOFFITS, AND VINYL FASCIA MATERIAL SHALL NOT BE PERMITTED EXTERIOR BUILDING MATERIALS. NOT WITHSTANDING THE FOREGOING, VINYL ACCENTS, SUCH AS TRIM COMPONENTS, SHALL BE PERMITTED. AND VINYL WINDOWS MAY BE INSTALLED.
- EAVES ON EACH SINGLE FAMILY DWELLING SHALL OVERHANG A MINIMUM OF 8"
- THE FRONT DOOR OF EACH SINGLE FAMILY DWELLING SHALL BE 8'0" TALL OR 6'8" TALL WITH A WINDOW TRANSOM ABOVE THE DOOR.
- WHEN PRESENT, THE FRONT PORCH OF A SINGLE FAMILY DWELLING SHALL FORM THE PREDOMINANT MOTIF OF THE HOUSE DESIGN UTILIZING MATERIALS CONSISTENT WITH THE MAIN BUILDING.
- FRONT PORCH STEPS AND RISERS, WHERE APPLICABLE, SHALL HAVE A MASONRY ROWLOCK AROUND THE PORCH PERIMETER.
- EACH SINGLE FAMILY DWELLING SHALL HAVE A MINIMUM EXPOSED FOUNDATION OF 16"
- WINDOWS SHALL BE LOCATED ON THE FRONT, REAR, AND EACH SIDE OF EACH SINGLE FAMILY DWELLING. A MINIMUM OF ONE WINDOW SHALL BE LOCATED ON EACH SIDE OF EACH SINGLE FAMILY DWELLING.
- THE EXTERIOR ROOFING MATERIAL FOR EACH SINGLE FAMILY DWELLING SHALL BE A MINIMUM 30 YEAR ARCHITECTURAL SHINGLE. MAIN ROOF LINES OF EACH HOME SHALL BE SYMMETRICAL AND PROVIDE A CONSISTENT SCALE AND PITCH.
- THE GARAGE ASSOCIATED WITH EACH SINGLE FAMILY DWELLING SHALL HAVE AN ARCHITECTURAL STYLE GARAGE DOOR OR ARCHITECTURAL STYLE GARAGE DOORS WITH WINDOWS AND/OR HARDWARE.
- A MINIMUM OF SIXTEEN SHRUBS THAT ARE A MINIMUM OF SEVEN GALLONS IN SIZE AND A MINIMUM OF TEN SHRUBS THAT ARE A MINIMUM OF THREE GALLONS IN SIZE SHALL BE PLANTED ON EACH LOT. THE FOREGOING SHRUBS SHALL BE IN ADDITION TO THE RESIDENTIAL LOT TREES THAT ARE REQUIRED TO BE INSTALLED.

ESP Associates, P.A.

P.O. Box 7030
Charlotte, NC 28241
NC - 704.583.4949

3475 Lakemont Blvd.
Fort Mill, SC 29708
SC - 803.802.2440

www.espassociates.com

This drawing and/or the design shown are the property of ESP Associates, P.A. The reproduction, alteration, copying or other use of this drawing without their written consent is prohibited and any infringement will be subject to legal action.
ESP Associates, P.A.

Crescent Communities

227 West Trade Street
Charlotte, NC 28276

Brown Property Sketch Plan & CD Rezoning Plan

#2016 - 05

Major Subdivision Sketch Plan -Overall (1 of 5)

PROJECT LOCATION HUNTERVILLE, NC

GRAPHIC SCALE
200 0 100 200 400
1 INCH = 200 FT.

PROJECT NO	BM21-100		
DRAWING	BM21-Major Subdivision Sketch Plan.dwg		
DATE	7/11/2016		
DRAWN BY	AB		
CHECKED BY	MM		
AGENCY / SUBMITTAL REVISION			
NO.	DATE	BY	REVISION
1	5/2/16	AB	PER STAFF COMMENTS 4/26/16
2	7/11/16	DG	PER STAFF COMMENTS 5/24/16

5.0



August 31, 2016

Mr. James Martin
Crescent Communities
227 West Trade St.
Charlotte, NC 28276

Re: Adequate Public Facilities (APF) Application – Crescent Communities: 385 Single Family Units (File #2016-09)

Dear Mr. Martin:

The Town has completed its review of the above referenced APF Application and deemed it to be complete, per Article 13.6.3 of the Zoning Ordinance. Based upon your request for an allocation of capital facilities for the above-referenced development proposal, consisting of 385 single family units, I am issuing a “Determination of Adequacy (DOA)” (see attached) for the following public facilities:

- Fire Vehicles
- Fire Station
- Police Station

Please be advised that this DOA is valid for one (1) year, or until April 27, 2017, by which date this development proposal must have achieved vesting, per Section 2.2 of the Zoning Ordinance.

I am also issuing a “Determination of No Available Capacity (DONAC)” (see attached) for Indoor Park & Receptions Facilities and Parks Acreage, as there is currently no available capacity for this public facility to serve the proposed development.

In the accordance with Article 13.6.6 Non-Availability of Capacity; Mitigation Plans, of the APF Ordinance, where there is no Available Capacity, the applicant may:

- 1). *“Submit a Development Proposal that has a reduced amount of development for which available capacity exists;*
- 2). *Submit a Phased Development Proposal that includes the following:*
 - a. a proposed Phasing Schedule setting forth the amount, location, and timing of development associated with each proposed phase;*
 - b. a showing that Available Capacity will exist for each phase of development;*
 - c. where Advanced Facilities are proposed, the location and timing of the proposed facilities based on the Phasing Schedule and Mitigation Plan as provided in c) (3) below; and*

d. other additional information or materials identified by the Administrator or other Town staff as necessary to ensure the timely and adequate provision of Public Facilities, based on the level of service standards and requirements of this Article.

- 3) Propose a Mitigation Plan**, *at the applicant's expense, which provides Advanced Facilities that would mitigate the proportionate-share impacts of the Proposed Development on Public Facilities based on the Level of Service standards in section 13.4. Should mitigation be required in conjunction with a Development Proposal, nothing shall preclude the participation of third-parties (public or private) in defraying all or a portion of the cost of such mitigation. Any Mitigation Plan that proposes the provision of Advanced Facilities must provide an estimate of the incremental cost of providing the Advanced Facilities, a schedule for commencement and completion thereof, and a description of how the Advanced Facilities will mitigate the impact of the Proposed Development. In order for a Mitigation Plan to be accepted, it must be approved by the Town Board."*

Indoor Park & Recreations Facilities and Parks Acreage (including any capacity included on a "Capital Improvements Program (CIP)" adopted by the Town and expected to be made available by the end of the third fiscal year following the date of the APF Application) to serve this development must be made available prior to the issuance of a Certificate of Occupancy for any of the lots in this development., Should Indoor Park & Recreations Facilities and Parks Acreage capacity for this development not be made available prior to the request for issuance of a Certificate of Occupancy for all or a portion of the proposed development, mitigation per Article 13.6.6 will be required.

Please feel free to contact me with any questions @ brichards@huntersville.org or by phone: (704) 766-2218.

Sincerely,

Brian Richards
GIS Administrator

Cc: Jack Simoneau, AICP, Planning Director
Gerry Vincent, Assistant Town Manager
Robert Blythe, Town Attorney
David Peete, Principal Planner

Planning

Post Office Box 664 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.875.7000 • fax 704.992.5528 • www.huntersville.org

Town of Huntersville
REQUEST FOR BOARD ACTION
9/6/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: David Peete, Principal Planner
Subject: TA 16-04 Outdoor Amusement Facilities lighting standards in SP zoning district

TA 16-04 is a proposed text amendment submitted by Godley Group of Charlotte LLC (Frankie's Fun Park - Bryton) to amend Article 8.26 SITE LIGHTING as it relates to "outdoor amusement facilities" in the Special Purpose (SP) Zoning District.

ACTION RECOMMENDED:

Conduct Public Hearing on Tuesday, September 6, 2016 at 6:30.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
▣ Staff Report	Backup Material
▣ Text Amendment	Backup Material
▣ Site Lighting Ordinance	Backup Material

TA #16-04 Outdoor Amusement Facilities Lighting in Special Purpose (SP) Zoning District

PART 1: DESCRIPTION

Text Amendment, TA #16-04, is a request by Godley Group of Charlotte, LLC (representing Frankie's Fun Park – Bryton) to amend Article 8.26 *Site Lighting* of the Huntersville Zoning Ordinance (see Attachment A, Text Amendment Application and Attachment B, Proposed Ordinance) to permit animated lighting related to amusement rides within the Special Purpose (SP) Zoning District.

PART 2: BACKGROUND

A proposed outdoor amusement facility (Frankie's Fun Park) has submitted plans to build in Huntersville. Some of the amusement rides proposed for the facility cannot satisfy the Town of Huntersville's lighting ordinance's (Z.O. Article 8.26), the purpose of which "is to ensure public safety and welfare and to protect the night sky".

In order to be allowed to add site lighting to the proposed outdoor amusements, the applicant has submitted this text amendment to facilitate their request in a limited fashion, so that only outdoor amusement facilities within the Special Purpose (SP) Zoning District are permitted alternate lighting options.

The Land Development Ordinances Advisory Board (LDOAB) reviewed the proposed amendment at their August 4 and September 1, 2016 meetings. Their recommendation will be provided at the public hearing.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2030 COMMUNITY PLAN AND APPLICABLE LONG RANGE PLANS

The following are examples of relevant plans and policies from the 2030 Huntersville Community Plan that may be incorporated into the Board's statement of consistency for approval or denial of the request.

Policy E-4 Reduce Outdoor Lighting – Support reduction in outdoor lighting to lowest possible levels to maintain public safety, while limiting glare, habitat impacts and loss of privacy.

PART 4: STAFF RECOMMENDATION

Staff does not recommend amending Article 8.26 *Site Lighting* as submitted by the applicants, but would recommend adding a new Article 8.26.1.m *Lighting permitted only with Special Use Permit* to allow Outdoor Amusement Facility lighting options via a Town Board approved Special Use Permit (SUP). The Special Use Permit option would be required to address the following requirements:

Only permitted in the Special Purpose (SP) Zoning District subject to proving the following:

[Conditions may be seen as appropriate to guide the Town in review of the Special Use Permit, such as: proving that nearby residential areas are protected and that steps are taken to diminish glare and distraction from adjacent public right-of-ways and neighboring properties.]

PART 5: PUBLIC HEARING

The Public Hearing will be held on September 6, 2016.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board is scheduled to hear this text amendment on September 27, 2016.

PART 7: ATTACHMENTS AND ENCLOSURES

Attachment A: Text Amendment Application
Attachment B: Proposed Ordinance (from applicant)
Attachment B: Proposed Ordinance (from applicant)

PART 8: STATEMENT OF CONSISTENCY – TA #16-04

Planning Department	Planning Board	Board of Commissioners
<p>APPROVAL: In considering the proposed amendment, TA 16-04, to amend Article 8.26 <i>Site Lighting</i> of the Zoning Ordinance, the Planning staff DOES NOT recommend approval based on the applicant's amendments, HOWEVER Planning Staff DOES RECOMMEND adding a Special Use Permit provision for this type of lighting within the SP Zoning District.</p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance as, through the Special Use Permit process, land use protections and public input will assure that all site lighting does not harm or create a nuisance to surrounding properties.</p>	<p>APPROVAL: In considering the proposed amendment, TA 16-04, to amend Article 8.26 <i>Site Lighting</i> of the Zoning Ordinance, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>	<p>APPROVAL: In considering the proposed amendment, TA 16-04, to amend Article 8.26 <i>Site Lighting</i> of the Zoning Ordinance, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u></p> <p>It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)</p>
	<p>DENIAL: In considering the proposed amendment, TA 16-04, to amend Article 8.26 of the Zoning Ordinance, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent) with (insert applicable plan reference).</u></p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....(Explain)</p>	<p>DENIAL: In considering the proposed amendment, TA 16-04, to amend Article 8.26 of the Zoning Ordinance, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent) with (insert applicable plan reference).</u></p> <p>It is not reasonable and in the public interest to amend the Zoning Ordinance because....(Explain)</p>

8.26 Site Lighting

The purpose of the site lighting regulations is to ensure public safety and welfare and to protect the night sky. External lighting shall meet the following standards unless otherwise permitted or restricted by this ordinance.

.1 General Requirements:

a. *At a minimum, all lighting installations shall be designed to achieve no greater than the minimal illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA).*

b. *Including the base/mounting fixture, the maximum height for lighting (pole mounted and wall mounted) shall be 40 feet except for sports complex lighting as addressed in sections 9.21 and 9.35 of this ordinance.*

c. *To prevent glare on off-site locations, all outdoor lighting fixtures shall be full cut-off. Where necessary to prevent light trespass or glare, accessories such as hoods and shields shall be used on fixtures. No source of glare shall be visible from any adjacent property or street.*

d. *Light trespass shall be prevented by employing lighting shields, hoods, walls, or fences which control light projection. In no case shall the spillover light level from site lighting onto adjacent property or a public road exceed 1.0 foot-candle measured at the property line.*

For "indoor/outdoor amusement facilities" uses within the SP district, the 1.0 foot-candle limits shall be measured 20' from the property line when bordering right-of-way or other SP zoning.

e. *Security lighting (floodlights, where permitted, wall packs, and etc.) shall be shielded and directed at a downward angle no higher than 45 degrees above straight down (half-way between straight down and straight to the side) measured perpendicular from the pole or mounting wall.*

f. *Unless otherwise specified by this ordinance, uniformity ratios shall not exceed 4:1. Uniformity shall be based on average illuminance. Uniformity ratios shall only be measured for developed areas of the site for parcels greater than one acre.*

For "indoor/outdoor amusement facilities" uses within the SP district, the uniformity ratio shall be analyzed for mini golf, go-carts, attractions, and open space separately.

g. *Parking lot lighting shall not exceed an initial maximum output of ten foot-candles as measured at ground level from any orientation.*

*Uniformity ratios for Mini Golf shall not exceed 6:1.
Uniformity ratios for Go Cart Tracks shall not exceed 5:1.*

h. *Unless provided elsewhere, canopy lighting shall not exceed an initial maximum output of fifteen footcandles as measured at ground level from any point underneath the canopy and from any orientation of the measuring device.*

i. *An isolux lighting plan shall be required for all non-residential projects as part of the site plan approval process. Such plan shall indicate lighting levels expressed as footcandles at grade by contour diagram or grid points over the entire site and shall be sealed by a registered engineer. The zoning administrator may*

waive this requirement for projects located on less than one acre where specific lighting fixtures to be used are indicated on the site plan.

j. An as-built/installed lighting certification sealed by a registered engineer stating that all site lighting is installed according to an approved site plan shall be required prior to issuance of a certificate of occupancy for all non-residential projects.

k. Decorative lighting shall:

- (1) Be focused toward the ground,*
- (2) Be designed and installed to prevent light trespass and unnecessary glare, and*
- (3) Only be used to highlight significant architectural or natural features.*

(4) For "indoor/outdoor amusement facilities" uses within the SP district, amusement ride lighting is allowed but only during hours of operation and shall be turned off during non-operating hours.

l. Outdoor lighting not necessary for security purposes shall be turned off during non-operating hours.

.2 Light Level Standards

The following levels shall be met unless otherwise specified:

Uses	Max. Footcandle
Automotive Sales	30
Banks:	0
• ATM's	10
• Parking Areas	10
Civic and Institutional	10
Convenience Stores, Gas Station	10
• Parking Area	10
• Canopy	35
Office Uses	10
Industrial	15
Retail, Commercial Uses	10
Shopping Centers	10
All other uses not listed	4

Indoor/outdoor amusement facilities	
open area	10
Mini golf	20
Go-Cart Tracks	20

a. Drop lenses and similar lighting fixtures are prohibited.

b. Floodlights are not permitted for illumination in non-residential districts except in loading areas of light and heavy manufacturing uses. Floodlights, when permitted in loading areas, shall:

- (1) be fully shielded;*
- (2) be aimed at no higher than a 45 degree angle (halfway between the horizontal plane and*

straight down) unless a sight line graphic is submitted demonstrating that no off site glare will be created from any portion of the lighting fixture due to screening by existing topography, accessory buildings, landscaping, etc.;

(3) be focused toward the primary building or the loading area only;

(4) not be aimed toward an adjoining residential zone or conforming residential land use;

(5) not emit glare or light trespass onto adjacent streets or properties.

In all applications, lighting shall be directed downward. Floodlights in residential districts shall not shine directly onto an adjacent property or public rights-of-way.

c. Canopies and awnings used for building accents shall not be internally illuminated.

d. Flashing, colored or obtrusive lighting is prohibited.

e. The use of laser source light or any similar high intensity light for outdoor advertising or entertainment is prohibited.

f. The operation of searchlights for advertising purposes is prohibited.

g. Black lights and neon lights (including argon and similar rare gas fixtures), except for signage, are prohibited.

Indoor/outdoor amusement facilities uses within the SP district are exempt from the following restrictions (c.) above if screened from the public right-of-way.

.4 Exemptions to these requirements.

The following shall be exempt from the lighting requirements of this ordinance:

In Indoor/outdoor amusement facilities uses within the SP district, amusement ride lighting may utilize flashing and/or colored lights subject to .1(k)(4) above.

Indoor/outdoor amusement facilities uses within the SP district are exempt from the following restrictions (g.) above if screened from the public right-of-way.

c. Lighting used for nighttime street construction and repair.

d. The lighting of official governmental flags shall not be subject to these lighting standards. Such lighting shall utilize a narrow cone beam of light of no more than 150 watts.

e. Seasonal decorations.

.5 Maintenance requirements.

a. All light fixtures that are required to be shielded shall be installed and maintained in such a manner that the shielding is effective as required.

b. Anything other than routine servicing and same-type lamp replacement of any exterior lighting shall require town approval prior to installation.

c. Any damaged, broken or malfunctioning light fixture or pole which results in failure to meet any part of this ordinance shall be repaired or replaced immediately.

AN ORDINANCE TO AMEND ARTICLE 8.26 (SITE LIGHTING) TO PERMIT ANIMATED LIGHTING RELATED TO AMUSEMENT RIDES WITHIN THE SPECIAL PURPOSE (SP) ZONING DISTRICT.

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that the **Zoning Ordinance** is hereby amended as follows:

8.26 SITE LIGHTING

- 8.26.1.m Lighting for an outdoor amusement facility within the Special Purpose (SP) Zoning District that cannot conform to the standards of this section may be approved pursuant to a Special Use Permit, reviewed per Article 11.10.

New Text = Bold and Underlined

Section 2. That this ordinance shall become effective upon adoption.

PUBLIC HEARING DATE: **September 6, 2016**

PLANNING BOARD MEETING: **June 27, 2016**

PLANNING BOARD RECOMMENDATION:

TOWN BOARD DECISION:

TOWN BOARD MEETING: **October 3, 2016**

Town of Huntersville
REQUEST FOR BOARD ACTION
9/6/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brad Priest, Senior Planner
Subject: R16-06: Greenway Waste Landfill

Rezoning: R16-06 is a request by Greenway Waste Solutions, LLC and William Hammill to conditionally rezone 135 acres (parcels 01910102, 01910109, and portions of 01918135, 01918162, and 01934118) from Transitional Residential (TR) and Neighborhood Residential (NR) to Special Purpose Conditional District (SP-CD). The purpose of the rezoning is to allow the applicant to apply for a Special Use Permit for the expansion of an existing Construction and Demolition landfill on Holbrooks Road

****UPDATE:** On August 23, 2016 per the applicant's request, the Planning Board continued the review of this application until their September 27, 2016 meeting.

ACTION RECOMMENDED:

Consider continuing the application until the Town Board's October 3, 2016 meeting after the Planning Board recommendation.

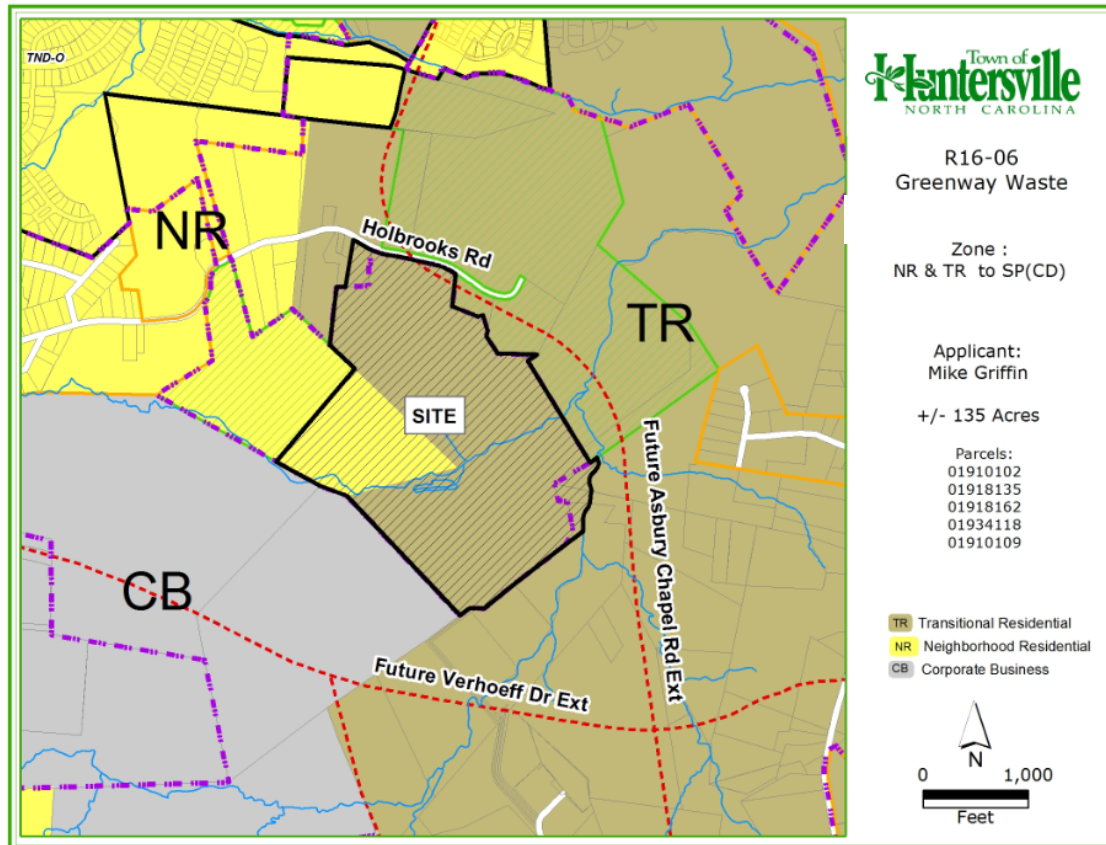
FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Staff Report	Staff Report
<input type="checkbox"/> Overall Rezoning Plan	Exhibit
<input type="checkbox"/> Rezoning Plan Page 2	Exhibit
<input type="checkbox"/> Recycling Building Elevations	Exhibit
<input type="checkbox"/> 2005 Special Use Permit	Backup Material
<input type="checkbox"/> 2009 Special Use Permit	Backup Material
<input type="checkbox"/> NCDOT Comments - 2009	Backup Material
<input type="checkbox"/> NCDOT Comments 2016	Backup Material
<input type="checkbox"/> NCDEQ Groundwater Well Map	Backup Material
<input type="checkbox"/> TIA Determination - No Need	Backup Material
<input type="checkbox"/> APFO - Determination of Capacity Letter	Backup Material
<input type="checkbox"/> Neighborhood Meeting Information	Backup Material
<input type="checkbox"/> Application - Greenway Waste	Backup Material
<input type="checkbox"/> Application - Hammill	Backup Material
<input type="checkbox"/> BJ Caldwell Letter	Backup Material

Petition R16-06 Greenway Waste Solutions Landfill

PART 1: PROJECT SUMMARY



Applicant: Mike Griffin

Property Owner:
Greenway Waste
Solutions, LLC and
Mike Hammill

Property Address:
15300 Holbrooks
Road, 15120
Holbrooks Road, and
others.

Project Size: 135
acres

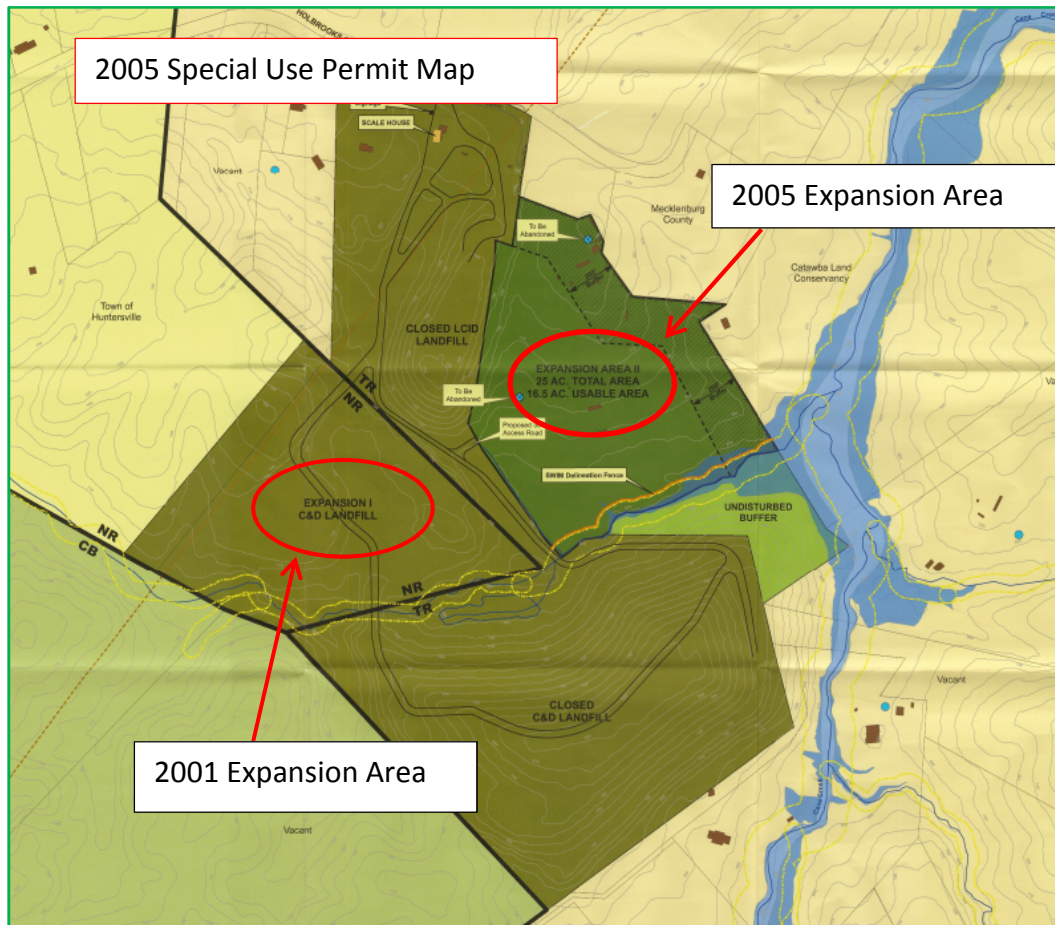
Parcel Numbers:
01910102, 01910109,
and portions of
01918135, 01918162,
01934118

Application Summary:

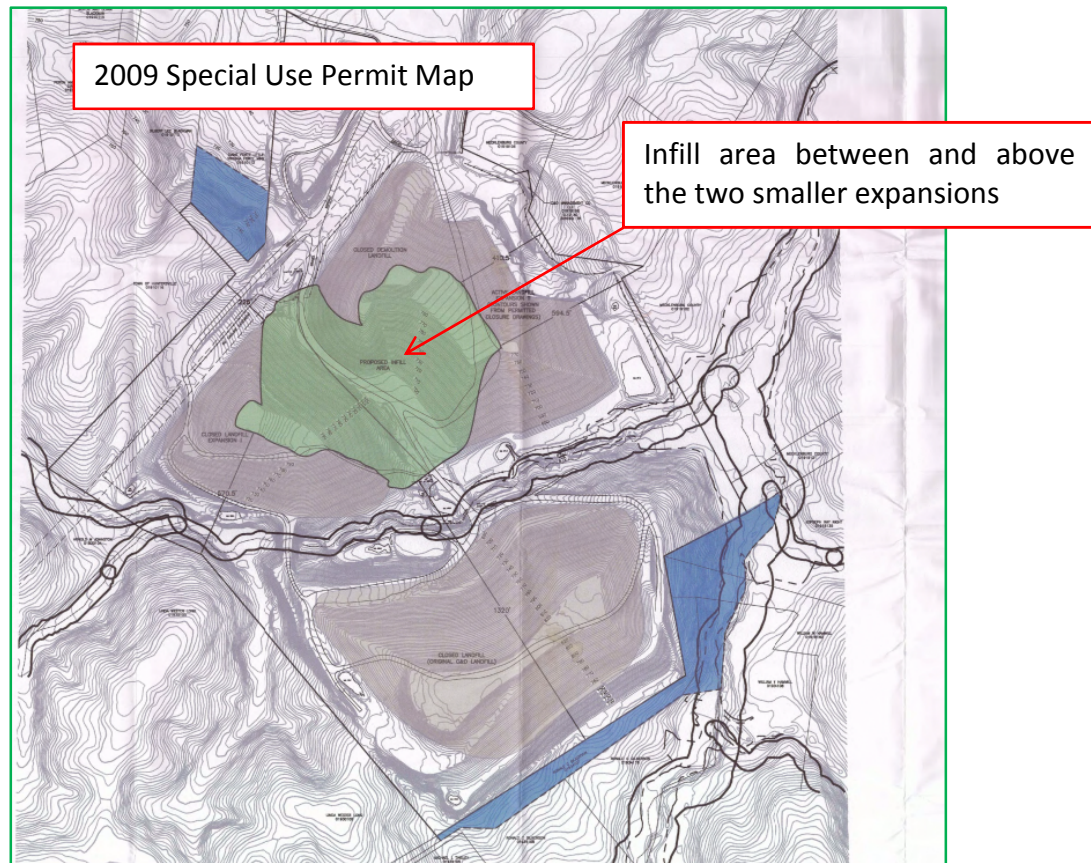
- Greenway Waste Solutions, LLC has submitted a conditional rezoning application to rezone their property from Neighborhood Residential (NR) and Transitional Residential (TR) to Special Purpose Conditional District (SP-CD). The purpose of the rezoning is to allow the applicant to seek a Special Use Permit (SUP) for an expansion of their landfill operation and accommodate the construction of a recycling facility on the site.
- Adjoining Zoning and Land Uses
North: Transitional Residential (TR), Park Land: David Waymer Regional Flying Park, Vacant Land
South: Corporate Business (CB), Commerce Station Business Park, Vacant Land
East: Transitional Residential (TR), Large Lot Single Family Residential, Vacant Land
West: Neighborhood Residential (NR), Vacant Town Land, Single Family Residential
- The Greenway Waste Solutions Landfill is considered a Construction and Demolition (C and D) landfill in the Huntersville Zoning Ordinance and is regulated by Article 9.23 of the ordinance. It is also regulated by the State of North Carolina Department of Environment and Natural Resources Division of Waste management (NCDENR)
- The landfill has been in operation on Holbrook Road since June 24, 1993. After the adoption of the Huntersville Zoning Ordinance in 1996, the landfill became and operated as a legal nonconforming use due to being located in a residential zoning district. As a legal nonconforming use, the landfill could continue its operation but could not expand unless that expansion was in complete conformance with the zoning ordinance.
- On December 18, 2000 per the landfill's request, a text amendment to the zoning ordinance was approved by the Huntersville Town Board allowing one expansion of the facility not to last more than 5 years from the

approval of the NCDENR permit. In 2001 the landfill was permitted its first expansion per the new ordinance. See 2005 Special Use Permit Map below.

6. On September 19, 2005 per the landfill's request, a text amendment was approved by the Town Board modifying the number of expansions allowed for landfills from one to two, with the issuance of Special Use Permit (SUP). The time limit remained at 5 years for each expansion to operate.
7. On November 21, 2005 a Special Use Permit was approved allowing the landfill to have its second expansion for no more than 5 years. Please see the 2005 SUP map below showing the locations of the two expansions.

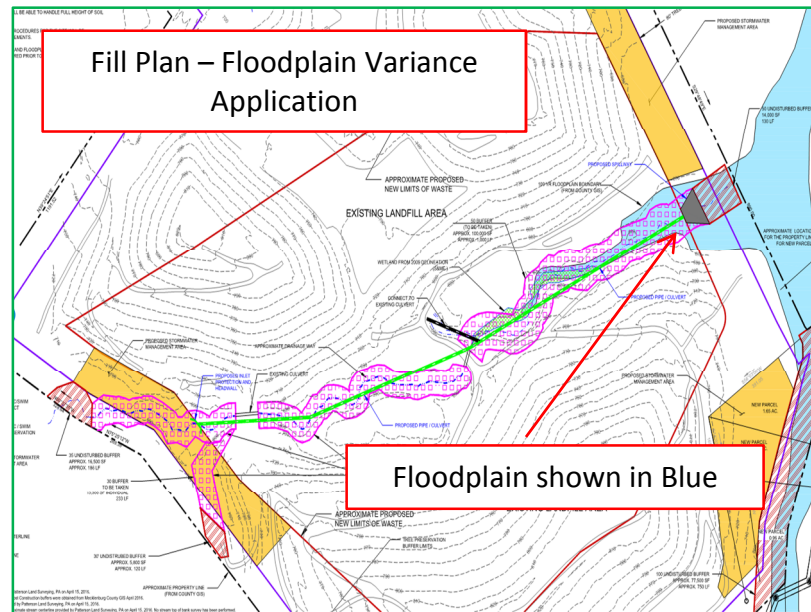


8. On December 7, 2009 per the applicant's request, a text amendment was approved by the Huntersville Town Board which significantly modified the requirements of Article 9.23. Noteworthy changes included:
 - Added flexibility to allow landfills to not have immediate access on a thoroughfare provided the Town Board finds that the access "would not likely cause any injurious effect on the property adjacent to the access".
 - Allowed existing landfills to continue their operation indefinitely as long as the landfill had an unexpired Special Use Permit and did not expand its exterior boundaries.
 - Deleted the landfill expansion section so that any expansion of a facility would need to fully conform to current ordinance standards.
9. On December 7, 2009 the Town Board approved the landfill's Special Use Permit (SUP) amendment application allowing them to fill in between the previous two expansions and removing its 5 year expiration date. This allowed the landfill to continue its operation as exists indefinitely as long as there was no expansion to its boundaries. The submitted lifespan of the landfill at that time was 25 years. Please see the 2009 SUP map below. The approved SUP itself is included in your agenda package for reference.



10. Greenway Waste’s current proposal is to pipe the stream running through the center of the landfill and to add an “expansion area” on top of it. This fill area would then connect the fill areas to the north and south of the creek (please see the Rezoning/SUP plan proposed below on page 7). They also propose to add a recycling facility to the site near Holbrook Road which will allow them to more efficiently recycle waste and encumber the new fill area on site more slowly, thus increasing the life expectancy of the landfill. In order to accomplish this however, the following Huntersville approvals would be required as proposed:

- A variance from the Zoning Board of Adjustment to Article 8.25.5 of the Huntersville Zoning Ordinance in regard to S.W.I.M buffers. Rather than allowing for the required 35-50 foot water quality buffer on the property, the landfill proposes to pipe the stream and fill on top of it thus removing any buffer.
- A variance from the Zoning Board of Adjustment to Section 151.60 (A)(10) of the Floodplain Ordinance, which states that no landfill may fill in a regulated floodplain except by variance. Please see the proposed fill plan below. The area in the blue to the east of the site is shown as floodplain.
- A variance from the Zoning Board of Adjustment to Article 9.23 of the Zoning Ordinance in regard to buffers for Construction and Demolition Landfills. Article 9.23 prohibits fill area in designated wetlands, FEMA community flood areas, and requires a 50 foot buffer from delineated streams.
- A conditional rezoning to Special Purpose Conditional District (SP-CD). There is no expansion language in the ordinance for landfills since the December 2009 text amendment. When a landfill now expands its boundaries it must do so per the requirements of Article 9.23. There it requires that landfills be located in the Special Purpose (SP) zoning district with the issuance of a special use permit. The landfill is looking to add properties to the landfill operation and thus is seeking a rezoning to SP.
- An updated Special Use Permit that includes the new fill area and added properties to the landfill.



11. The variance applications are currently being heard by the Board of Adjustment. The Board held a hearing on July 12, 2016 and continued the hearing until August 9, 2016. This proposed rezoning application therefore cannot be approved if the variance applications are not also approved in conformance to ordinance standards.
 - **Update 8/12/16:** At the August 9 meeting per that applicant's request, the variance application hearings were continued again until the Board's September 13, 2016 meeting. The request was made in order for the applicant to have more time to address staff comments.
12. The rezoning plan/Special Use Permit plan also includes a 30,000 sqft recycling building located toward Holbrooks Road. The purpose of this metal building is to make the recycling and separation of the construction debris more efficient. This facility would reduce the amount of waste added to the landfill and thus increase the lifespan of the use.
13. It is estimated that with the combination of adding another fill area over the creek and the addition of the recycling facility on site, the lifespan of the landfill will be extended another 40-50 years.
14. Article 9.23 of the Huntersville Zoning Ordinance requires that landfills in the SP district be issued a Special Use Permit by the Town Board. The Special Use Permit (SUP) is being processed concurrently with the rezoning application. Therefore the SUP is tentatively scheduled to go before the Planning Board on August 23 for recommendation to the Town Board at their September 6 meeting.
15. A neighborhood meeting was held on Monday June 27, 2016. The invitation list, attendance list and summary of the meeting are included in your agenda packet.

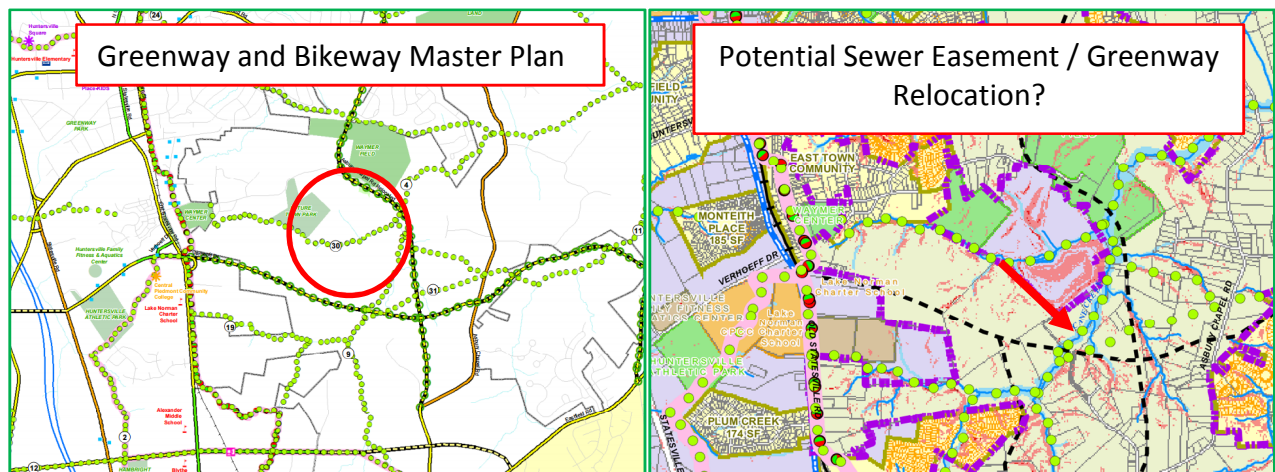
PART 2: REZONING/SITE PLAN ISSUES

- Article 9.23.3 requires that landfills "not conflict with the objectives of the most detailed plan adopted for the area". A greenway is planned along the stream that is proposed to be piped and covered in the application (see the Greenway and Bikeway Master Plan map below). It is common to locate greenways and other recreational areas in landfills after the site has been filled and closed. Piping and filling the creek however would eliminate the feasibility of a greenway path as shown on the approved greenway plan. In addition, if the rezoning and SUP are approved and the lifespan of the landfill is extended indefinitely, having an open greenway through an

active landfill would create safety and security concerns for the landfill. Therefore the current application conflicts with the approved Greenway and Bikeway Master Plan.

However, Charlotte Water is currently in discussions to establish a sewer line and related easement in the vicinity of the applicant's southern property line. The sewer line would extend east and connect to Cane Creek, ultimately where the proposed greenway would also connect (please see the map below). It may be possible to relocate the greenway along the new sewer easement to the south and connect with the Cane Creek greenway at a further south location. The Greenway, Bikeway, and Trail Committee is meeting on Tuesday, July 26 to discuss this potential relocation. If this area is deemed as an appropriate realignment, the applicants have stated that they would accommodate the sewer and greenway easement on their property down to Cane Creek. However if the alignment is changed, a note and/or graphic representation of the relocated greenway should be shown on the applicants rezoning plan.

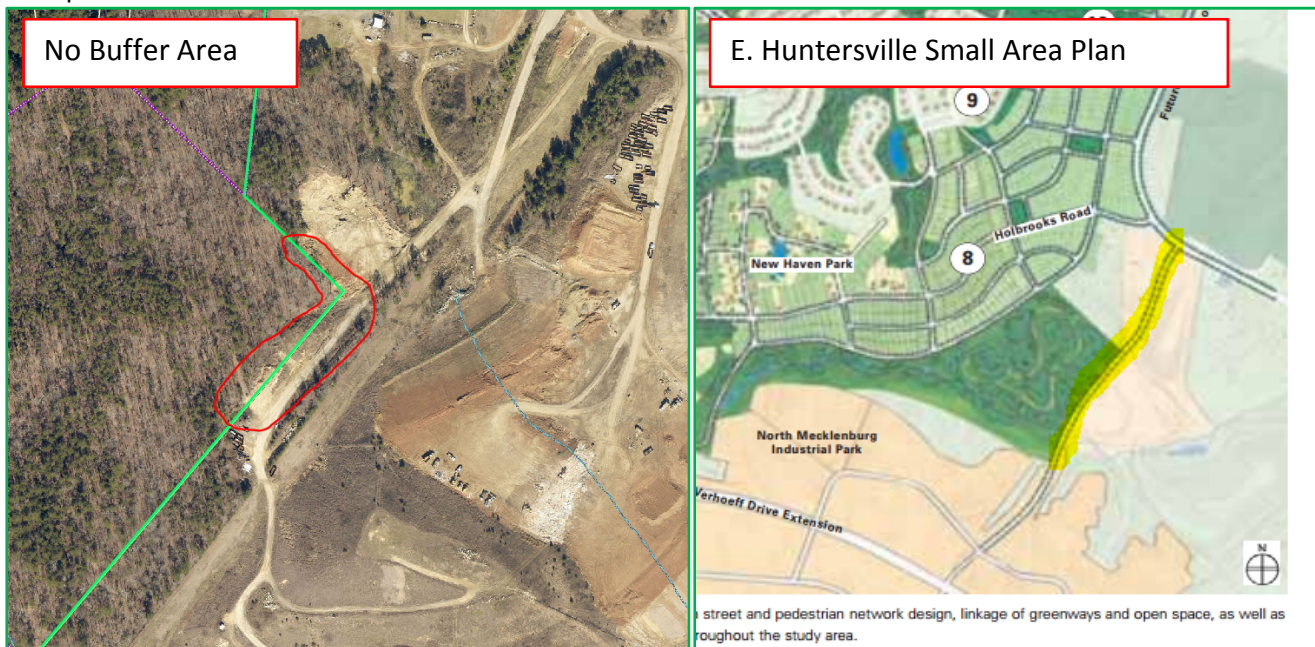
- **UPDATE: 8/12/16:** At their July 26 meeting, the committee recommended to re-locate the greenway to the southern portion of the applicant's property to coincide with the future sewer right of way. The condition of the recommendation was that the relocation only takes place if the rezoning proposed is approved.
- If the Town Board agrees with the committee's recommendation, they will need to take final action to amend the Master Plan and move the greenway.
- The updated plan submitted by the applicant does not accommodate for the proposed relocated greenway along their property. Staff recommends the plan be amended to show a 20 foot easement along the property line to accommodate for the installation of a greenway trail as proposed.



- Article 7.5 of the Huntersville Zoning Ordinance requires that developments in the Special Purpose (SP) zoning district provide an 80 foot buffer adjacent to their property lines (if not adjacent to other CB, SP, or CI zoned property). To conform to this section of the ordinance, wherever existing vegetation does not exist within the 80 foot buffer area, an opaque planted buffer would need to be installed. The applicants are seeking modification of the buffer requirements through the conditional rezoning process, per Article 11.4.7 K. The rezoning plan shows the areas where modification is proposed in a hatched green shading. (See rezoning plan below on page 7)
 - Article 2.3 of the Huntersville Zoning Ordinance states that when projects are redeveloped, they need to come up to current zoning code "to the extent practicable". Considering this is an existing landfill endeavoring to redevelop to current zoning standards, staff is generally supportive of the modification except for the one area shown below. From aerial photography, not including areas proposed to be planted per the ordinance, there seems to be about 20-50 feet of existing vegetation around the entire perimeter of the site except for the area shown below. In this area the grading and clearing have

encroached up to the property line. Therefore staff recommends this area be landscaped per ordinance requirements to establish an opaque buffer.

- **UPDATE 8/12/16:** The updated plans submitted by the applicant do not include any buffering or screening in this area.
- The subject property is not located within the boundaries of any of the Small Area Plans adopted by the Town of Huntersville. However, the East Huntersville plan does mention and recommend a connector road in between the proposed Verhoeff Drive extension to the south and the future Asbury Chapel extension to the north. The north/south connector road could traverse the subject property. Staff recommends that the applicants reserve right of way, or commit to accommodate a street connection through their property. In the 2009 SUP, the applicants reserved the right of way in the area of the gas pipeline and buffer at the southwest edge of the property through their main entrance. Something similar could be done for this application as well. Please see a portion of the E. Huntersville Small Area Plan below.

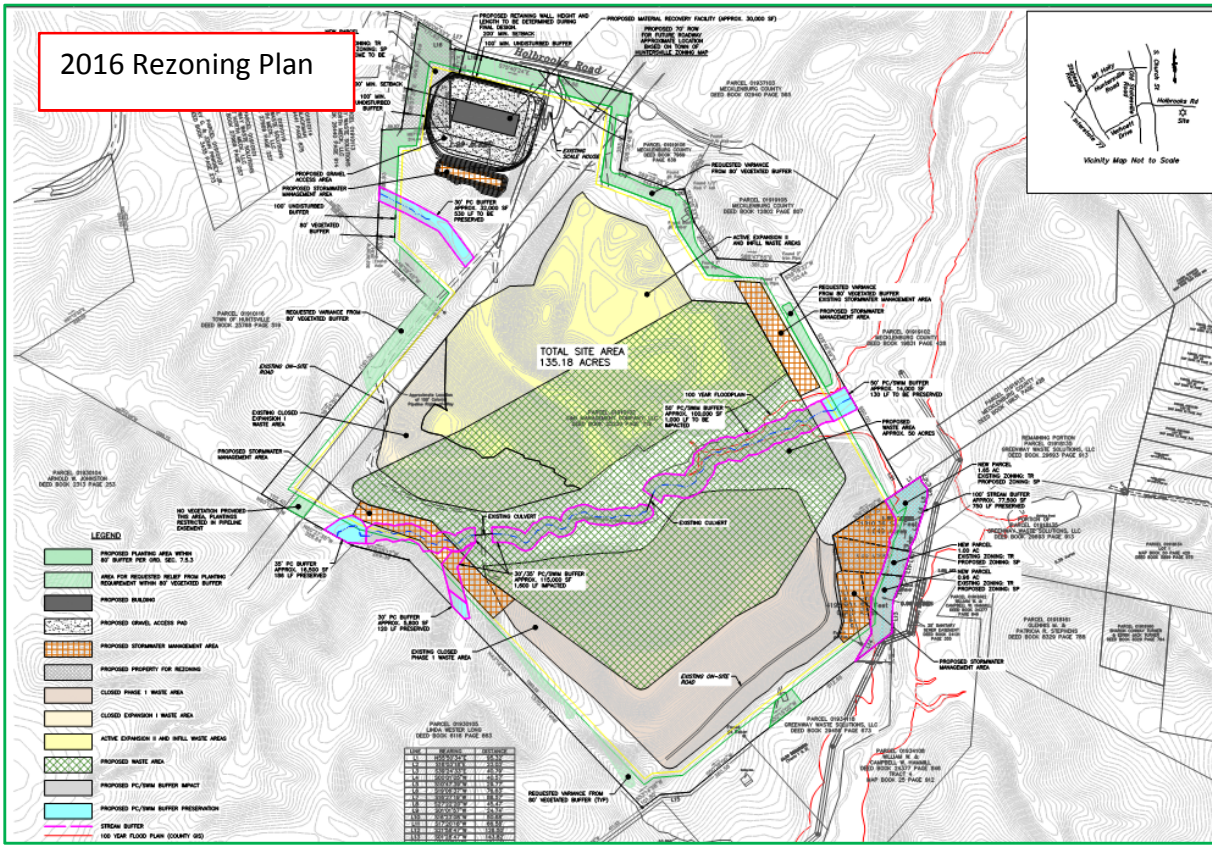


- **UPDATE 8/12/16:** The updated rezoning plan submitted by the applicant does not include a note or commitment to accommodate a future connector road through the property.
- Article 9.23.4 A of the Huntersville Zoning Ordinance requires that landfills over 10 acres be accessed from a major or minor thoroughfare or from a street built to commercial street standards that connects directly to a major or minor thoroughfare". The existing landfill does not have access to a thoroughfare or a street that is built to commercial street standards. Access is from Holbrooks Road, which is a secondary residential street. The ordinance states that the Town Board may issue a SUP for a landfill that does not front on a thoroughfare or commercial street if it finds that it "would not likely cause any injurious effect on the property adjacent to the access".

When the last Special Use Permit application was submitted in 2009, the NCDOT district engineer commented in an email to the applicant that Holbrooks Road "does not possess the pavement structure to accommodate the truck traffic it has experienced and will be subject to with the continued use your company is planning". Please see the email attached in your agenda packet. The SUP was eventually approved with an added stipulation that the condition of Holbrooks road be reviewed in 5 years. Another condition was that the applicant contribute \$25,000 in the next 10 years toward the maintenance of Holbrook Road. In December of 2014 public works and engineering staff inspected Holbrook Road and found that it was in good condition as NCDOT had just finished repaving the street in 2013 (added 4 inches of asphalt). As of this date, the

applicant has not forwarded the \$25,000 to NCDOT for the street maintenance. In regard to this application, NCDOT has similar concerns. Please find correspondence from the District Engineer attached in your agenda packet. The approved 2009 Special Use Permit is also included in your agenda packet for reference.

- **UPDATE 8/12/16:** Staff is not aware of any further discussions the applicant has had with NCDOT about the durability of Holbrook Road, or whether or not the core samples of the road have been taken per the District Engineer's request.
 - There are no notes on the updated rezoning plan that address the maintenance of Holbrook Road.
- Article 7.4 of the Huntersville Ordinance requires that development in the SP district save a minimum of 30% of the specimen trees located on the site. A tree survey of the existing trees needs to be submitted to determine what specimen trees are located on the site and how many are required to be saved.
 - **UPDATE 8/12/16:** The updated rezoning submittal did not include a tree survey to ensure compliance with the tree save requirements of the ordinance.
- Article 6 of the Ordinance requires .25 spaces of parking per 1000 sqft of warehouse/manufacturing building. With the newly added building, a new formal parking area of 8 parking spaces along with landscaping is required. No formal parking area is currently located at the site.
 - **UPDATE 8/12/16:** The updated rezoning plan includes required parking spaces along the edge of the future recycling building. However Article 6 of the ordinance requires that the parking area include an asphalt driveway as part of the parking area and formal landscaping around the perimeter of it. The updated plan shows gravel around the perimeter of the parking spaces and no landscaping per ordinance requirements.
- Article 9.23.4 D states that driveways from the landfill need to be paved a distance of 100 feet back from the public street. The main entrance drive is paved with asphalt in conformance; however the exit drive is paved only about 20 feet back.
 - **UPDATE 8/12/16:** The updated rezoning plan shows the exit drive to be paved 100 feet back from ROW in conformance to the ordinance.
- Article 9.23.4 E states that "a non-climbable fence, at least 6' high, shall be installed around the landfill and all of its operation as a safety device". The rezoning plan does not indicate the site is secured with the required security fencing.
 - **UPDATE 8/12/16:** The letter from the applicant states that the site is "closeable and secured from vehicular and pedestrian access" but does not provide how that is done. The letter also mentions that a variance will be submitted for the fence requirement. No variance application has been submitted for this section of the ordinance. The updated rezoning plan includes a note stating that "heavy vegetation" prevents access to the site. The submitted information does not provide conformance to the fence and security requirement of this section of the ordinance.
- Article 9.23.6 requires that the hours of operation for landfills be limited to 7 am to 6 pm. The rezoning plan should be amended to add a conditional note with the required hours of operation.
 - **UPDATE 8/12/16:** The updated letter from the applicant notes that the hours of operation will be limited from 7 am to 6 pm. That same note should be added to the rezoning plan as a condition of the rezoning.
- On July 21, 2016 an updated rezoning plan was submitted to staff for review. However since there was not enough time to do the review prior to the Town Board agenda deadline, any changes will be highlighted at the Public Hearing.



PART 3: TRANSPORTATION ISSUES

- Based on the proposed addition to the existing land use, a TIA due to the expansion was not required.
- Connection to a thoroughfare or industrial street that connects to a thoroughfare. This development's only proposed connection to a thoroughfare is through its existing driveway to future Asbury Chapel Road. This development does not provide for or make a commitment to provide for a connection to a potential industrial street to the south through the Commerce Station Industrial Park should that road be built sooner.

PART 4: REZONING CRITERIA

Article 11.4.7(d) of the Zoning Ordinance states that “in considering any petition to reclassify property, the Planning Board in its recommendation and the Town Board in its decision shall take into consideration any identified relevant adopted land-use plans for the area including, but not limited to, comprehensive plans, strategic plans, district plans, area plans, neighborhood plans, corridor plans, and other land-use policy documents”.

STAFF COMMENT – Staff finds the proposed use consistent with the following policies of the **2030 Huntersville Community Plan**:

- **Policy CD-2: Focus higher intensity development generally within 2 miles of the I-77 and NC 115 corridor.** The landfill is just inside the two mile radius of the I-77 and NC 115 Corridor.
- **Policy ED-12: Business Retention and Expansion.** The landfill expansion would prevent the premature closing of this local business in the Huntersville area, and continue to serve the Town and surrounding region in Construction and Demolition waste needs for years in the future.

STAFF COMMENT – Staff finds the proposed use not consistent with the following policies of the **2030 Huntersville Community Plan**:

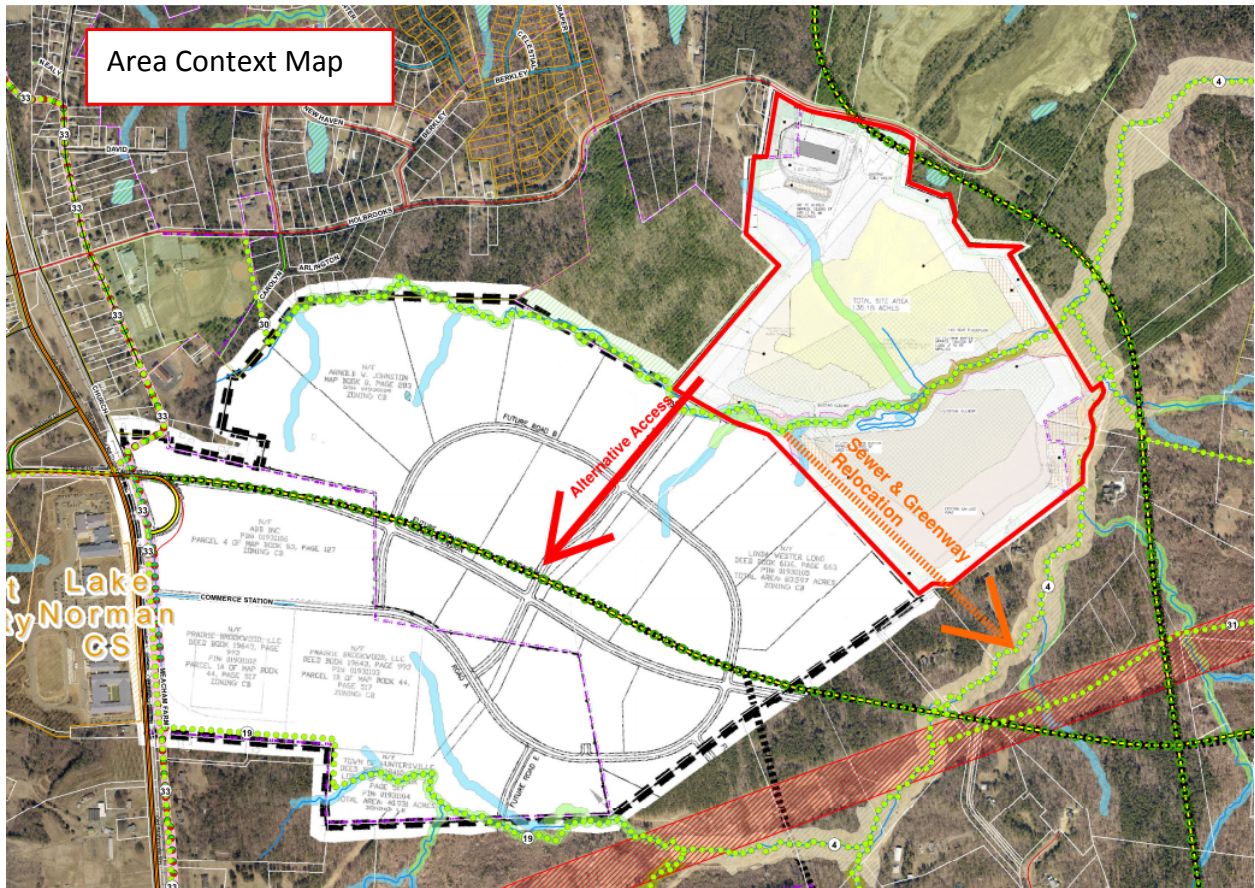
- **Policy E-1: Preservation and Environment.** The stream, vegetated buffer, and future greenway that are running through the landfill are proposed to be piped and covered with additional landfill area. Although the buffer is proposed to be mitigated for water quality purposes through the variance process and the greenway plan could potentially be amended, those needed modifications have not yet been approved.
- **Policy E-2: Location of New Development.** This policy encourages new development to avoid areas of significant environmental, scenic, or cultural resources. The application proposes new landfill area to be located in a protected stream and a future greenway.
- **Policy T-6: Pedestrian Connections.** This policy supports the installation of sidewalks, bikeways, and greenway trails connecting various uses. The application does not accommodate the greenway planned through the property as shown on the Huntersville Greenway and Bikeway Master Plan. However if the greenway plan is ultimately amended to modify the alignment, the plan would no longer be in conflict with this policy.
- **Policy CD-5: Infrastructure:** This policy supports the continued requirement that adequate public infrastructure such as roads either exist or will be made available to support new development. The adequacy of Holbrook Road to accommodate the landfill's truck traffic has been a question for many years. Back in 2009, NCDOT stated that the pavement structure for Holbrooks Road was not designed to handle the landfill's truck traffic and requested that the landfill participate in the maintenance of the road. With no definite timetable on obtaining frontage on a thoroughfare or commercial road, the rezoning and SUP extending the life of the landfill indefinitely, and the recycling facility adding more trucks onto Holbrooks Road, NCDOT has similar concerns in regard to this current application. The latest email from the District Engineer Wendy Taylor requesting core samples of the road is included in your agenda packet.

Article 11 Section 11.4.7(e) of the Zoning Ordinance states that: “in considering any petition to reclassify property the Planning Board in its recommendation and the Town Board in its decision should consider:

- 1. Whether the proposed reclassification is consistent with the overall character of existing development in the immediate vicinity of the subject property.**

STAFF COMMENT:

The proposed Special Purpose (SP) zoning would be located immediately adjacent to the Commerce Station Business Park (zoned CB) to the south, and would be compatible with the future uses of that park (office, industrial, warehousing, etc). The majority of areas along Holbrook Road to the north and west of the landfill however are either park land or single family residential uses. Unfortunately, there is no current access to the south through the business park, only through Holbrooks Road and the residential neighborhoods. Thus, the continuing commercial traffic and access is not compatible with the residential development to the west of the landfill. It is recommended that the applicant work diligently with the Town and County to extend Verhoeff extension and connect to it as soon as feasibly possible. This would open up the business park for further economic development and relieve the Holbrook Road neighborhood of the commercial traffic created by the landfill. Please see the future, alternative access shown below on the area context map.



It is not recommended that the application be approved with the right to use Holbrooks Road as an access indefinitely. Each of the landfill permits/text amendments approved by the Town through the years has gradually and continually increased its lifespan with no requirement for alternate access. In 2009 their Special Use Permit application was approved by the Town Board with no expiration date, but with an estimated lifespan of 25 years for the facility. That approval thus allowed continued Holbrook Road access through the year 2034. Staff recommends that the lifespan of the facility not be extended past that date without alternate access being achieved on a thoroughfare.

2. **The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, transit service, parks and recreational facilities, police and fire protection, hospitals and medical services, schools, storm water drainage systems, water supplies, and wastewater and refuse disposal.**

STAFF COMMENT:

- Engineering and Public Works has determined that based on the expansion proposed, the new amount of traffic that will be generated will not meet the threshold that would require the submission of Traffic Impact Analysis (TIA). Please find the TIA determination from engineering in your agenda packet.
- Planning staff issued a Determination of Adequacy (DOA) for fire vehicles and station space, police vehicles and station space, and parks and recreation gyms and parks on April 11, 2016. The determination of adequacy letter is attached in your agenda packet for reference.
- As mentioned previously, NCDOT has concerns that Holbrooks Road does not have the pavement structure to accommodate continued and indefinite heavy truck traffic. Please find the emails from NCDOT attached in your agenda package.

3. Whether the proposed reclassification will adversely affect a known archeological, environmental, historical or cultural resource.”

STAFF COMMENT:

Through the variance review, the applicants are applying to mitigate the disturbance of the water quality S.W.I.M. buffer per Article 8.25.11. Since the stream is being piped and encased in concrete, staff is not aware of any adverse effect to the stream.

- **UPDATE 8/12/16:** Staff contacted Mecklenburg County Solid Waste Management just prior to the public hearing in order to ascertain if there were any environmental issues or violations with the subject landfill. The County stated that there have been reports of off-site contamination at the landfill but we would need to contact the North Carolina Department of Environmental Quality (NCDENR is now known as NCDEQ) for further information and details. In subsequent conversations with NCDEQ after the public hearing staff was informed of the following:
 - The Greenway Solutions Landfill on Holbrook Road has been found to exceed state regulatory limits of various groundwater and surface water contaminants and methane gas since 2013. Further, a Notice of Violation was issued on September 16, 2014 to the landfill due to an encroachment upon their required state mandated buffer to the east of the property. As of now, the landfill remains in violation of the required buffer.
 - It appears the constituents leaching from the landfill have contaminated multiple drinking water wells adjacent to the subject property. Two parcels were purchased (including one residence) by the landfill and two homes were added on to municipal water service due to the groundwater contamination. According to NCDEQ, the applicant has been cooperative with the state in installing both shallow and deep groundwater monitoring wells and methane gas monitoring wells, in an effort to analyze and find the nature and extent of both the groundwater contamination and the methane gas exceedances. The applicant has also been cooperative in addressing the immediate issue of the contamination of the adjacent drinking water wells as discussed above. The monitoring and analyzing of both the groundwater and methane gas contamination is ongoing. At this time, there are still many unknowns in regard to the nature and extent of the existing groundwater and surface water contamination and potential methane gas migration. Once the nature and extent is more fully understood, NCDEQ will require mitigation plans for the applicant to begin contamination cleanup of both the active fill area, and the fill area that is closed out and inactive (which is under a different set of state rules). Contamination has also been found in the groundwater monitoring wells near the stream, and recently in the surface water sampling of the stream that is being proposed to be piped and covered with the expansion. Please find the groundwater monitoring well locations of the site in a map forwarded by NCDEQ in your agenda package.

PART 5: PUBLIC HEARING

The Public Hearing was held on August 1, 2016. Multiple individuals from the public voiced their concerns about the landfill's continued use of Holbrook Road and the potential negative affects the landfill expansion would have on the environment. A representative of the Holbrook Association voiced his support of the application. Please find the drafted minutes included in your agenda packet.

PART 6: STAFF RECOMMENDATION.

In order to have more time to address the outstanding comments, the applicant has requested that the Planning Board continue the application until their September 27, 2016 meeting. Staff supports the continuance request.

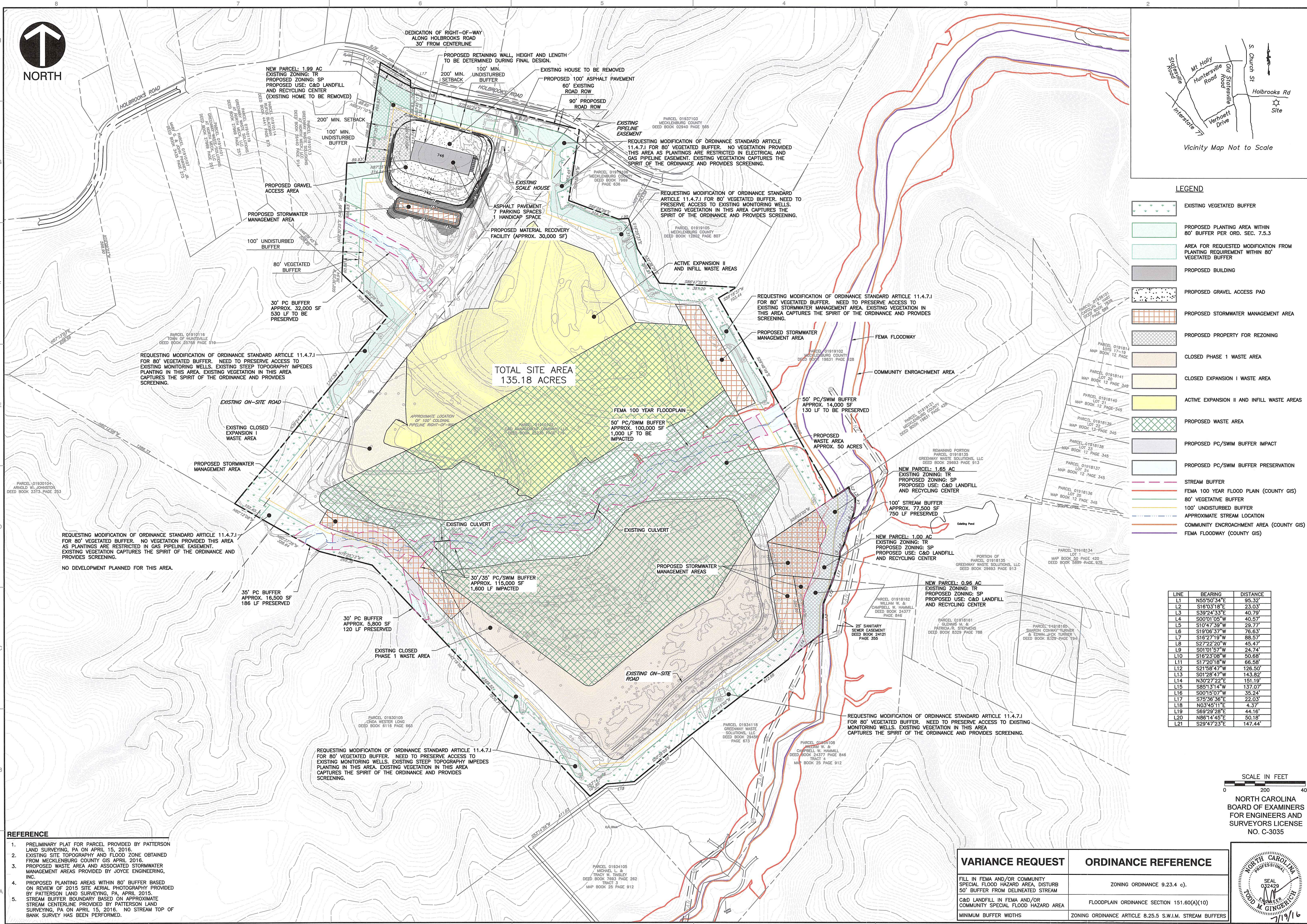
PART 7: PLANNING BOARD RECOMMENDATION

The Planning Board met on August 23, 2016 to consider the application. Per the applicant's request, the application was continued until the Board's September 27, 2016 meeting.

PART 8: CONSISTENCY STATEMENT - R 16-06: Greenway Waste Solutions Landfill

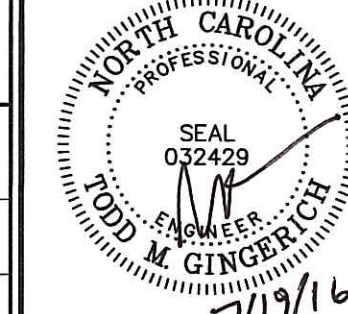
Planning Department	Planning Board	Board of Commissioners
Approval: To be determined. Please see the Staff Recommendation for comment.	APPROVAL: In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill, located on Holbrook Road, the Planning Board finds that the rezoning is consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. The Planning Board recommends approving the conditional rezoning plan for the Greenway Waste Landfill as shown in Rezoning Petition R16-06. It is reasonable and in the public interest to rezone this property because...(explain)	APPROVAL: In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill on Holbrook Road the Town Board finds that the rezoning is consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. We recommend approving the conditional rezoning plan for the Greenway Waste Landfill as shown in Rezoning Petition R16-06. It is reasonable and in the public interest to rezone this property because... (Explain)
DENIAL: To be determined: Please see the Staff recommendation for comment.	DENIAL: In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill on Holbrook Road, the Planning Board finds that the rezoning is not consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. We recommend denial of Rezoning Petition R16-06. It is not reasonable and not in the public interest to rezone this property because..... (Explain)	DENIAL: In considering the proposed rezoning of Petition R16-06, Greenway Waste Landfill on Holbrook Road, the Town Board finds that the rezoning is not consistent with the Town of Huntersville 2030 Community Plan and other applicable long range plans. We recommend denial of Rezoning Petition R16-06. It is not reasonable and not in the public interest to rezone this property because..... (Explain)

P:\2017\111-370-000\001\Draw\111370-000\Site Plan\Huntersville\Revised\Process\3.26.16.dwg(CONDITIONAL DISTRICT SITE PLAN) LS(7/19/2016) - pshelley - LP: 7/19/2016 11:59 AM



- REFERENCE**
1. PRELIMINARY PLAT FOR PARCEL PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016.
 2. EXISTING SITE TOPOGRAPHY AND FLOOD ZONE OBTAINED FROM MECKLENBURG COUNTY GIS APRIL 2016.
 3. PROPOSED WASTE AREA AND ASSOCIATED STORMWATER MANAGEMENT AREAS PROVIDED BY JOYCE ENGINEERING, INC.
 4. PROPOSED PLANTING AREAS WITHIN 80' BUFFER BASED ON REVIEW OF 2015 SITE AERIAL PHOTOGRAPHY PROVIDED BY PATTERSON LAND SURVEYING, PA APRIL 2015.
 5. STREAM BUFFER BOUNDARY BASED ON APPROXIMATE STREAM CENTERLINE PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.

VARIANCE REQUEST	ORDINANCE REFERENCE
FILL IN FEMA AND/OR COMMUNITY SPECIAL FLOOD HAZARD AREA, DISTURB 50' BUFFER FROM DELINEATED STREAM	ZONING ORDINANCE 9.23.4 c).
C&D LANDFILL IN FEMA AND/OR COMMUNITY SPECIAL FLOOD HAZARD AREA	FLOODPLAIN ORDINANCE SECTION 151.60(A)(10)
MINIMUM BUFFER WIDTHS	ZONING ORDINANCE ARTICLE 8.25.5 S.W.I.M. STREAM BUFFERS



LINE	BEARING	DISTANCE
L1	N55°50'34"E	95.32'
L2	S16°03'18"E	23.03'
L3	S39°24'33"E	40.79'
L4	S00°10'05"W	40.57'
L5	S10°47'39"W	29.77'
L6	S19°06'37"W	76.63'
L7	S16°27'19"W	88.57'
L8	S27°22'20"W	45.47'
L9	S01°01'57"W	24.74'
L10	S16°23'08"W	50.68'
L11	S17°20'18"W	66.58'
L12	S21°58'47"W	126.50'
L13	S01°28'47"W	143.82'
L14	N30°27'22"E	151.18'
L15	S85°13'14"W	137.07'
L16	S00°15'07"W	35.24'
L17	S75°36'36"E	22.03'
L18	N03°45'11"E	4.37'
L19	S69°29'28"E	44.16'
L20	N86°14'45"E	50.18'
L21	S29°47'23"E	147.44'

SCALE IN FEET
0 200 400
NORTH CAROLINA
BOARD OF EXAMINERS
FOR ENGINEERS AND
SURVEYORS LICENSE
NO. C-3035

CONDITIONAL DISTRICT REZONING
GREENWAY WASTE SOLUTIONS
AT NORTH MECK, LLC
15300 HOLBROOKS ROAD
HUNTERSVILLE, NORTH CAROLINA

CONDITIONAL DISTRICT SITE PLAN

REVISION RECORD

NO	DATE	DESCRIPTION
1	08/20/16	ADDED FLOODING INFORMATION
2	08/20/16	REVISION PER TOWN OF HUNTERSVILLE
3	7/19/2016	REVISION PER TOWN OF HUNTERSVILLE

Civil & Environmental Consultants, Inc.
1900 Center Park Drive - Suite A - Charlotte, NC 28217
Ph: 980.237.0373 - Fax: 980.237.0372
www.cesctc.com

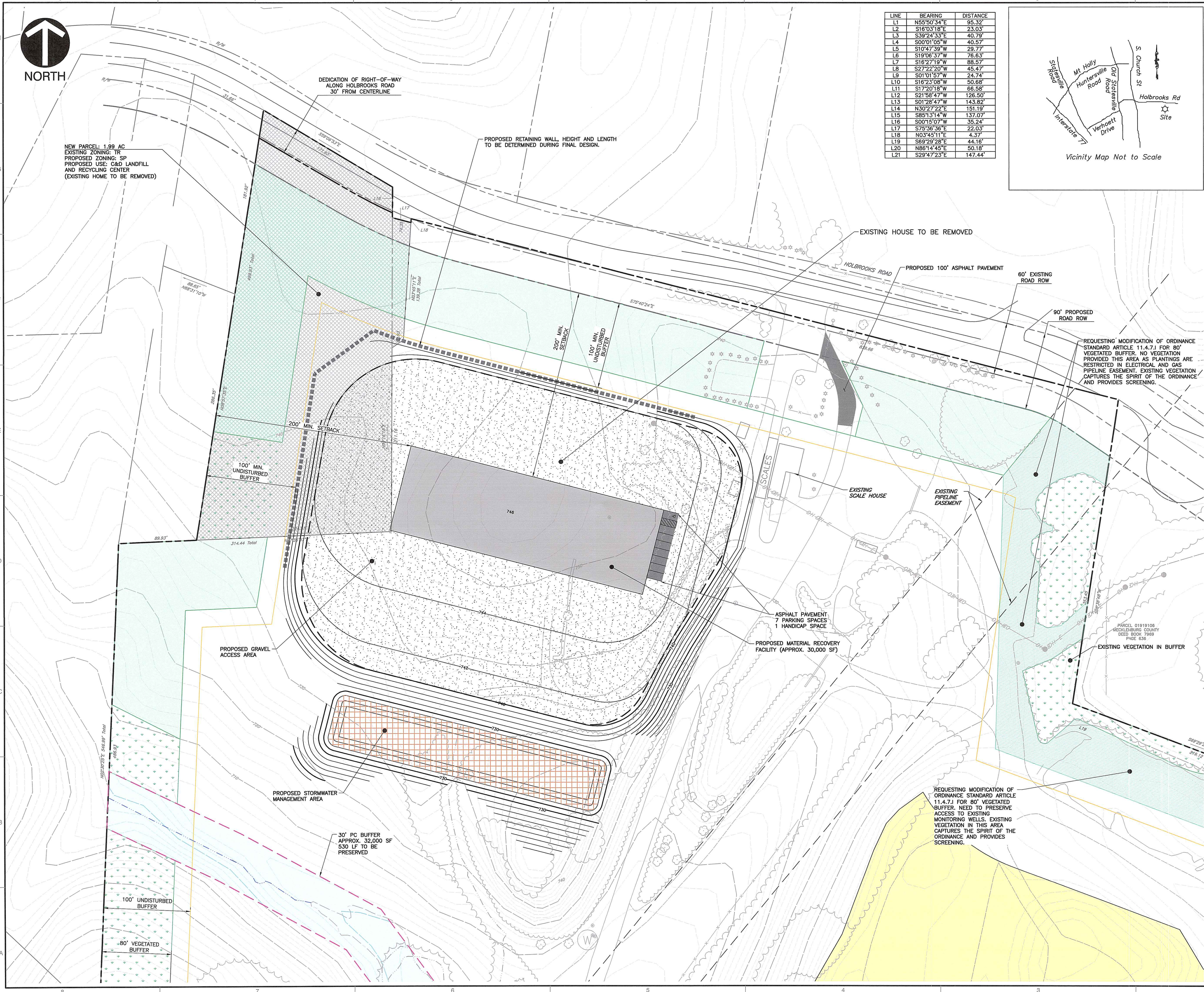
CONDITIONAL DISTRICT SITE PLAN

DRAWING NO.: **CD100**

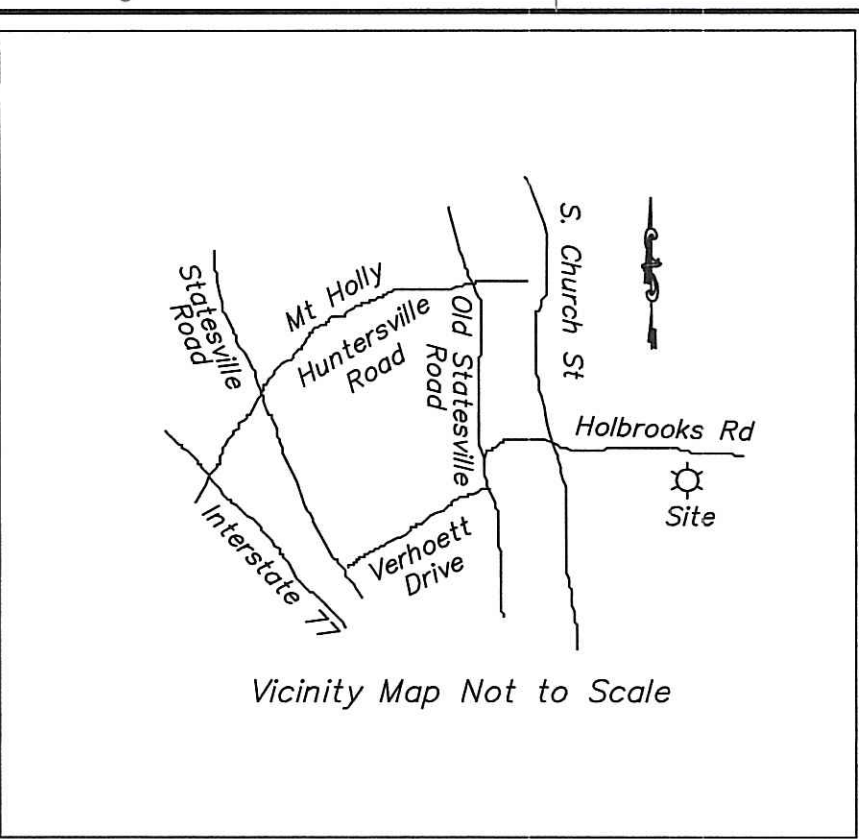
SHEET 2 OF 3

DATE: MAY 2016
DRAWN BY: CTH
DWG SCALE: 1"=200'
CHECKED BY: TMG
PROJECT NO.: 111-370-001
APPROVED BY: SLB

P:\2017\111-5701-0000\001\Draw\111-5701-0000-Sub Area\Huntersville\Revised\Process\3.08.16.mxd\CONDITIONAL DISTRICT SITE PLAN 2] LS(7/19/2016 - 12:00 PM) - 7/19/2016 12:00 PM



LINE	BEARING	DISTANCE
L1	N55°50'34"E	95.32'
L2	S16°03'18"E	23.03'
L3	S39°24'33"E	40.79'
L4	S00°01'05"W	40.57'
L5	S10°47'39"W	29.77'
L6	S19°06'57"W	76.63'
L7	S16°27'19"W	88.57'
L8	S27°22'20"W	45.47'
L9	S01°01'57"W	24.74'
L10	S16°23'08"W	50.68'
L11	S17°20'18"W	66.58'
L12	S21°58'47"W	126.50'
L13	S01°28'47"W	143.82'
L14	N30°27'22"E	151.19'
L15	S85°13'14"W	137.07'
L16	S00°15'07"W	35.24'
L17	S75°36'36"E	22.03'
L18	N03°45'11"E	4.37'
L19	S69°29'28"E	44.16'
L20	N86°14'45"E	50.18'
L21	S29°47'23"E	147.44'



LEGEND

EXISTING VEGETATED BUFFER

PROPOSED PLANTING AREA WITHIN 80' BUFFER PER ORD. SEC. 7.5.3

AREA FOR REQUESTED MODIFICATION FROM PLANTING REQUIREMENT WITHIN 80' VEGETATED BUFFER

PROPOSED BUILDING

PROPOSED GRAVEL ACCESS PAD

PROPOSED STORMWATER MANAGEMENT AREA

PROPOSED PROPERTY FOR REZONING

CLOSED PHASE 1 WASTE AREA

CLOSED EXPANSION I WASTE AREA

ACTIVE EXPANSION II AND INFILL WASTE AREAS

PROPOSED WASTE AREA

PROPOSED PC/SWIM BUFFER IMPACT

PROPOSED PC/SWIM BUFFER PRESERVATION

STREAM BUFFER

FEMA 100 YEAR FLOOD PLAIN (COUNTY GIS)

80' VEGETATIVE BUFFER

100' UNDISTURBED BUFFER

APPROXIMATE STREAM LOCATION

COMMUNITY ENCROACHMENT AREA (COUNTY GIS)

FEMA FLOODWAY (COUNTY GIS)

NOTES

1. BUILDING, STORMWATER MANAGEMENT, GRAVEL DRIVE AND WASTE AREA SIZES AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE IN NATURE AND MAY BE ADJUSTED DURING PERMITTING, FINAL DESIGN AND CONSTRUCTION PLAN PREPARATION.

2. THE 80' VEGETATED BUFFER WILL REQUIRE TREE AND SHRUB PLANTING IN ACCORDANCE WITH TOWN ORDINANCE SECTION 7.5.3.

3. PROPERTY ADDRESS IS 15300 HOLBROOKS ROAD, HUNTERSVILLE, NC 28078.

4. AREAS, LENGTHS AND CALCULATIONS OF STREAM BUFFER IMPACTS AND CORRESPONDING MITIGATION AREAS ARE APPROXIMATE AND HAVE NOT BEEN FIELD CERTIFIED.

5. EXISTING HOUSE ADJACENT TO HOLBROOKS ROAD TO BE REMOVED.

6. LIGHTING PLAN SHALL BE IN ACCORDANCE WITH ARTICLE 8.26.

7. VEHICULAR ACCESS TO THE FACILITY IS LIMITED TO HOLBROOKS ROAD. FENCING AND GATE WILL BE PROVIDED ALONG HOLBROOKS ROAD. HEAVY VEGETATION PREVENTS ACCESS TO THE REMAINDER OF THE SITE. THE NEAREST PUBLIC RIGHT-OF-WAYS INCLUDE STATESVILLE ROAD (WEST ¼ MILE), TRAILS END LANE (SOUTH ¼ MILE) AND WILDLIFE LANE (EAST ¼ MILE).

8. NO ROOF TOP UTILITIES PLANNED.

9. WASTE DISPOSAL AREAS TO BE CONSTRUCTED IN ACCORDANCE WITH NCDQ SOLID WASTE REGULATIONS, VEHICULAR ACCESS AND STORMWATER MANAGEMENT AREAS ARE PERMITTED WITHIN REQUIRED SOLID WASTE BUFFERS.

10. NO ACTIVE WELLS FOUND WITHIN 500' OF PROPOSED WASTE FILL AREAS.

11. AREAS NOT SHOWN TO BE PLANTED OR WHERE RELIEF FROM PLANTING REQUIREMENTS IS NOT REQUESTED CONTAIN EXISTING VEGETATION TO PROVIDE SCREENING.

12. PLAN APPROVAL CONTINGENT UPON COMPLETION OF A TREE SURVEY.

REFERENCE

1. PRELIMINARY PLAT FOR PARCEL PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016.

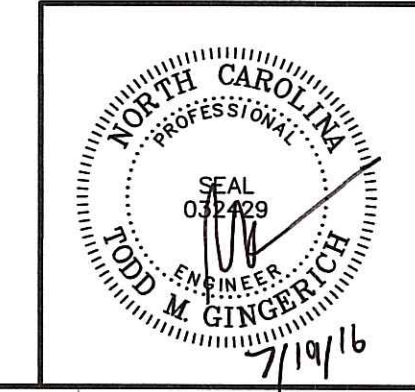
2. EXISTING SITE TOPOGRAPHY AND FLOOD ZONE OBTAINED FROM MECKLENBURG COUNTY GIS APRIL 2016.

3. PROPOSED WASTE AREA AND ASSOCIATED STORMWATER MANAGEMENT AREAS PROVIDED BY JOYCE ENGINEERING, INC.

4. PROPOSED PLANTING AREAS WITHIN 80' BUFFER BASED ON REVIEW OF 2015 SITE AERIAL PHOTOGRAPHY PROVIDED BY PATTERSON LAND SURVEYING, PA, APRIL 2015.

5. STREAM BUFFER BOUNDARY BASED ON APPROXIMATE STREAM CENTERLINE PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.

SCALE IN FEET
0 50 100
NORTH CAROLINA
BOARD OF EXAMINERS
FOR ENGINEERS AND
SURVEYORS LICENSE
NO. C-3035



REVISION RECORD

NO	DATE	DESCRIPTION
1	05/02/16	ADDED FLOODZONE INFORMATION
2	05/02/16	REVISION PER TOWN OF HUNTERSVILLE
3	7/19/2016	REVISION PER TOWN OF HUNTERSVILLE

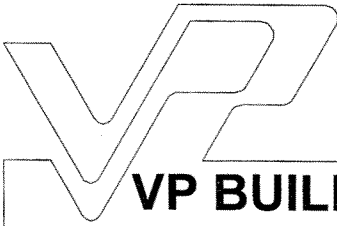
Civil & Environmental Consultants, Inc.
1900 Center Park Drive - Suite A - Charlotte, NC 28217
Ph: 980.237.0373 - Fax: 980.237.0372
www.ccecinc.com

CONDITIONAL DISTRICT REZONING
GREENWAY WASTE SOLUTIONS
AT NORTH MECK, LLC
15300 HOLBROOKS ROAD
HUNTERSVILLE, NORTH CAROLINA

CONDITIONAL DISTRICT SITE PLAN

DATE: MAY 2016 DRAWN BY: CTH
DWG SCALE: 1"=50' CHECKED BY: TMG
PROJECT NO: 111-570.001
APPROVED BY: SLB

DRAWING NO: CD101
SHEET 3 OF 3



VP BUILDINGS

VARCO PRUDEN

A BlueScope Steel Company

DRAWING INDEX	
DRAWING TITLE	PAGES
Cover Sheet	1
Notes	2
Anchor Rod Plan	3
Primary Structural	4- 11
Secondary Structural	12- 14
Covering	15- 19
Special Drawings	
Standard Erection Details	20- 22

DRAWING RELEASE HISTORY		
TYPE	DATE	DESCRIPTION
A. Rod drawings	2-5-09	FOR CONSTRUCTION
ERECTOR DRAWINGS	2-13-09	FOR CONSTRUCTION

GENERAL NOTES

MATERIALS

3 PLATE WELDED SECTIONS
 COLD FORMED LIGHT GAGE SHAPES
 BRACE RODS
 HOT ROLLED MILL SHAPES
 HOT ROLLED ANGLES
 HOLLOW STRUCTURAL SECTION (HSS)
 CLADDING

ASTM DESIGNATION

A529, A572, A1011, A1018
 A653, A1011
 A572
 A36, A529, A572, A588, A709, A992
 A529, A572, A588, A709, A992
 A500
 A653, A792

GRADE 55
 GRADE 60
 GRADE 50
 GRADE 36 KSI UNLESS NOTED
 GRADE 50
 GRADE B
 GRADE 50 OR GRADE 80

A325 & A490 BOLT TIGHTENING REQUIREMENTS

IT IS THE RESPONSIBILITY OF THE ERECTOR TO INSURE PROPER BOLT TIGHTNESS IN ACCORDANCE WITH APPROPRIATE REGULATIONS. THE FOLLOWING CRITERIA IS IN COMPLIANCE WITH THE LATEST SPECIFICATIONS, HOWEVER THE ERECTOR IS RESPONSIBLE TO VERIFY LOCAL AUTHORITY REQUIREMENTS.
 ALL CONNECTIONS MADE WITH A325 BOLTS MAY BE TIGHTENED TO THE "SNUG TIGHT" CONDITION AS PERMITTED BY THE SPECIFICATION FOR STRUCTURAL JOINTS USING A325 OR A490 BOLTS (2004 ED), UNLESS INDICATED AS "PRE-TENSIONED" ELSEWHERE IN THESE DRAWINGS, OR AS INDICATED BELOW.

PRE-TENSION BOLTS ON PRIMARY FRAMING, BOLTED BRACING, AND STRUT CONNECTIONS IF LOCATED IN IBC SEISMIC PERFORMANCE / DESIGN CATEGORY D, E OR F, UBC ZONE 3 OR 4. SEE CODES AND LOADS NOTES BELOW FOR FOR SEISMIC DESIGN CATEGORY. PRE-TENSION ALL PRIMARY FRAMING CONNECTIONS IN CANADA.

PRE-TENSION BOLTS ON PRIMARY FRAMING, BOLTED BRACING, STRUTS AND CRANE RUNWAY CONNECTIONS IF BUILDING SUPPORTS A CRANE WITH A CAPACITY GREATER THAN 5 TONS.

CONNECTIONS THAT SUPPORT RUNNING MACHINERY AND OTHER SOURCES OF IMPACT OR STRESS REVERSAL MUST BE PRE-TENSIONED.

ALL SLIP CRITICAL CONNECTIONS AS INDICATED IN THESE DRAWINGS WITH -SC DESIGNATION MUST BE PRE-TENSIONED. SC TYPE CONNECTIONS MUST BE FREE OF PAINT, OIL OR OTHER MATERIALS THAT REDUCE THE FRICTION AT CONTACT SURFACES.

CONNECTIONS DESIGNATED AS A325-X OR A490-X SHALL BE INSTALLED WITH BOLT HEAD ON SIDE OF THE THINNEST PLATE BEING CONNECTED.

SECONDARY MEMBERS AND FLANGE BRACE CONNECTIONS ARE ALWAYS "SNUG TIGHTENED", EVEN IF ABOVE CONDITIONS EXIST, UNLESS SPECIFICALLY NOTED OTHERWISE ON DETAILS.
 WASHERS ARE NOT REQUIRED FOR "SNUG-TIGHT" CONNECTIONS. PRE-TENSIONED A325 OR A490 CONNECTIONS TIGHTENED USING THE TURN-OF-THE-NUT METHOD DO NOT REQUIRE WASHERS. A490 BOLTS MUST ALWAYS BE PRE-TENSIONED.

CODES AND LOADS

WHEN MULTIPLE BUILDINGS ARE INVOLVED, SPECIFIC LOAD FACTORS FOR DIFFERING OCCUPANCIES, BUILDING DIMENSIONS, HEIGHTS, FRAMING SYSTEMS, ROOF SLOPES, ETC., MAY RESULT IN DIFFERENT LOAD APPLICATION FACTORS THAN INDICATED BELOW. SEE CALCULATIONS FOR FURTHER DETAILS.

Building Code: 2006 International Building Code
 Waste Transfer Station : Building Use:Standard Occupancy Structure, Collateral Gravity: 3.00 psf (Not including bldg wt)
 LIVE LOADS AND RAINFALL
 Live Load 20.00 psf (Reducible)
 Rainfall: 8.00 inches per hour

SNOW LOAD
 Ground Snow: 15.00 psf, Flat Roof Snow: 12.50 psf
 Snow Exposure Category (Factor): 2 Partially Exposed (1.00)
 Snow Importance: 1.000 Thermal Category (Factor): Unheated (1.20)

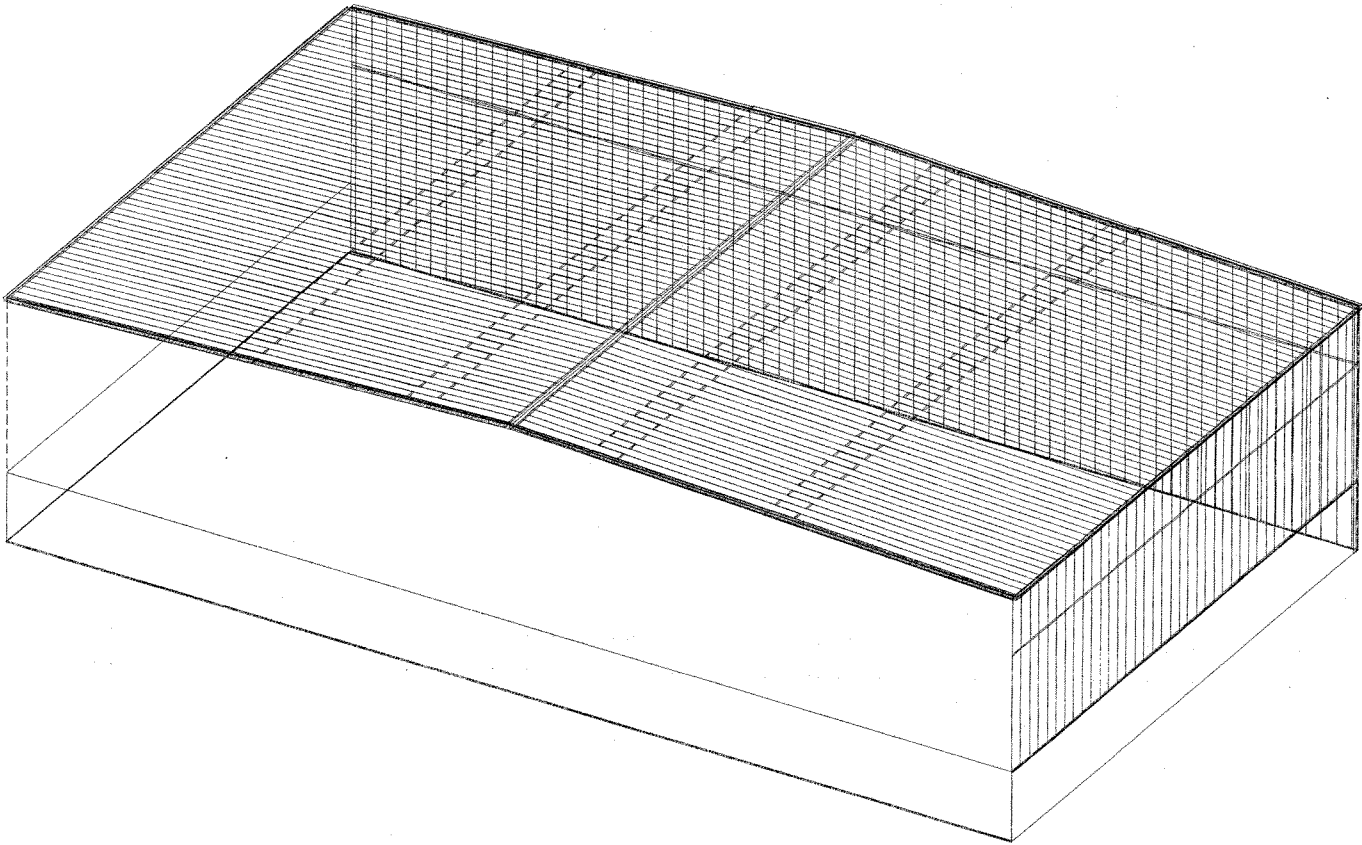
WIND LOAD
 Wind Speed: 95.00 mph, Wind Exposure: B
 Basic Wind Pressure: 15.83 psf
 Wind Importance Factor: 1.000, Ft= Topographic Factor: 1.0000
 Wind Enclosure: Partially Enclosed, 0.550
 Note: All windows, doors, skylights and other covered openings must be designed for the specified above wind loads

EARTHQUAKE DESIGN DATA
 Lateral Force Resisting Systems using Equivalent Force Procedure
 Mapped Spectral Response - Ss:24.10 %g, S1:10.10 %g
 Seismic Hazard / Use Group: Group 1
 Seismic Performance / Design Category: C (See Bolt Tightening Note Above)
 Seismic Snow Load: 0.00 psf
 Seismic Importance: 1.000
 Soil Profile Type: Stiff soil (D, 4)
 Design Spectral Response - Sds: 0.2571, Sd1: 0.1616

Ordinary Steel Moment Frames
 Frame Redundancy Factor:1.0000
 Framing R-Factor: 3.0000, Frame Seismic Factor (%s): 0.0855, Design Base Shear = 0.0855 W
 Ordinary Steel Concentric Braced Frames
 Brace Redundancy Factor:1.0000
 Bracing R-Factor: 3.0000, Brace Seismic Factor (%s): 0.0857, Design Base Shear = 0.0857 W



1-6-09
 2-13-09



VP Buildings 3200 Players Club Circle Memphis TN 38125

THE VP ENGINEER'S SEAL APPLIES ONLY TO THE WORK PRODUCT OF VP AND DESIGN AND PERFORMANCE REQUIREMENTS SPECIFIED BY VP. THE VP ENGINEER'S SEAL DOES NOT APPLY TO THE PERFORMANCE OR DESIGN OF ANY OTHER PRODUCT OR COMPONENT FURNISHED BY VP EXCEPT TO ANY DESIGN OR PERFORMANCE REQUIREMENTS SPECIFIED BY VP.

THIS DRAWING, INCLUDING THE INFORMATION HEREON, REMAINS THE PROPERTY OF VP BUILDINGS.
 IT IS PROVIDED SOLELY FOR ERECTING THE BUILDING DESCRIBED IN THE APPLICABLE PURCHASE ORDER AND SHALL NOT BE MODIFIED, REPRODUCED OR USED FOR ANY OTHER PURPOSE WITHOUT PRIOR WRITTEN APPROVAL OF VP BUILDINGS.
 THE GENERAL CONTRACTOR AND/OR ERECTOR IS SOLELY RESPONSIBLE FOR ACCURATE, GOOD QUALITY WORKMANSHIP IN ERECTING THIS BUILDING IN CONFORMANCE WITH THIS DRAWING, DETAILS REFERENCED IN THIS DRAWING, ALL APPLICABLE VP BUILDINGS ERECTION GUIDES, AND INDUSTRY STANDARDS PERTAINING TO PROPER ERECTION, INCLUDING THE CORRECT USE OF TEMPORARY BRACING.



COVER SHEET

BUILDER Annis Building Corp.
 CUSTOMER
 LOCATION Raleigh, North Carolina
 PROJECT Shotwell W.T.P.
 BUILDERS PO#



JOBNO 09-379
 DATE 2-5-2009
 DRAWN / CHECK VEM
 PAGE 1

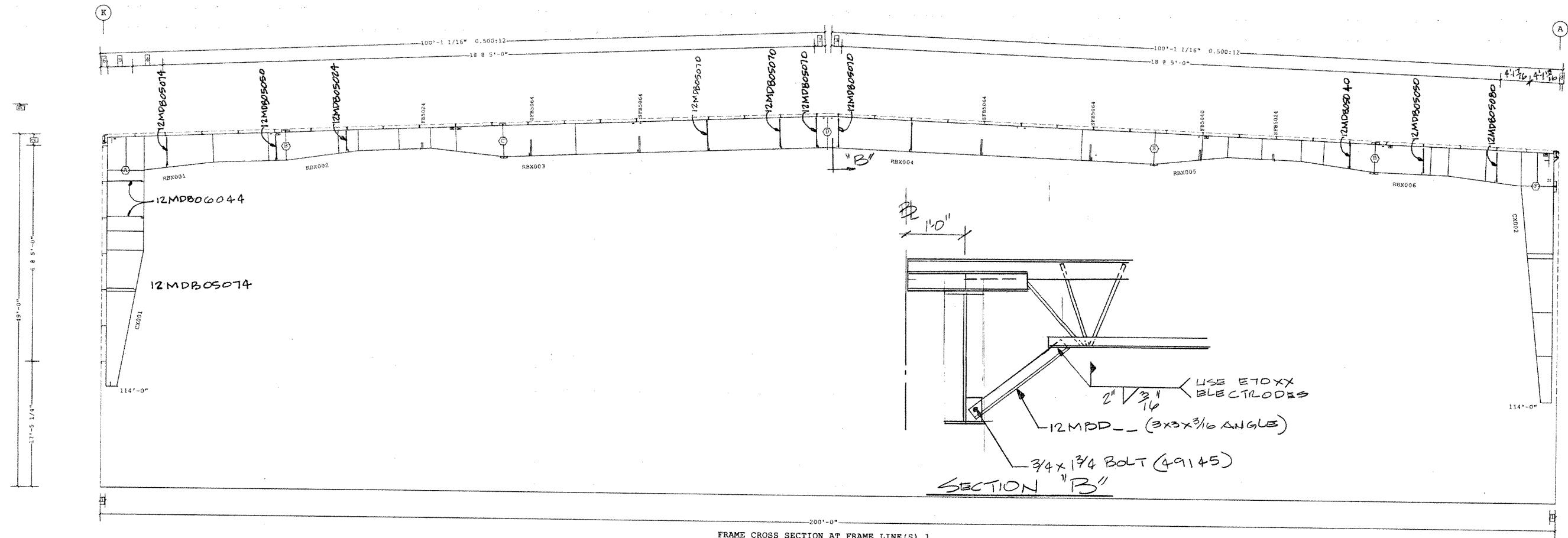
FILENAME 2256-08-1403 revised lc at 1 & 2.VPC

Concept elevations, final design pending.

Part	Mem	Width	Thick	WebThk.	Depth1	Depth2	Approx. Lgth
CX001	1	8"	.6250	.3125	1'-6"	5'-0"	30'-0 7/8"
	2	8"	.7500	.5000	5'-0"	5'-0"	
RBX001	3	1'-0"	.7500	.3750	4'-9"	3'-11"	24'-4 1/2"
	4	1'-0"	.7500	.2500	3'-11"	3'-11"	
RBX002	5	8"	.7500	.2500	3'-11"	2'-11"	30'-0"
	6	8"	.5000	.2500	2'-11"	2'-11"	
	7	8"	.6250	.2500	2'-11"	4'-4"	
RBX003	8	8"	.7500	.3125	4'-4"	4'-4"	44'-11 15/16"
	9	8"	1.0000	.2500	4'-4"	4'-4"	
RBX004	10	8"	1.0000	.2500	4'-4"	4'-4"	44'-11 15/16"
	11	8"	.7500	.3125	4'-4"	4'-4"	
RBX005	12	8"	.6250	.2500	4'-4"	2'-11"	30'-0 1/8"
	13	8"	.5000	.2500	2'-11"	2'-11"	
	14	8"	.7500	.2500	2'-11"	3'-11"	
RBX006	15	1'-0"	.7500	.2500	3'-11"	3'-11"	24'-6 3/4"
	16	1'-0"	.7500	.3750	3'-11"	4'-9"	
CX002	17	1'-3"	.7500	.3125	3'-5 15/16"	4'-6"	30'-0 9/16"
	18	1'-3"	.7500	.2500	1'-6"	3'-5 15/16"	

Id	Bolt Connection		Plate Schedule		Plate Thk.	Rows Out	Rows In	Tension Bolt	Washer
	ASTM	Q1913	Bolt	Length					
A	12	A325	Dia.	4 1/2"	1 1/4"	4	2		
B	16	A325	7/8"	2 3/4"	3/4"	4	4		
C	16	A325	3/4"	2 1/4"	5/8"	4	4		
D	14	A325	1"	3 1/2"	1"	3	4		
E	14	A325	3/4"	2 1/4"	5/8"	3	4		
F	14	A325	1 1/4"	4"	1"	4	3		

Frame Clearances
 Horiz. Clearance between members 1(CX001) and 17(CX002): 189'-1"
 Horiz. Clearance between members 1(CX001) and 18(CX002): 190'-1 1/16"
 Horiz. Clearance between members 2(CX001) and 17(CX002): 189'-1"
 Horiz. Clearance between members 2(CX001) and 18(CX002): 190'-1 1/16"
 Vert. Clearance at member 2(CX001): 44'-0 13/16"
 Vert. Clearance at member 17(CX002): 44'-0 9 15"
 Finished Floor Elevation = 100'-0" (Unless Noted Otherwise)



FRAME CROSS SECTION AT FRAME LINE(S) 1

9 53'-2" Ridge Ht.
8 3 1/2"
6 3 1/2"
5 4'-1 15/16"
4 4'-1 7/16"
3 1'-6 3/16"
2 1'-6 3/4"
1 8 1/2"

☐ Dimension Key

1. USE 1/2 X 1 1/2 A325 SNUG TIGHTENED BOLTS FOR PURLIN TO FRAME, GIRT TO FRAME, AND GIRT TO CLIP CONNECTIONS UNLESS NOTED OTHERWISE.
2. SLOT REINFORCEMENT PLATES NEED NOT BE LOCATED ON THE SAME SIDE OF THE WEB AS THE HILLSIDE WASHER.

THE VP ENGINEER'S SEAL APPLIES ONLY TO THE WORK PRODUCT OF VP AND DESIGN AND PERFORMANCE REQUIREMENTS SPECIFIED BY VP. THE VP ENGINEER'S SEAL DOES NOT APPLY TO THE PERFORMANCE OR DESIGN OF ANY OTHER PRODUCT OR COMPONENT FURNISHED BY VP EXCEPT TO ANY DESIGN OR PERFORMANCE REQUIREMENTS SPECIFIED BY VP.

Shape Name = Waste Transfer Station Wall 4, Frame 1

THIS DRAWING, INCLUDING THE INFORMATION HEREON, REMAINS THE PROPERTY OF VP BUILDINGS. IT IS PROVIDED SOLELY FOR ERECTING THE BUILDING DESCRIBED IN THE APPLICABLE PURCHASE ORDER AND SHALL NOT BE MODIFIED, REPRODUCED OR USED FOR ANY OTHER PURPOSE WITHOUT PRIOR WRITTEN APPROVAL OF VP BUILDINGS.

THE GENERAL CONTRACTOR AND/OR ERECTOR IS SOLELY RESPONSIBLE FOR ACCURATE, GOOD QUALITY WORKMANSHIP IN ERECTING THIS BUILDING IN CONFORMANCE WITH THIS DRAWING, DETAILS REFERENCED IN THIS DRAWING, ALL APPLICABLE VP ERECTION GUIDES, AND INDUSTRY STANDARDS PERTAINING TO PROPER ERECTION, INCLUDING THE CORRECT USE OF TEMPORARY BRACING.

VP Buildings
3200 Players Club Circle Memphis TN 38125

REV	DATE	BY	DESCRIPTION

FOR CONSTRUCTION

FRAME CROSS SECTION AT FRAME LINE(S) 1

BUILDER	Annis Building Corp.
---------	----------------------

CUSTOMER	
----------	--

LOCATION	Raleigh, North C
----------	------------------

PROJECT	
---------	--

FILENAME: 2256-08-1403 revised ic at 1 & 2.VPC



JOBNO
 09-379
 DATE
 2/11/2009
 DRAWN/CHECK
 JTI / BLM
 PAGE
 5

Town of Huntersville, North Carolina

Special Use Permit Granted

On Monday, November 21, 2005, the Huntersville Town Board held a public meeting to consider the below noted Special Use Permit:

Special Use Permit request by Griffin Brothers Enterprises, Inc. to expand the North Mecklenburg Landfill by 25 acres on the south side of Holbrooks Road near the end of the street, Tax Parcels 01919114, 01919107, 01919112, 01919120, 01919198.

Having heard all the evidence and argument presented at the hearing, the Board finds the application is complete, that the application complies with all of the applicable requirements of the Huntersville Zoning Ordinance for the expansion proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance, the attached Findings of Fact, and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Town of Huntersville Town Hall.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

IN WITNESS WHEREOF, the Town of Huntersville has cause this permit to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

_____, owner(s) of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owners do further acknowledge that no work may be done pursuant to the permit except in accordance with all of its conditions and requirements and that the restriction shall be binding on them and their successors in interest.

Owner

NORTH CAROLINA

MECKLENBURG COUNTY

I, _____, certify that the following person(s) personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:.

(Name and capacity of person(s) signing)

Date: _____

Notary Public

(Official Seal)

(Not valid until fully executed)

ADOPTED FINDING OF FACT:

1. *The existing C&D landfill is over 60 acres in size.*
2. *A thoroughfare study was previously funded and the proposed alignment of Verhoeff Drive will be approximately 2,000' south of the proposed landfill expansion area.*
3. *If approved, the landfill expansion area will operate no longer than five years from the date the final state approval is granted for the landfill operation.*
4. *According to the site plan, the expansion area does not exceed 25 acres. The site plan does show a small area to the south of the expansion area that is to be an undisturbed buffer.*
5. *The proposed alignment of Verhoeff Drive will be approximately 2,000' south of the landfill expansion area.*
6. *The site plan prepared by BPB dated September, 2005 shows there will be over a 500' buffer between the fill area and existing residential water supply wells; a 200' buffer from adjacent property to the fill area; and over a 50' buffer from the road right-of-way to the fill area. A more detailed map will need to be submitted indicating details on the C&D landfill (i.e. fill limits, proposed stockpile areas; sediment basins' etc.) to further verify compliance with this subsection. The applicant has stated they will comply with all applicable buffer/setback requirements (see attached letter).*
7. *The North Mecklenburg Landfill has been granted one expansion. If approved, there can be no more expansions under the provisions of 9.23(9). Additional landfill activity would have to comply with the provisions of section 9.23 for new landfills.*
8. *The proposed C&D landfill will comply with all state and Town of Huntersville regulations. In an email dated August 11, 2005, Mr. Mike Stilwell, Solid Waste Compliance Inspector for Mecklenburg County, indicated the site has been inspected by him monthly since July 2003 and there have been no notices of violation for the landfill site. The applicant has stated they will continue to pick-up all trash and materials that are dropped on Holbrooks Road and portions of Hwy. 115 around Holbrooks Road. Further, the applicant has stated they have contracted a person to clean-up all roadside litter on Holbrooks and Old Statesville Road from North Meck High School to Gilead Road every Monday and Thursday (see attached).*
9. *There is no detailed plan adopted for the area in question. Therefore the proposed use does not conflict with any adopted plan.*
10. *The Traffic Impact Analysis has been submitted and review by the Town Traffic Engineer. Mr. David Jarrett, Town Engineer, is requesting that Holbrooks Road be improved at the intersection with NC 115 to a three-lane section.*
11. *The North Mecklenburg Landfill will comply with all Town of Huntersville buffer requirements.*
12. *The North Mecklenburg Landfill shall comply with the vehicular and pedestrian access standards of this subsection.*
13. *According to the application submitted, there will be no filling in the regulated floodplain.*
14. *The site plan indicates driveways serving the site are at least 30' wide which is enough to accommodate two-way traffic.*

15. *The landfill operator shall remove all debris, dirt, and other materials in accordance with this provision.*
16. *The applicant shall be limited to the hours of 7am until 6pm Monday through Saturday since this site adjoins property zoned residential.*
17. *The landfill operator shall provide an irrevocable letter of credit in compliance with this subsection ensure the landfill area will be closed in an approved fashion.*
18. *The applicant intends to fill the expansion site to about 20% capacity per year for a five year time period according to the application.*
19. *According to the application, "NCDENR details the minimum requirements and monitoring methods to which we must perform upon closing the facility. We have a 30 year ground water monitoring commitment. Per the included area map, our property will be very compatible for a county or town park. We are willing to commit to this post closure.*
20. *The property proposed for the landfill expansion area is zoned Transitional Residential.*
21. *The proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property;*



Special Use Permit Amendment Granted

On Monday, December 7th, 2009, the Huntersville Town Board held a public meeting to consider the below noted Special Use Permit Amendment:

SUP05-01: Special Use Permit amendment request by Griffin Brothers Enterprises, Inc. to remove the expiration date of the permit and to amend its conditions as described in the attached finding of fact; Tax Parcels 01919114, 01919107, 01919112, 01919120, 01919198, 01910117, 01910102, 01910108, 01919113.

Having heard all the evidence and argument presented at the hearing, the Board finds the application is complete, that the application complies with all of the applicable requirements of the Huntersville Zoning Ordinance for the operation proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance, the attached Findings of Fact, and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Town of Huntersville Town Hall.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

IN WITNESS WHEREOF, the Town of Huntersville has cause this permit to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

Michael L. Griffin, Sec/Treas., owner(s) of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owners do further acknowledge that no work may be done pursuant to the permit except in accordance with all of its conditions and requirements and that the restriction shall be binding on them and their successors in interest.

A handwritten signature in black ink, appearing to read "M. L. Griffin", written over a horizontal line.

Owner

Planning

Post Office Box 664 • 101 Huntersville-Concord Road • Huntersville, NC 28070
phone 704.875.7000 • fax 704.875.6546 • www.huntersville.org

NORTH CAROLINA

MECKLENBURG COUNTY

I, Michelle V. Haines, certify that the following person(s) personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:.

Michael L. Griffin Sec/Treas.

(Name and capacity of person(s) signing)

Date: Feb. 18, 2010

Michelle V. Haines
Notary Public

(Official Seal)

(Not valid until fully executed)

AMENDED FINDINGS OF FACT (as amended 12/7/09):

1. *The North Mecklenburg Landfill is an existing landfill with an unexpired special use permit that would be allowed to continue to operate in its current zoning designation per Article 9.23.10. The proposed application is to amend the existing special use permit to remove the expiration date so it can continue its use within its current boundaries indefinitely; infilling the site as shown on the site plan. The “infill” area would be located between two closed fill areas that currently exist onsite. No expansions are currently proposed. No rezoning to SP would be required as long as 1. The special use permit does not expire and 2. No expansions outside of the current property boundaries take place. The current special use permit is good through October 26th, 2011.*
2. *The NCDENR (North Carolina Division of Environment and Natural Resources) permit was approved on October 26th, 2006 and is attached for reference. Please also find an email from Joe Hack (Solid Waste Management, Mecklenburg County). Mr. Hack reports no violations or compliance issues in the last five years. The North Mecklenburg landfill will continue to be subject to the NCDENR rules and regulations.*
3. *Per the email from Mecklenburg County Waste Management, staff has no reason to believe public health, safety, or property values will be negatively affected by the amended special use permit.*
4. *The proposed use does not conflict with any adopted/accepted small area plans. However, the East Huntersville Plan does call for a connector road to be established through the proposed property in question (connecting the proposed North Mecklenburg Industrial Park to the south with the future Asbury Chapel Road extension to the north). The applicant has agreed to reserve right-of-way for the future connection as shown in the East Huntersville Small Area Plan. It is unclear at this time who would be responsible for constructing the connector road through the subject property.*
5. *The applicants intend to continue to use Holbrooks Road as their main access to the facility as no thoroughfare or commercial street is currently available. Please see the letter from the applicant attached. They have agreed to move their main entrance from Holbrook Road to the future thoroughfare (Asbury Chapel Extension) to the north or the commercial business park roads (North Mecklenburg Business Park) to the south. However their proposal would only make the move required if a completed and constructed street along with associated right of way becomes immediately adjacent to their property. No proposal to construct any of the proposed thoroughfares or commercial streets (on or off their property) has been offered. Please find an email from Max Buchanan (Huntersville Public Works Director dated November 3rd, 2009) attached. According to Mr. Buchanan, the NCDOT Maintenance Engineer for the area has stated that “Holbrooks Road requires regular maintenance activities be performed due to a large volume of truck traffic on pavement structure not designed to carry such volumes/weights”. However no proposal for improvements or maintenance for Holbrooks Road has been received (other than to clean debris and trash; see below) from the applicant.*
6. *Because the facility existed prior to the effective date of the TIA ordinance, it is not required to submit a traffic impact analysis per Article 14.2.1 (G). However if there is ever an expansion to the outer property boundaries of the site, a TIA may be required if the expansion meets the threshold requirements of Article 14.*

7. *The North Mecklenburg Landfill letter states that they comply with all buffers listed above except one. The northwest portion of the property has an existing dirt road that is within the 100 foot undisturbed buffer area. This is a pre-existing condition that, because of the location of closed out fill areas, can not reasonably be changed.*
8. *According to the attached letter from the applicant, their main driveway is paved 170 feet back from Holbrooks Road to their gated entrance.*
9. *The North Mecklenburg Landfill currently has a security fence that extends around the active fill area and the front main entrance. The closed out fill area does not have a security fence.*
10. *The application letter lists the driveway entrance at 48 feet wide 100 feet back from Holbrooks Road.*
11. *In the letter attached, the applicant has agreed to be responsible for a weekly cleaning of Holbrooks Road.*
12. *The North Mecklenburg Landfill is adjacent to and inside a residential zoning district therefore the restricted hours of operation will apply.*
13. *The letter from the applicant estimates the new life expectancy of the landfill to be 25 years.*
14. *Please find the proposed reclamation plan submitted by the applicant attached. The submitted information has not been approved as of yet by NCDENR.*
15. *The North Mecklenburg Landfill is a Construction and Demolition Landfill (C&D) and is not subject to this section of the ordinance. This section of the ordinance applies to Land Clearing and Inert Debris Landfills (LCID).*
16. *The current special use permit for the North Mecklenburg landfill is currently unexpired and valid. It states that the landfill could operate no longer than five years from the date the final state approval is granted. The state approval was granted in October 26th, 2006 therefore under the current special use permit the landfill needs to cease operation on or before October 26th, 2011. This proposed special use permit amendment however would remove the time restriction from the permit and the existing landfill would be allowed to continue to operate within its current boundaries indefinitely per the article above.*

Conditions added by the Town Board at the Special Use Permit Hearing

17. *The applicant must be annexed into the Town of Huntersville.*
18. *The applicant must enter into a franchise agreement with the town that will have an expiration date 10 years from the date of the approval. The special use permit has no expiration date.*
19. *The safety, stability, and capacity to handle commercial trucks for Holbrooks Road must be revisited by the Town and NCDOT in 5 years.*
20. *The applicant will donate \$25,000 for the improvements and/or maintenance of Holbrooks Road within the 10 year term of their franchise agreement with the Town.*

From: Max Buchanan
Sent: Wednesday, December 02, 2009 1:58 PM
To: Bradley Priest; Bill Coxe
Subject: Fw: NCDOT Meeting - Holbrooks Road

Max L. Buchanan, PE
Town Engineer
Public Works Director
Town of Huntersville, NC
704-875-7007
mbuchanan@huntersville.org

----- Original Message -----

From: Mitchell, Louis L <lmitchell@ncdot.gov>
To: Canipe, Brett D <bcanipe@ncdot.gov>; jmueller@griffinbrothers.com
<jmueller@griffinbrothers.com>
Cc: Max Buchanan
Sent: Wed Dec 02 09:15:41 2009
Subject: RE: NCDOT Meeting - Holbrooks Road

Mr. Mueller

We have analyzed Holbrooks Rd. and have surveyed the Traffic and proposed future for this facility. In view of our findings, it is my recommendation that this facility have the proper pavement failures repaired/ patched followed by a 1.5 inch overlay. Holbrooks Rd. does not possess the pavement structure to accommodate the truck traffic it has experienced and will be subject to with the continued use your Company is planning. The facility has started to show signs of the stresses placed upon it, which will require abatement. If this facility is not repaired will have no choice, but to place a weight restriction to prevent further damages and deterioration. We trust that you understand our position. If you have any additional questions, please advise.

Louis L. Mitchell
District Engineer-Mecklenburg
NCDOT

From: Canipe, Brett D
Sent: Tuesday, December 01, 2009 4:32 PM
To: Mitchell, Louis L
Subject: FW: NCDOT Meeting - Holbrooks Road

Louis,

I have yet to respond to Mr. Mueller. Can you provide confirmation to him on your decision.

thanks,

Brett

From: Justin Mueller [<mailto:jmueller@griffinbrothers.com>]

Sent: Tuesday, December 01, 2009 11:25 AM

To: Canipe, Brett D

Cc: Mike Griffin

Subject: NCDOT Meeting - Holbrooks Road

Brett,

Just checking in to see if you had heard any word from Louis Mitchell in regards to meeting about Holbrooks Road? I know this is a sensitive time in his life and we don't want to force him into work, but as stated previously this meeting is imperative to the continued operation of the North Mecklenburg C&D Reclamation Facility.

With the December 7th date with the Town Board of Huntersville fast approaching, Huntersville has sent us a message every day to ensure we are doing all we can to get this meeting finalized. Due to the nature of these conversations, we are under the impression that if we do not meet with Louis Mitchell & NCDOT the Town Board Meeting will not occur as scheduled and this would hinder our ability to continue operating as a C&D Reclamation Facility & Landfill due to the tight time line of the permitting process with the North Carolina Department of Environment and Natural Resources (NCDENR).

We appreciate your help in this matter and hope you had a great Thanksgiving Holiday.

Best Regards,

Mike Griffin

Justin Mueller

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

From: Taylor, Wendy A <wataylor1@ncdot.gov>
Sent: Monday, July 25, 2016 11:34 AM
To: Bradley Priest
Cc: Stephen Trott; Sossamon, Gary D
Subject: RE: Greenway Waste Rezoning - Holbrook Road Maintenance

Hi Brad,

Per our conversation, NCDOT will require the following for Holbrook Rd.

- Current and projected truck volumes must be provided for the facility.
- Provide the circulation pattern of the facility and recycling center.
- Cores must be taken along Holbrook to see what the existing pavement structure is on Holbrook. NCDOT will evaluate the pavement structure to see if the pavement structure is sufficient.
- Holbrook must be widened the full width of the main entrance and continue approximately 300' to the west. We also require a full width overlay for any pavement widening.

Let me know if you have any questions.

Thanks,

Wendy Taylor, PE
District Engineer
NCDOT
Division 10/District 2

980 523 0000 office
wataylor1@ncdot.gov

7605 District Dr
Charlotte, NC 28213



 Nothing Compares

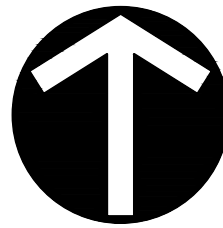
Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Bradley Priest [<mailto:bpriest@huntersville.org>]
Sent: Monday, July 18, 2016 6:08 PM
To: Taylor, Wendy A <wataylor1@ncdot.gov>
Cc: Stephen Trott <strott@huntersville.org>
Subject: FW: Greenway Waste Rezoning - Holbrook Road Maintenance
Importance: High

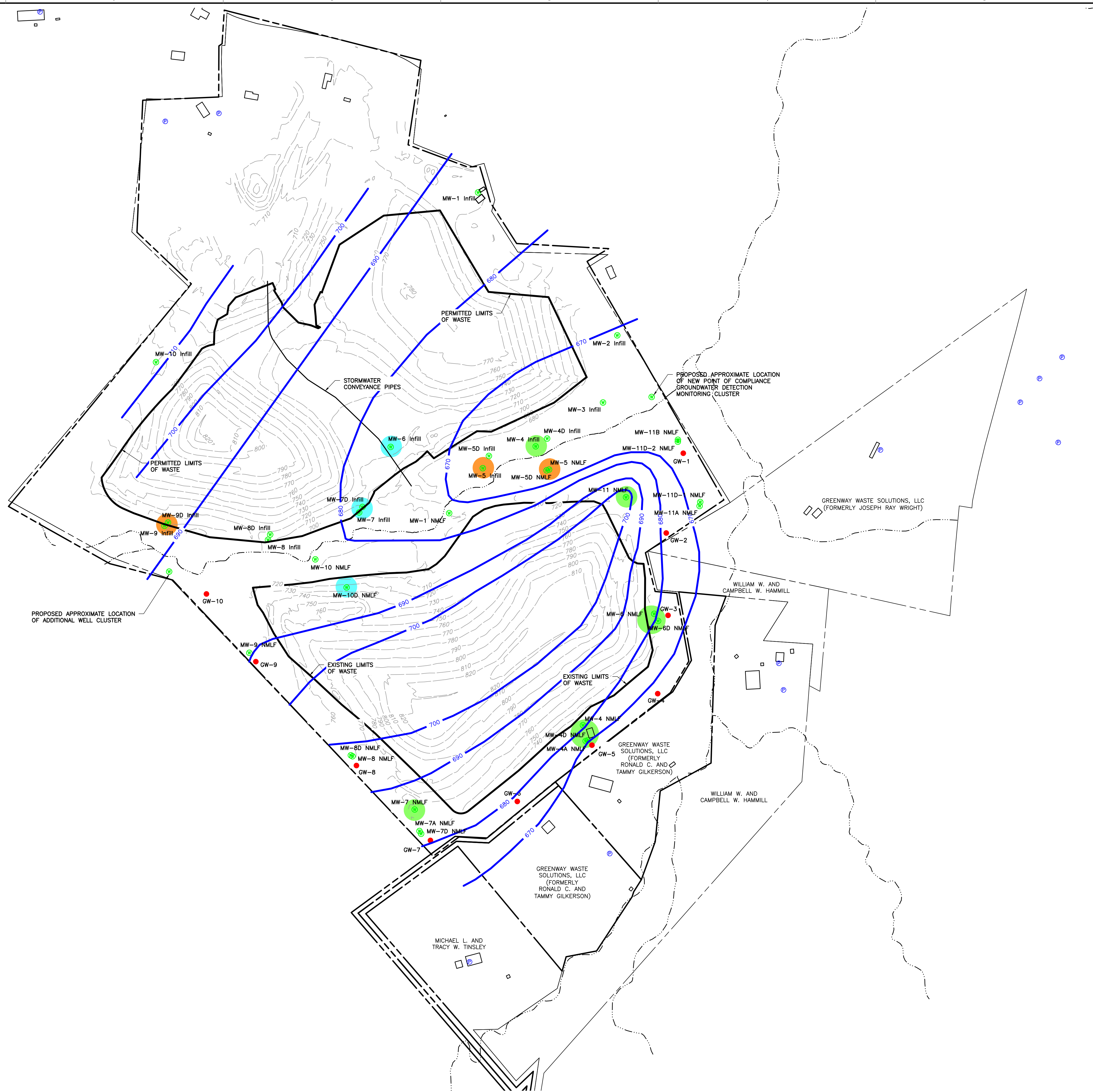
Hey Wendy,

Stephen mentioned that he spoke to you about this project and that you were going to talk to Doug about the issue. I wanted to follow up with you on it as I'll be putting together my staff report this week and it would be great to understand NCDOT's position in regard to Holbrooks

A:\2011\111-370\111-370\001 Groundwater Map for Edm[24 x 36] 15/12/2016 - Preliminary - LP 3/21/2016 8:14 AM



NORTH



NOTES:
1. GAS MONITORING WELL LOCATIONS ARE APPROXIMATE AND HAVE NOT BEEN SURVEYED.
2. GROUNDWATER POTENTIOMETRIC CONTOURS ARE APPROXIMATE AND INTERPOLATED BETWEEN WELL MEASURING POINTS.

LEGEND	
APPROXIMATE LOCATION OF GROUNDWATER MONITORING WELL	
APPROXIMATE LOCATION OF RESIDENTIAL WATER SUPPLY WELL	
APPROXIMATE LOCATION OF LANDFILL GAS MONITORING WELL	
GROUNDWATER POTENTIOMETRIC CONTOUR (APRIL 10, 2014)	

VINYL CHLORIDE OCCURRENCE	
1-2 ppb	
2-3 ppb	
3-20 ppb	

DETECTED IN OCTOBER 21, 2015 MONITORING EVENT



REVISION RECORD

NO	DATE	DESCRIPTION

Civil & Environmental Consultants, Inc.
333 Baldwin Road · Pittsburgh, PA 15205
412-429-2324 · 800-365-2324
www.cecinc.com

**GREENWAY WASTE SOLUTIONS
AT NORTH MECK, LLC
NORTH MECK LANDFILL
HUNTERSVILLE, NC**

SITE MAP

FIGURE NO.:

2

SHEET 1 OF 1

DATE:	MARCH 2016	DRAWN BY:	PNP
DWG SCALE:	1"=200'	CHECKED BY:	EHS
PROJECT NO.:	111-370.001	APPROVED BY:	EHS



Traffic Impact Analysis (TIA) Application for Determination of TIA Need

Article 14.2 of the Zoning Ordinance requires that a Traffic Impact Analysis (TIA) be performed for any residential subdivision, multifamily site plan, or non-residential development, or portion thereof, which is expected to create fifty (50) or more peak hour vehicle trips or 500 or more daily trips.

In order to determine whether a TIA will be required for your proposed development, please fill out the form below and submit to the Planning Department. A "Determination of TIA Need" will be made within 10 working days.

Applicant: Greenway Waste Solutions of North Meck

Project Name: GWS-MRF

Location: 15300 Holbrooks Road Huntersville, NC 28078

Project Description (including square footage for each proposed land use):

Materials recycling facility: ~28,300sf. The MRF will separate recyclables from non-recyclables. The recyclables will leave the facility in 53 ft. containers; at current volumes we anticipate 5 containers leaving per day. Currently, average trucks entering the facility is 120 per day.

In the future, biomass from the MRF may be used to supply feedstock to a Waste to Energy facility. This will result in a reduction of truck traffic.


Applicant's Signature

3/15/16

Date

Please feel free to contact the Planning Department @ (704) 875-7000 if you have any questions.

Project file#: _____

Date Submitted: 3/17/16

Daily Trips Anticipated: 10

Peak Hour Trips Anticipated: AM 2 PM 2

TIA Required (Yes/No): No

Date of Determination: 3/29/16

Note: Trips are only for the addition of an indoor recycling machine

Trip Generation of existing conditions prior to expansion:
Daily- 246
AM Peak Hour - 18
PM Peak Hour - 9

Below is information provided by the applicant on current operations at the facility.

- On average we have 120 trucks cross our scales daily and we have 3 employees that drive to work.
- 6:00 - 8:59AM 26 vehicles enter the site; 4:00PM - 5:59PM 6 vehicles enter the site. The same 3 employees arrive and leave w/in these hours as well and were not included in the vehicle counts.
- We won't attract "new" business by the change in our operations. Our customers will remain the same. We anticipate an additional 5 trucks entering the site each day as a result of the new operations. To clarify these 5 trucks will be hauling material away from the site, not bringing in waste.



April 11, 2016

Greenway Waste Solutions, LLC
15300 Holbrooks Rd
Huntersville, NC 28078

RE: Adequate Public Facilities (APF) Application – Greenway Waste Solutions (File#2016-06)

Mr. Carroll:

The Town has completed its review of the above referenced APF Application and deemed it to be complete, per Article 13.6.3 of the Zoning Ordinance. Based upon your request for an allocation of capital facilities for the above-referenced development proposal, consisting of a Materials Recycling Center (28,000 sq. ft.), I am issuing a “Determination of Adequacy (DOA)” for the following public facilities:

- Fire vehicles and station space
- Police vehicles and station space
- Parks & Recreation gym and parks

Please be advised that this DOA is valid for one (1) year, or until April 11, 2017, by which date this development proposal must have achieved vesting, per Section 2.2 of the Zoning Ordinance. Once vesting has been achieved, this DOA is valid for 3 years, at which time it will expire unless a certificate of occupancy or final plat approval has been granted.

Please feel free to contact me with any questions brichards@huntersville.org or by phone: (704) 766-2218.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Richards", with a long horizontal line extending to the right.

Brian Richards
GIS Administrator
APFO Administrator

CC: Jack Simoneau
Brad Priest

Planning

Post Office Box 664 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.875.7000 • fax 704.992.5528 • www.huntersville.org



Community Meeting Report
Petitioner: Greenway Waste Solutions, LLC
Rezoning Petition No. R16-06

- The meeting was conducted at the Dellwood Center on Monday June 27th at 6PM
- Persons and organizations contacted about the meeting: Exhibit A
- Roster of persons in attendance: Exhibit B
- Copy of materials presented: Exhibit C
- Summary of issues discussed: Exhibit D

Exhibit A

List of adjacent property owners within 250ft.

- Town of Huntersville PO Box 66428070 Huntersville, NC 28070
- Arnold W. Johnston 12300 Old Statesville Road Huntersville, NC 28078
- Linda Wester Long 7910 Golf Course Dr N Denver NC 28037
- Michael and Tracy Tinsley 11737 Trails End Lane Huntersville NC 28078
- Greenway Waste Solutions LLC 19109 W. Catawba Ave Ste 110 Cornelius, NC 28031
- William and Campbell Hammill 11745 Trails End Ln Huntersville NC 28078
- Mecklenburg County 600 E4th Street Charlotte NC 28202
- Sherrill's Group LLC 14031 Laurel Trace Dr Ste 1600 Charlotte NC 28273
- Vermillion HOW Attn: Nate Bowman 14015 Cinnabar Place Huntersville, NC 28078
- Holbrooks Road Association Attn Kathleen Hampton: 14703 Holbrooks Road Huntersville, NC 28078
- Mayor, Town Board of Commissioners, Planning Board Members and Town Clerk, Town Manager and Assistant Town Manager
- Planning Department Project Coordinator

COMMUNITY MEETING SIGN-IN SHEET
 PETITIONER: Greenway Waste Solutions, LLC
 REZONING PETITION NO.: R16-06
 06/27/2016

Please fill out completely. This information is used by the Planning Department to distribute material regarding this petition.

Please **PRINT CLEARLY.**

Name	Address	Phone No.	Email
John Brown	11743 Trails End Ln	919-795-0599	jdbrown@griffinbrothers.com
John Aneralla	15705 Framingham	704-895-0586	janeralla@bellsouth.net
Meredith Nesbitt	105 Gilead Road	704-766-2298	mnesbitt@huntersville.org
Cam Hammill	11745 Trails End Ln	704-948-8068	billhammill@gmail.com
Janice Lewis	10203 Halston Cir.	704-807-2905	janicelewis4@gmail.com
Dennis and Kathleen Hampton	14703 Holbrooks Road	704-875-1418	denkatbusiness@gmail.com
Barron	14763 Holbrooks Rd	704-813-7652	tracymbarron@gmail.com
Tracy Tinsley	11737 Trails End Ln	704-875-2194	twinsley@earthlinks.net
Nate Bowman	205 S Church St.	704-875-2194	maribethbowman@gmail.com
Gayland Sherrill	4500 Cecilia Lane	704-588-9093	gaylandsherrill@yahoo.com



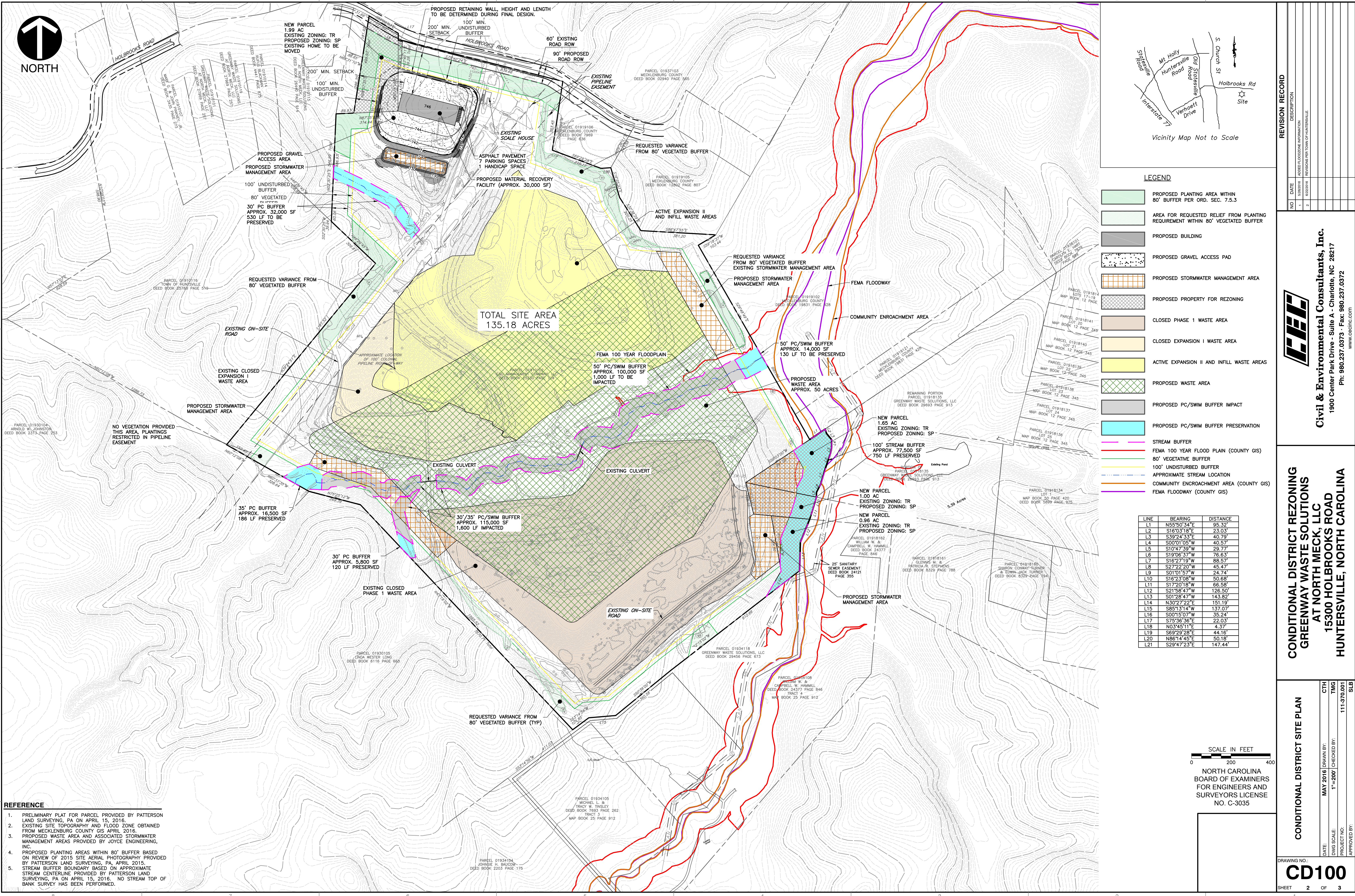
Conditional District Rezoning Community Meeting

June 28, 2016

6PM 508 Dellwood Drive Huntersville, NC 28078

Meeting Agenda

- I. Introductions
- II. Community meeting for zoning petition number: R16-06
 - a. The zoning petition is to change the current NR zoning at 15300 Holbrooks Road, parcel number 01910102, to SP(CD). The site is currently used as a construction and demolition debris facility. This new zoning will allow for the addition of a materials recycling facility.
- III. Project overview
 - a. Site plan
- IV. Questions



REVISION RECORD

NO	DATE	DESCRIPTION
1	10/20/16	ADDED FLOODLINE INFORMATION
2	10/20/16	REVISIONS PER TOWN OF HUNTERSVILLE

Civil & Environmental Consultants, Inc.
1900 Center Park Drive - Suite A - Charlotte, NC 28217
Ph: 980.237.0373 - Fax: 980.237.0372
www.cecinc.com

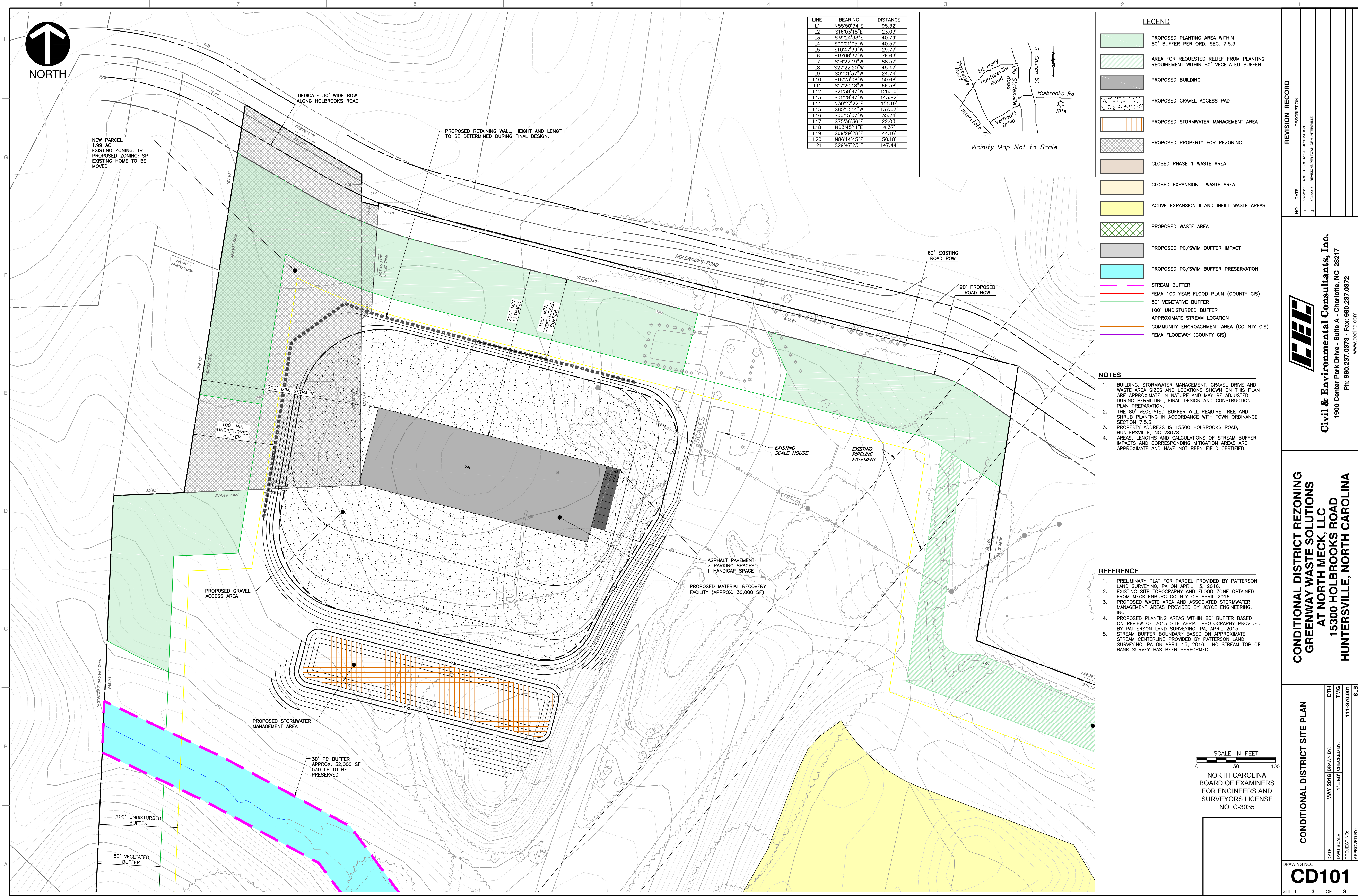
**CONDITIONAL DISTRICT REZONING
GREENWAY WASTE SOLUTIONS
AT NORTH MECK, LLC
15300 HOLBROOKS ROAD
HUNTERSVILLE, NORTH CAROLINA**

CONDITIONAL DISTRICT SITE PLAN

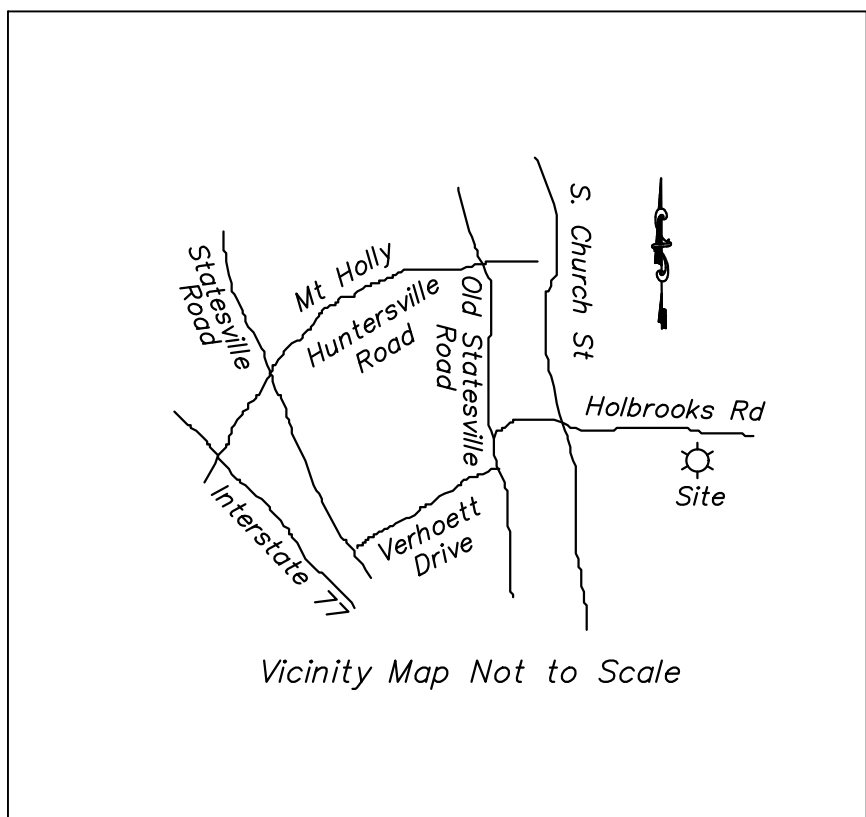
DATE:	MADE BY:	DRAWN BY:	CTH
DWG SCALE:	1"=200'	CHECKED BY:	TMG
PROJECT NO:	111-370.001		
APPROVED BY:			SJB




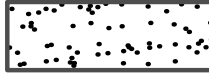
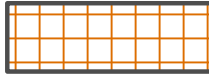


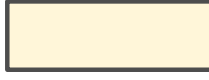


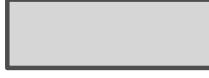
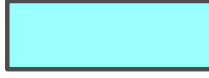







DRAWING NO: **CD100**

SHEET 2 OF 3



LINE	BEARING	DISTANCE
L1	N55°50'34"E	95.32'
L2	S16°03'18"E	23.03'
L3	S22°12'00"E	40.07'
L4	S00°01°05'W	40.57'
L5	S10°47'39"W	79.77'
L6	S19°06'37"W	36.63'
L7	S16°27'19"W	88.57'
L8	S21°22'20"W	45.87'
L9	S01°01°57"W	24.74'
L10	S27°23'08"W	50.68'
L11	S11°20'18"W	66.58'
L12	S21°58'47"W	126.50'
L13	S11°28'10"W	143.82'
L14	N13°02'22"E	151.09'
L15	S85°13'14"W	137.07'
L16	S00°15°07"W	35.24'
L17	S75°36'36"E	22.03'
L18	N0°40'11"E	4.27'
L19	S69°26'11"E	44.16'
L20	N86°14'45"E	50.18'
L21	S29°47'23"E	147.44'



- ### LEGEND
- | | |
|---|---|
|  | PROPOSED PLANTING AREA WITHIN 80' BUFFER PER ORD. SEC. 7.5.3 |
|  | AREA FOR REQUESTED RELIEF FROM PLANTING REQUIREMENT WITHIN 80' VEGETATED BUFFER |
|  | PROPOSED BUILDING |
|  | PROPOSED GRAVEL ACCESS PAD |
|  | PROPOSED STORMWATER MANAGEMENT AREA |
|  | PROPOSED PROPERTY FOR REZONING |
|  | CLOSED PHASE 1 WASTE AREA |
|  | CLOSED EXPANSION I WASTE AREA |
|  | ACTIVE EXPANSION II AND INFILL WASTE AREAS |
|  | PROPOSED WASTE AREA |
|  | PROPOSED PC/SWIM BUFFER IMPACT |
|  | PROPOSED PC/SWIM BUFFER PRESERVATION |
|  | STREAM BUFFER |
|  | FEMA 100 YEAR FLOOD PLAIN (COUNTY GIS) |
|  | 80' VEGETATIVE BUFFER |
|  | 100' UNDISTURBED BUFFER |
|  | APPROXIMATE STREAM LOCATION |
|  | COMMUNITY ENCROACHMENT AREA (COUNTY GIS) |
|  | FEMA FLOODWAY (COUNTY GIS) |

[illegible]

CEC Inc.

Civil & Environmental Consultants, Inc.
1900 Center Park Drive - Suite A - Charlotte, NC 28217
Ph: 980.237.0373 • Fax: 980.237.0372
www.cecinc.com

**CONDITIONAL DISTRICT REZONING
GREENWAY WASTE SOLUTIONS
AT NORTH MECK, LLC
15300 HOLBROOKS ROAD
HUNTERSVILLE, NORTH CAROLINA**

DRAWING NO.:

CD101

SHEET 3 OF 3

CONDITIONAL DISTRICT SITE PLAN

DATE:	MAY 2016	DRAWN BY:	TTH
DWG SCALE:	1"=50'	CHECKED BY:	TMG
PROJECT NO:	111-370.001	APPROVED BY:	SLB

Conditional Rezoning Neighborhood Meeting Notes

- Introduction by John Brown
- Overview of the larger overall site map – walked through each parcel being rezoned
- Went through the reasons for rezoning
- Overview of the zoomed in map

- Questions:
 - Will it be loud?
 - It will not be any louder than the equipment already used on site.
 - Additional Jobs?
 - Estimated 15-20 jobs
 - How many more trucks will be added?
 - Described the TIA process
 - Citizen wanted the speed limit decreased to 25 MPH
 - This is a DOT issue
 - How do we get a sidewalk or bike path?
 - “Not necessarily down by the facility but by where we live. Talking about from Central or Church all the way down to at least the residential side where we all live.”
 - This is also a Town and DOT issue
 - Nate Bowman approached the citizen about this saying his project would be installing sidewalks.
 - 100ft buffer will be vegetated and landscaped?
 - Yes, it will be an undisturbed buffer
 - Why are you asking for a variance to the vegetated buffer?
 - We replied about the colonial pipeline and the natural buffer
 - Requested variance from right side relief request where the buffer is
 - Planting additional screening and vegetation is counterproductive when it is already forested
 - How many trucks do you anticipate?
 - We can't predict that any more or fewer trucks will come to the site as a result of the operations. There will be additional trucks leaving with recycled commodities, somewhere in the estimated range of 5-10 trucks a day.
 - Have you guys thought about putting a light at Statesville Road?
 - Really a DOT issue
 - What type of materials are handled at the facility now? Janice
 - JB walked through what is accepted per the DEQ guidelines
 - What do you do with the material now?
 - Recycle what we can and landfill the rest

Exhibit D

- Will this request allow you to handle any other types of material?
Janie
 - No, same requirements.
- “With this facility and vermillion will we be able to get a light?”
 - From our perspective we will only be involved with what the Town is required from us.
 - Nate Bowman spoke up about the ability for them to drive through Vermillion to avoid the intersection at Statesville. He made some comments about a right hand storage lane.
- With the increase in the size of the facility are there any more trucks anticipated b/c the facility is larger?
 - No
- If this is passed as proposed what is the duration of time for construction?
 - An estimated 2 years, this could change
- What kind of building is it?
 - Metal building with three sides.
- When will the hearing be? Will it be public? What time is the hearing?
Kathleen
 - Made them aware of the time, August 15th at 6:30PM
- “So this is a profitable venture? Not for charity?”
 - Yes, this is for profit.
- Will this site be like DH Griffin on Remes Road?
 - Not totally sure of DH Griffin’s operations on Remes to be exactly sure how similar or dissimilar it will be
- This will not create any more toxins or noise?
 - The material is on concrete and no different than what is already processed



General Application

Incomplete submissions will not be accepted. Please check all items carefully.

1. Application Type

Please indicate the type of application you are submitting. If you are applying for two (2) actions, provide a separate application for each action. **In addition to the application, the submission process for each application type can be found at**

<http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>

- ☐ CHANGE OF USE
- ☐ COMMERCIAL SITE PLAN
- ☐ CONDITIONAL REZONING
- ☐ GENERAL REZONING
- ☐ MASTER SIGNAGE PROGRAM
- ☐ REVISION to _____
- ☐ SPECIAL USE PERMIT

SUBDIVISION CATEGORIES: *Per the Huntersville Subdivision Ordinance*

- ☐ SKETCH PLAN
- ☐ PRELIMINARY PLAN
- ☐ FINAL PLAT (includes minor and exempt plats)
- ☐ FINAL PLAT REVISION
- ☐ FARMHOUSE CLUSTER

2. Project Data

Date of Application _____

Name of Project _____ Phase # (if subdivision) _____

Location _____

Parcel Identification Number(s) (PIN) _____

Current Zoning District _____ Proposed District (for rezonings only) _____

Property Size (acres) _____ Street Frontage (feet) _____

Current Land Use _____

Proposed Land Use(s) _____

Is the project within Huntersville's corporate limits?

Yes _____ No _____ If no, does the applicant intend to voluntarily annex? _____

3. Description of Request

Briefly explain the nature of this request. If a separate sheet is necessary, please attach to this application.

4. Site Plan Submittals

Consult the particular type of *Review Process* for the application type selected above. These can be found at: <http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>.

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies.

For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility *Willingness to Serve* letter for the subject property.

6. Signatures

*Applicant's Signature  Printed Name _____

Address of Applicant _____

Email _____

Property Owner's Signature (if different than applicant) _____

Printed Name _____

Property Owner's Address _____ Email _____

* Applicant hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Development Firm	Name of contact	Phone	Email
------------------	-----------------	-------	-------

Design Firm	Name of contact	Phone	Email
-------------	-----------------	-------	-------

If Applying for a General Rezoning:

Please provide the name and Address of owner(s) of fee simple title of **each** parcel that is included in this rezoning petition. If additional space is needed for signatures, attach an addendum to this application.

If Applying for a Conditional Rezoning:

Every owner of each parcel included in this rezoning petition, or the owner (s) duly authorized agent, must sign this petition. If signed by an agent, this petition **MUST** be accompanied by a statement signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in filing this petition. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an **INVALID PETITION**. **If additional space is needed for signatures, attach an addendum to this application.**

Signature, name, firm, address, phone number and email of Duly Authorized Agent by owner needed below:

 Mike Griffin 704-533-5781

If Applying for a Subdivision:

By signature below, I hereby acknowledge my understanding that the Major Subdivision Sketch Plan Process is a quasi-judicial procedure and contact with the Board of Commissioners shall **only** occur under sworn testimony at the public hearing.

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	http://www.huntersville.org/Departments/Planning.aspx



General Application

Incomplete submissions will not be accepted. Please check all items carefully.

1. Application Type

Please indicate the type of application you are submitting. If you are applying for two (2) actions, provide a separate application for each action. **In addition to the application, the submission process for each application type can be found at**

<http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>

- | | |
|---|--|
| <input type="checkbox"/> CHANGE OF USE
<input type="checkbox"/> COMMERCIAL SITE PLAN
<input checked="" type="checkbox"/> CONDITIONAL REZONING
<input type="checkbox"/> GENERAL REZONING
<input type="checkbox"/> MASTER SIGNAGE PROGRAM
<input type="checkbox"/> REVISION to _____
<input checked="" type="checkbox"/> SPECIAL USE PERMIT | SUBDIVISION CATEGORIES: <i>Per the Huntersville Subdivision Ordinance</i>
<input type="checkbox"/> SKETCH PLAN
<input type="checkbox"/> PRELIMINARY PLAN
<input type="checkbox"/> FINAL PLAT(includes minor and exempt plats)
<input type="checkbox"/> FINAL PLAT REVISION
<input type="checkbox"/> FARMHOUSE CLUSTER |
|---|--|

2. Project Data

Date of Application 4/27/2016

Name of Project Greenway Waste Addendum R16-06 Phase # (if subdivision) _____

Location 15300 Holbrooks Road Huntersville, NC 28078

Parcel Identification Number(s) (PIN) portion west of Cane Creek of parcel 01918162

Current Zoning District NR and TR Proposed District (for rezonings only) SP(CD)

Property Size (acres) 135 Street Frontage (feet) 1034 feet

Current Land Use Construction and Demolition Landfill

Proposed Land Use(s) Construction and Demolition Landfill with Materials Recycling Facility

Is the project within Huntersville's corporate limits?

Yes ☒ No ☐ If no, does the applicant intend to voluntarily annex? _____

3. Description of Request

Briefly explain the nature of this request. If a separate sheet is necessary, please attach to this application.
Proposing to build a materials recycling facility on existing construction and demolition landfill.

This is an addendum to Greenway Waste Solutions larger conditional re-zoning.

4. Site Plan Submittals

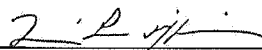
Consult the particular type of *Review Process* for the application type selected above. These can be found at: <http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>.

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies.

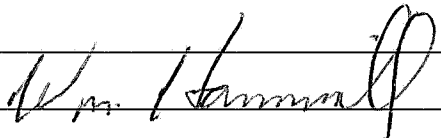
For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility *Willingness to Serve* letter for the subject property.

6. Signatures

*Applicant's Signature  Printed Name Mike Griffin

Address of Applicant 19109 W. Catawba Ave Ste 100 Cornelius, NC 28031

Email mike@griffinbrothers.com

Property Owner's Signature (if different than applicant) 

Printed Name William W. Hammill

Property Owner's Address 11745 Trails End Ln Huntersville, NC Email billhammille@gmail.com

* Applicant hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Civil & Environmental Con Todd Gingrich 980-237-0371 tgingerich@cecinc.com

Development Firm Name of contact Phone Email

Civil & Environmental Con Scott Brown 980-237-0371 sbrown@cecinc.com

Design Firm Name of contact Phone Email

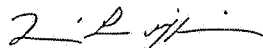
If Applying for a General Rezoning:

Please provide the name and Address of owner(s) of fee simple title of **each** parcel that is included in this rezoning petition. If additional space is needed for signatures, attach an addendum to this application.

If Applying for a Conditional Rezoning:

Every owner of each parcel included in this rezoning petition, or the owner (s) duly authorized agent, must sign this petition. If signed by an agent, this petition **MUST** be accompanied by a statement signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in filing this petition. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an **INVALID PETITION**. **If additional space is needed for signatures, attach an addendum to this application.**

Signature, name, firm, address, phone number and email of Duly Authorized Agent by owner needed below:



Mike Griffin 704-533-5781

19109 W. Catawba Ave Ste 110 Cornelius NC 28031

If Applying for a Subdivision:

By signature below, I hereby acknowledge my understanding that the Major Subdivision Sketch Plan Process is a quasi-judicial procedure and contact with the Board of Commissioners shall **only** occur under sworn testimony at the public hearing.

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	http://www.huntersville.org/Departments/Planning.aspx

New Haven Park/Pottstown Association 2016
Betty Jane "Bee Jay" Caldwell, Facilitator
July 13, 2016

New Haven Park/Pottstown Association is a newly formed community association to meet the needs of the community in order to receive communications from Huntersville's governing body. The formation of the Holbrooks Road Association in 2000 has resulted in a "split/fracture" in the community. Pottstown citizens have suffered greatly because of this. Our complex society dictates that we as a people must reclaim our place in Huntersville's government. We must draw strength from our past when the Huntersville Community Development Association represented all segments of the Pottstown and adjoining communities – New Haven Park, Holbrook Road Community, David Street residents, Dellwood Drive residents, Whispering Pines, and Gibson Park.

Currently the Holbrooks Road Association is the only group in the Pottstown community that receives updates from the town on a regular basis. It consists of home owners/renters whose homes have a direct access to Holbrooks Road. It is a private entity (meaning that other Pottstown citizens are excluded from attending their meetings). Because it gives compensation to its members, (about 30 homes) twice a year, it has been a source of contention among the citizens. This is an injustice, because all who live in close proximity to Holbrooks Road suffer from the affects of diesel pollutants from the 200 plus trucks that travel it daily.

These dwellings are first generation homes of descendants of slaves and were designated as a site for them in 1909 by the governing body of Huntersville. No street has any infrastructure or sidewalks. If it rains, standing water at the corner of Central and Holbrooks Road floods and gushes like a roaring river. As of August 31, 2015, Huntersville Park and Rec has not served the citizens of these communities in any way. The community is the battering rams of a millionaire developer and a multi-millionaire business/landfill owner who is waiting for the older ones to die and take possession of this prime property real estate. I have listed the names of streets and the names of families living on it.

South Church Street (Dead Ends)
Huntersville A. M. E. Zion Church
Young
Houston
Renter
North of Holbrooks Road
Renter
Sherrill
Sloan
Staton
Boyd
Caldwell
Renter (Latino)
Renter
Whitley
Vacant

Caldwell
Renter
For Sale
South Church Street Extension
Bost
Vacant
Patterson

Holbrooks Road
Renter Corner of Church
Renter Corner of Church
Elliott
Brown
Renter
Renter
Barringer
Grier
Smith
Ross
Wynn
Wynn
Wynn
Houston
Moultry
Renter
New Home Owner
Smith
New Home Owner
Renter
Renter
Renter
Blackmon
Blackmon
Blackmon

North Central Avenue
Patterson
Sherrill
Vacant
Latino
Moore
Sherrill
Renter
Latino
Renter
Phillips
Smith

South Central Avenue (East Side)

New
Vacant
Alexander
Sloan
New

South Central Avenue (West Side)

Gibson
Moore
Latta
Berry
White
Grier
Hughey
Douglas
Brunson
Beatty

David Street (South side)

Thompson
Thompson
Neal

David Street (North side)

Henderson
Vacant
Renter
Renter
Renter

Below are the names of other families who live within a one half mile to one mile of Holbrooks Road and travel it to gain access to their homes.

North Central Avenue to Dellwood Drive (East Side)

Alexander
Brown
Vacant
Whitley
Alexander
Renter
Alexander

North Central Avenue to Dellwood Drive (West Side)

Trapp
Thompson
Vacant
Springs
Hall
Renter
Neal

Latino
Moore
Renter

Neeley Street
Torrence
Vacant
New

Dellwood Drive (South Side)

Brice
New
Latino
Vacant
Brice
Fletcher
Johnson
Johnson
Alexander

Dellwood Drive (North Side)

Whitley
Latino
Smith
Brown
Renter
Latino
Habitat
Habitat
Habitat
Habitat

Vermillion N/A – New Development

Whispering Pines (Cul-de-sac)

Sherwynn Drive – Fourteen (14) homes on it.

Gibson Park Drive (Mixture of old and new Vermillion homes) {South Side}

Home owner
Vermillion Homes
Moore
Home owner
Home owner
Home owner
Barringer

Gibson Park Drive (North West Older Homes)

Habitat
Habitat
Habitat

Moore
Bost
Brown
Harris
Hicks
Davis
Hicks

For most Pottstown citizens, the landfill has outlived its usefulness because it runs directly through our community and that means the 200+ plus trucks it carries. Mr. Griffin speaks of how great a "hardship" it will be if the town does not grant the requested variances. For him, it's the income it will generate for him and his family, for the town and the county for generations to come.

For us, we agree that it will be a hardship on our quality of life ... while at 6 AM daily, we hear speeding trucks entering our community; we smell the diesel fumes while we wait at the bus stop with our children! Each time we have voiced our concern for our health and safety, promises have been made to close Holbrook Road to landfill traffic. For many years we have set by using the "grace of silence" not to object to the fumes, speeding trucks, the noise and the fact that approximately twenty families receive annual compensation for agreeing to be supportive of it.

There is an end to everything, and 2016 is the year to assign a permanent year end stipulation to the landfill at the end of Holbrooks Road. It is important to note that it changes its name in order to assure its longevity.

Feel free to "Fact Check" this info.

Bee Jay's 70th birthday—July 13, 2016

New Haven Park (East)

Houston

Henderson

Latinos

Neal

New Haven (West)

Speart

Rental

Spears

Vacant

Home owner

Home owner

Home owner

over

Town of Huntersville
REQUEST FOR BOARD ACTION
9/6/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Brad Priest, Senior Planner
Subject: SUP16-01: Greenway Waste Landfill Amendment

Special Use: SUP16-01 is a request by Greenway Waste Solutions, LLC and William Hammill for a Special Use Permit allowing the 135 acre landfill located at 15300 Holbrook Road to expand its boundaries, add another fill area in the existing site (parcels 01910102, 01910109, and portions of 01918135, 01918162, and 01934118), and construct a recycling facility onsite.

****UPDATE:** On August 23, 2016 per the applicant's request, the Planning Board continued their review of the application until September 27, 2016.

ACTION RECOMMENDED:

Consider continuing the special use permit hearing until the Town Board's October 3, 2016 meeting after the Planning Board makes a recommendation.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

Description	Type
▣ Staff Report	Staff Report
▣ Special Use Permit Plan Page 1	Exhibit
▣ Special Use Permit Plan Page 2	Exhibit
▣ Applicant Letter - Findings of Fact	Exhibit
▣ Recycling Building Elevations	Exhibit
▣ 2005 Special Use Permit	Backup Material
▣ 2009 Special Use Permit	Backup Material
▣ NCDOT Comments - 2009	Backup Material
▣ NCDOT Comments 2016	Backup Material
▣ NCDEQ Groundwater Well Map	Backup Material
▣ TIA Determination - No Need	Backup Material
▣ APFO - Determination of Capacity Letter	Backup Material
▣ Application - Greenway Waste	Backup Material
▣ Application - Hammill	Backup Material
▣ BJ Caldwell Letter	Backup Material

REQUEST:

Special Use Permit Amendment by Mike Griffin for the Greenway Waste Solutions Construction and Demolition (C & D) Landfill – SUP16-01

* The existing permit and findings (Special Use Permit 2009) are attached.

ZONING ORDINANCE CRITERIA AND STAFF COMMENTS

Article 9.23

Off Site LCID and C&D landfills are permitted in the SP District-subject to a Special Use Permit, according to the procedures of Section 11.4.10. The Town Board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes the conditions below.

STAFF FINDINGS: The Greenway Waste Solutions Landfill (North Mecklenburg Landfill) is an existing Construction and Demolition (C&D) landfill with an unexpired special use permit that would be allowed to continue to operate in its current zoning designation per Article 9.23.10. The proposed application is to amend the existing special use permit to add adjacent properties to the permit boundaries, add an additional fill area on the site over the stream that bisects the site, and include a recycling facility near Holbrook Road. The applicants are seeking a rezoning of the entire 135 acre property to Special Purpose (SP) concurrent with the SUP application in conformance to Article 9.23.10.

1. That the site will operate in compliance with the rules according to NCDENR for C&D and LCID landfills.

STAFF FINDINGS: The NCDENR (North Carolina Division of Environment and Natural Resources) is now known as the North Carolina Department of Environmental Quality (NCDEQ). The NCDEQ permit has not been forwarded by the applicant showing evidence of permitting. In addition, after discussion with NCDEQ Division of Waste Management, the landfill in question has been found to exceed state regulatory limits of various groundwater and surface water contaminants and methane gas since 2013. Further, a Notice of Violation was issued on September 16, 2014 to the landfill due to an encroachment upon their required state mandated buffer to the east of the property. As of now, the landfill remains in violation of the required buffer.

2. That the proposed use will not endanger the public health and safety, nor substantially reduce the value of the nearby property; and

STAFF FINDINGS: Per discussion with NCDEQ Division of Waste Management, it appears the constituents leaching from the landfill have contaminated multiple drinking water wells adjacent to the subject property. Two parcels were purchased (including one residence) by the landfill and two homes were added on to municipal water service due to the groundwater contamination. According to NCDEQ, the applicant has been cooperative with the state in installing both shallow and deep groundwater monitoring wells and methane gas monitoring wells, in an effort to analyze and find the nature and extent of both the groundwater contamination and the methane gas exceedances. The

applicant has also been cooperative in addressing the immediate issue of the contamination of the adjacent drinking water wells as discussed above. The monitoring and analyzing of both the groundwater and methane gas contamination is ongoing. At this time, there are still many unknowns in regard to the nature and extent of the existing groundwater and surface water contamination and potential methane gas migration. Once the nature and extent is more fully understood, NCDEQ will require mitigation plans for the applicant to begin contamination cleanup of both the active fill area, and the fill area that is closed out and inactive (which is under a different set of state rules). In addition, contamination was also found in the groundwater monitoring wells near the stream, and recently in the surface water sampling of the stream that is being proposed to be piped and covered with the expansion. Please find the groundwater monitoring well locations of the site in a map forwarded by NCDEQ.

3. That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and

STAFF FINDINGS: The subject property is not located within the boundaries of any of the Small Area Plans adopted by the Town of Huntersville. However, the East Huntersville plan does mention and recommend a connector road in between the proposed Verhoeff Drive extension to the south and the future Asbury Chapel extension to the north. The north/south connector road could traverse the subject property. In the 2009 landfill SUP, the applicants reserved the right of way in the area of the gas pipeline and buffer at the southwest edge of the property through their main entrance. Please find the 2009 SUP for your reference in your agenda packet. For this application no commitment has been made to accommodate the future connection.

4. That the comprehensive site plan addresses each of the environmental and development standards below:

- (a) A landfill which would be larger than 10 acres shall be accessed from a major or minor thoroughfare or from a street built to commercial street standards that connects directly to a major or minor thoroughfare-where available. Landfills 10 acres or less must directly connect to a major or minor thoroughfare or to a non-residential collector or non-residential local street where available. However, if such thoroughfares or streets are not reasonably available, the Board may nevertheless issue a special use permit upon finding that the use for which the permit is granted would not likely cause any injurious effect on the property adjacent to the access.

STAFF FINDING: The existing landfill does not have access to a thoroughfare or a street that is built to commercial street standards. Access is from Holbrooks Road, which is a secondary residential street that traverses a residential neighborhood. The ordinance states that the Town Board may issue a SUP for a landfill that does not front on a thoroughfare or commercial street if it finds that it “would not likely cause any injurious effect on the property adjacent to the access”.

When the last Special Use Permit (SUP) application was submitted in 2009, the NCDOT district engineer commented in an email to the applicant that Holbrooks Road “does not possess the pavement structure to accommodate the truck traffic it has experienced and will be subject to with the continued use your company is planning”. The 2009 SUP was eventually approved with an added stipulation that the condition of Holbrooks Road be reviewed in 5 years. Another condition was that the applicant

contributes \$25,000 in the next 10 years toward the maintenance of Holbrook Road. In December of 2014 public works and engineering staff inspected Holbrook Road and found that it was in good condition as NCDOT had just finished repaving the street in 2013 (added 4 inches of asphalt). As of this date, the applicant has not forwarded the \$25,000 to NCDOT for the street maintenance.

After contacting NCDOT and asking for their input on the current state of Holbrook Road in relation to the proposed expansion and indefinite lifespan extension of the landfill, NCDOT's concern about the durability of the road remained. They requested that the applicant submit core samples of the road to evaluate its substructure. As of the date of this report staff is not aware of any recent discussions the applicant has had with NCDOT on the durability of Holbrook Road in regard to this application. Please find the emails from NCDOT attached in your agenda package.

- (b) That the proposed or existing use will be in compliance with the rules and regulations as established by Traffic Impact Analysis (TIA) Article 14.

STAFF FINDING: Engineering and Public Works has determined that based on the expansion proposed, the new amount of traffic that will be generated will not meet the threshold that would require the submission of Traffic Impact Analysis (TIA). Please find the TIA determination from engineering in your agenda packet.

- (c) Neither clearing, grading, land disturbing activities nor any portion of a C&D or LCID landfill may be located within 100 feet of any exterior property line. Further, the buffer requirements for the site are required per the state permitting criteria. The requirements stated below take precedence over any and all modifications made by the state unless the state standards become more restrictive.

- 500-foot buffer from existing residential water supply wells to fill area.
- 200-foot buffer from adjacent property to fill area.
- No fill in designated wetlands or the FEMA and /or Community Special Flood Hazard Areas.
- 50-foot buffer from delineated streams.
- 50-foot buffer from road right of way to fill area (non-state requirement).

STAFF FINDING: The submitted letter from Greenway Waste Solutions states that they conform to all the buffers required in this section. However, as shown on aerial photography and from the submitted special use permit plan, multiple existing driveways are located within the 100 foot undisturbed buffer. In addition, the applicants are seeking a variance from the Board of Adjustment for this section of the ordinance in order to encroach/fill the 50 foot delineated stream buffer and to fill in designated wetlands and FEMA flood areas. No new encroachments are shown on the plan other than the ones requested by way of the Board of Adjustment. In order for the applicant to try to address some concerns by staff, the Board of Adjustment has continued the variance hearing per the applicant's request. The hearing is scheduled to continue on September 13, 2016.

- (d) Driveway access to the facility must be paved for a distance of at least 100 feet from the public street.

STAFF FINDING: According to aerial photography and as inspected in a staff site visit, the entrance driveway to the facility is paved to a distance greater than 100 feet. However the separate exit drive that connects to the main street driveway where trucks leave the site is not paved for distance of 100 feet. The special use permit plan submitted by the applicant shows the exit drive proposed to be paved for a distance of 100 feet per this section.

- (e) Vehicular and pedestrian access to the site must be controlled; the site must be closed and secured during hours when filling activities are not under way. A non-climbable fence, at least 6 feet high, shall be installed around the landfill and all of its operations as a safety device. These fences must be constructed of wire mesh with openings not to exceed 2 inches by 4 inches or equivalent and must be placed on the interior side of screening/buffering devices.

STAFF FINDING: The letter from the applicant states that the site is “closeable and secured from vehicular and pedestrian access” but does not provide how that is done. The letter also mentions that a variance will be submitted for the fence requirement. No variance application has been submitted for this section of the ordinance. The Special Use Permit site plan includes a note stating that “heavy vegetation” prevents access to the site. The submitted information does not provide conformance to the fence and security requirement of this section.

- (f) All driveways which serve the site must be wide enough to accommodate two way traffic for a distance of at least 100 feet from the public street so that no traffic waiting to enter the site will be backed up on any public right of way.

STAFF FINDING: The letter from the applicant states that “The driveway that serves the site is wide enough to accommodate two-way traffic for 200 feet from the public street. There is ample room such that traffic should not enter the public right of way”. As shown on aerial photography and inspected on a site visit, there is a single driveway entering the facility that is not wide enough to accommodate two way traffic through the scale house and into the facility. This driveway is mainly about 11 feet wide. However, this entrance driveway leading up to the scale house is over 100 feet long in conformance to this section. There is a separate and additional one-way exit drive that directs trucks back out to the main driveway. Therefore with both of these driveways combined two-way traffic is appropriately accommodated for in and out of the facility.

5. That the landfill operator will be responsible for removal of any and all debris, dirt, or other materials which fall from trucks entering or leaving the landfill from all adjoining streets on at least a weekly basis. Failure to comply constitutes a violation of this ordinance and may constitute grounds for revocation of the operating permit.

STAFF FINDING: In the letter attached from the applicant, it is stated that they “have taken pride in keeping the roadways clean”. However no commitment has been made to weekly clean the road as required in this section. On several site inspections to the site the majority of Holbrook Road seems to be clean and debris free. However the area of street immediately in front of the facility’s driveway is often covered with dirt from trucks exiting the facility.

6. That use of the site for any purpose shall be limited to the hours of 7:00 a.m. until 6:00 p.m. Monday through Saturday, if the site adjoins or is across the street from property located in a residential district.

STAFF FINDING: The Greenway Waste Solutions landfill is adjacent to a residential zoning district therefore the restricted hours of operation will apply. The letter from the applicant has stated that the use will be limited from 7:00 am to 6:00 pm.

7. That a timetable has been submitted with the application indicating the development phases and the projected life expectancy of the landfill.

STAFF FINDING: The letter from the applicant states that an updated timetable has been submitted with the application. However staff has not located it in the submittal.

8. That a reclamation plan is provided that shows how the site will be reclaimed upon the closing of the landfill. The reclamation plan shall state the proposed method of conservatorship and perpetual maintenance or use. It shall demonstrate that the site, when closed, will pose no threat to public safety; that the finished contours and groundcover will reestablish a compatible appearance with surrounding lands and buildings; and that the method of maintenance or use will cause no future environmental degradation.

STAFF FINDING: No updated reclamation plan (or closure plan) has been submitted by the applicant for this application.

9. An existing LCID landfill shall not be required to be brought into compliance with the provisions of this ordinance provided:

- (a) The landfill has been continuously operating since 1991 and was not within the zoning jurisdiction of the Town of Huntersville in 1991;
- (b) The landfill has a valid LCID or demolition landfill permit and/or obtains any renewals of the LCID or demolition landfill permit required by the State of North Carolina and/or Mecklenburg County;

- (c) The landfill has a closure plan approved by the State of North Carolina and/or Mecklenburg County; and
- (d) In no event shall the landfill operate under a LCID landfill permit later than December 4, 2016 and further provided that on the earlier of the final date permitted for operation of the landfill or the date the landfill permanently ceases operation, the owner and/or operator of the landfill shall immediately commence and continuously pursue to completion closure of the landfill according to the provisions of the then current closure plan approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plans shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town.

STAFF FINDINGS: The Greenway Waste Solution Landfill is a Construction and Demolition Landfill (C&D) and is not subject to this section of the ordinance. This section of the ordinance applies to Land Clearing and Inert Debris Landfills (LCID).

- 10. Any existing C&D landfill shall be permitted to continue operating in the zone in which it is located provided that landfill has an unexpired special use permit. Any expansion beyond the property boundary of an existing C&D landfill as approved on November 11, 2005 must be located in the SP district with a special use permit in accordance with the provisions of this Section.

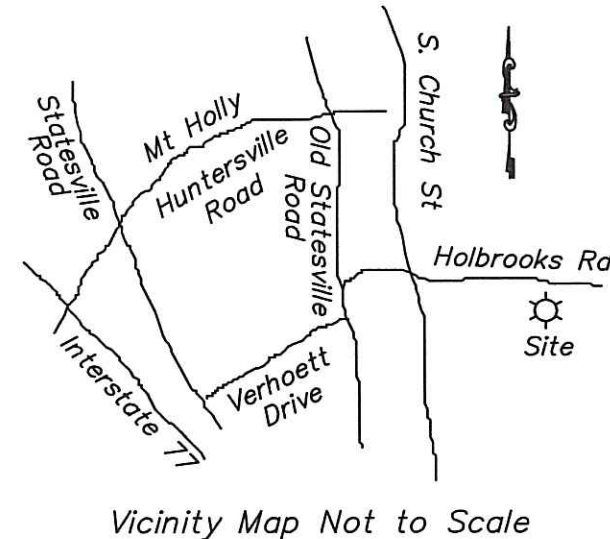
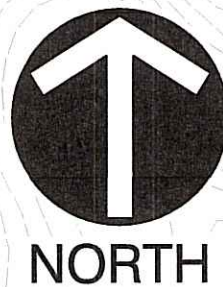
STAFF FINDINGS: The current special use permit for the Greenway Waste Solutions landfill is current and unexpired. However the applicants do wish to expand the boundaries of the landfill as shown in the attached Special Use Permit site plan. Therefore the rezoning application submitted for these properties must first be approved designating them Special Purpose (SP) prior to this special use permit being approved.

STAFF RECOMMENDATION:

The applicants have requested that due to the several outstanding comments and issues from staff, as well as the continued variance application until September 13, 2016, the Planning Board continue this application until their September 27, 2016 meeting. Staff supports the continuance request.

PLANNING BOARD RECOMMENDATION:

The Planning Board considered the application at their August 23, 2016 meeting. Per the applicant's request, the Board continued the application review until their September 27, 2016 meeting.



LEGEND

- EXISTING VEGETATED BUFFER
- PROPOSED PLANTING AREA WITHIN 80' BUFFER PER ORD. SEC. 7.5.3
- AREA FOR REQUESTED MODIFICATION FOR PLANTING REQUIREMENT WITHIN 80' VEGETATED BUFFER
- PROPOSED BUILDING
- PROPOSED GRAVEL ACCESS PAD
- PROPOSED STORMWATER MANAGEMENT AREA
- PROPOSED PROPERTY FOR REZONING
- CLOSED PHASE 1 WASTE AREA
- CLOSED EXPANSION I WASTE AREA
- ACTIVE EXPANSION II AND INFILL WASTE AREAS
- PROPOSED WASTE AREA
- PROPOSED PC/SWIM BUFFER IMPACT
- PROPOSED PC/SWIM BUFFER PRESERVATION
- STREAM BUFFER
- FEMA 100 YEAR FLOOD PLAIN (COUNTY GIS)
- 80' VEGETATIVE BUFFER
- 100' UNDISTURBED BUFFER
- APPROXIMATE STREAM LOCATION
- COMMUNITY ENROACHMENT AREA (COUNTY GIS)
- FEMA FLOODWAY (COUNTY GIS)

SCALE IN FEET
0 200 400
NORTH CAROLINA
BOARD OF EXAMINERS
FOR ENGINEERS AND
SURVEYORS LICENSE
NO. C-3035

VARIANCE REQUEST	ORDINANCE REFERENCE
FILL IN FEMA AND/OR COMMUNITY SPECIAL FLOOD HAZARD AREA, DISTURB 50' BUFFER FROM DELINEATED STREAM	ZONING ORDINANCE 9.23.4 c).
C&D LANDFILL IN FEMA AND/OR COMMUNITY SPECIAL FLOOD HAZARD AREA	FLOODPLAIN ORDINANCE SECTION 151.60(A)(10)
MINIMUM BUFFER WIDTHS	ZONING ORDINANCE ARTICLE 8.25.5 S.W.I.M., STREAM BUFFERS



DRAWING NO.:
SP100
SHEET 2 OF 3

SPECIAL USE SITE PLAN

**SPECIAL USE PERMIT
GREENWAY WASTE SOLUTIONS
AT NORTH MECK, LLC
15300 HOLBROOKS ROAD
HUNTERSVILLE, NORTH CAROLINA**

Civil & Environmental Consultants, Inc.
1900 Center Park Drive - Suite A - Charlotte, NC 28217
Ph: 980.237.0373 - Fax: 980.237.0372
www.ccecinc.com

NO	DATE	DESCRIPTION
1	5/20/16	ADDED FLOODLINE INFORMATION
2	7/19/16	REVISION PER TOWN OF HUNTERVILLE

- #### REFERENCE
- PRELIMINARY PLAT FOR PARCEL PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016.
 - EXISTING SITE TOPOGRAPHY AND FLOOD ZONE OBTAINED FROM MECKLENBURG COUNTY GIS APRIL 2016.
 - PROPOSED WASTE AREA AND ASSOCIATED STORMWATER MANAGEMENT AREAS PROVIDED BY JOYCE ENGINEERING, INC.
 - PROPOSED PLANTING AREAS WITHIN 80' BUFFER BASED ON REVIEW OF 2015 SITE AERIAL PHOTOGRAPHY PROVIDED BY PATTERSON LAND SURVEYING, PA, APRIL 2015.
 - STREAM BUFFER BOUNDARY BASED ON APPROXIMATE STREAM CENTERLINE PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.

P:\2017\111-370-001\CD\001\DWG\SP100-Subarea Huntersville Review Process\26_16.dwg(SPECIAL USE SITE PLAN) LSC/7/19/2016 - Parkway - LP: 7/19/2016 12:40 PM

P:\2017\171-270 -000\001\Draw\Map\171-270-001\Site Plan\Huntersville Review Process\26.6.dwg(SPECIAL USE SITE PLAN) - L.P. 7/19/2016 11:58 AM

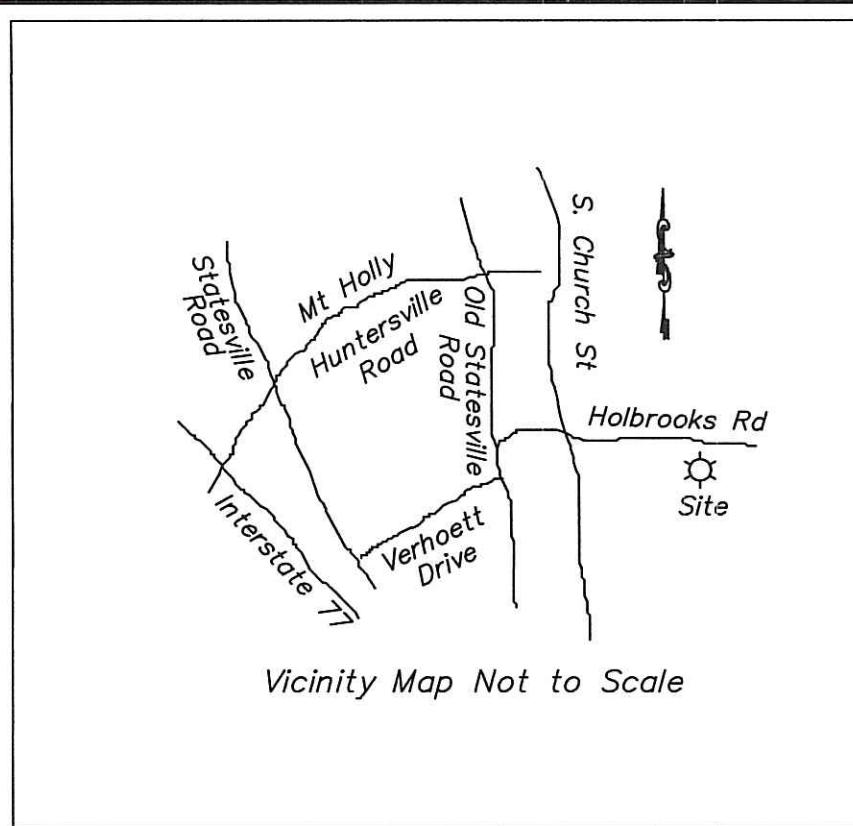


NEW PARCEL: 1.99 AC
EXISTING ZONING: TR
PROPOSED ZONING: SP
PROPOSED USE: C&D LANDFILL
AND RECYCLING CENTER
(EXISTING HOME TO BE REMOVED)

DEDICATION OF RIGHT-OF-WAY
ALONG HOLBROOKS ROAD
30' FROM CENTERLINE

PROPOSED RETAINING WALL, HEIGHT AND LENGTH
TO BE DETERMINED DURING FINAL DESIGN.

LINE	BEARING	DISTANCE
L1	N55°50'34"E	95.32'
L2	S16°03'18"E	23.03'
L3	S39°24'33"E	40.79'
L4	S00°01'05"W	40.57'
L5	S10°47'39"W	29.77'
L6	S19°08'57"W	76.63'
L7	S16°27'19"W	88.57'
L8	S27°22'20"W	45.47'
L9	S01°01'57"W	24.74'
L10	S16°23'08"W	50.68'
L11	S17°20'18"W	66.58'
L12	S21°58'47"W	126.50'
L13	S01°28'47"W	143.82'
L14	N30°27'22"E	151.19'
L15	S85°13'14"W	137.07'
L16	S00°18'07"W	35.24'
L17	S75°36'36"E	22.63'
L18	N03°45'11"E	4.37'
L19	S69°29'28"E	44.16'
L20	N86°14'45"E	50.18'
L21	S29°47'23"E	147.44'



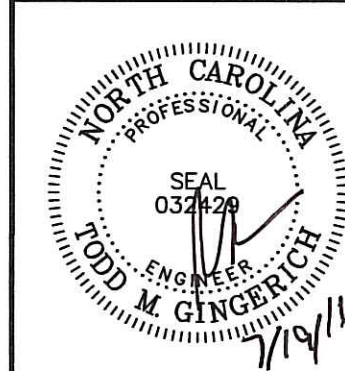
- LEGEND**
- EXISTING VEGETATED BUFFER
 - PROPOSED PLANTING AREA WITHIN 80' BUFFER PER ORD. SEC. 7.5.3
 - AREA FOR REQUESTED MODIFICATION FROM PLANTING REQUIREMENT WITHIN 80' VEGETATED BUFFER
 - PROPOSED BUILDING
 - PROPOSED GRAVEL ACCESS PAD
 - PROPOSED STORMWATER MANAGEMENT AREA
 - PROPOSED PROPERTY FOR REZONING
 - CLOSED PHASE 1 WASTE AREA
 - CLOSED EXPANSION I WASTE AREA
 - ACTIVE EXPANSION II AND INFILL WASTE AREAS
 - PROPOSED WASTE AREA
 - PROPOSED PC/SWIM BUFFER IMPACT
 - PROPOSED PC/SWIM BUFFER PRESERVATION
 - STREAM BUFFER
 - FEMA 100 YEAR FLOOD PLAIN (COUNTY GIS)
 - 80' VEGETATIVE BUFFER
 - 100' UNDISTURBED BUFFER
 - APPROXIMATE STREAM LOCATION
 - COMMUNITY ENCROACHMENT AREA (COUNTY GIS)
 - FEMA FLOODWAY (COUNTY GIS)

- NOTES**
- BUILDING, STORMWATER MANAGEMENT, GRAVEL DRIVE AND WASTE AREA SIZES AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE IN NATURE AND MAY BE ADJUSTED DURING PERMITTING, FINAL DESIGN AND CONSTRUCTION PLAN PREPARATION.
 - THE 80' VEGETATED BUFFER WILL REQUIRE TREE AND SHRUB PLANTING IN ACCORDANCE WITH TOWN ORDINANCE SECTION 7.5.3.
 - PROPERTY ADDRESS IS 15300 HOLBROOKS ROAD, HUNTERSVILLE, NC 28078.
 - AREAS, LENGTHS AND CALCULATIONS OF STREAM BUFFER IMPACTS AND CORRESPONDING MITIGATION AREAS ARE APPROXIMATE AND HAVE NOT BEEN FIELD CERTIFIED.
 - EXISTING HOUSE ADJACENT TO HOLBROOK ROAD TO BE REMOVED.
 - LIGHTING PLAN SHALL BE IN ACCORDANCE WITH ARTICLE 8.26.
 - VEHICULAR ACCESS TO THE FACILITY IS LIMITED TO HOLBROOKS ROAD. FENCING AND GATE WILL BE PROVIDED ALONG HOLBROOKS ROAD. HEAVY VEGETATION PREVENTS ACCESS TO THE REMAINDER OF THE SITE. THE NEAREST PUBLIC RIGHT-OF-WAYS INCLUDE STATESVILLE ROAD (WEST $\pm\frac{1}{2}$ MILE), TRAILS END LANE (SOUTH $\pm\frac{1}{2}$ MILE) AND WILDLIFE LANE (EAST $\pm\frac{1}{2}$ MILE).
 - NO ROOF TOP UTILITIES PLANNED.
 - WASTE DISPOSAL AREAS TO BE CONSTRUCTED IN ACCORDANCE WITH NCEQ SOLID WASTE REGULATIONS. VEHICULAR ACCESS AND STORMWATER MANAGEMENT AREAS ARE PERMITTED WITHIN REQUIRED SOLID WASTE BUFFERS.
 - NO ACTIVE WELLS FOUND WITHIN 500' OF PROPOSED WASTE FILL AREAS.
 - AREAS NOT SHOWN TO BE PLANTED OR WHERE RELIEF FROM PLANTING REQUIREMENTS IS NOT REQUESTED CONTAIN EXISTING VEGETATION TO PROVIDE SCREENING.
 - PLAN APPROVAL CONTINGENT UPON COMPLETION OF A TREE SURVEY.

- REFERENCE**
- PRELIMINARY PLAT FOR PARCEL PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016.
 - EXISTING SITE TOPOGRAPHY AND FLOOD ZONE OBTAINED FROM MECKLENBURG COUNTY GIS, APRIL 2016.
 - PROPOSED WASTE AREA AND ASSOCIATED STORMWATER MANAGEMENT AREAS PROVIDED BY JOYCE ENGINEERING, INC. PROPOSED PLANTING AREAS WITHIN 80' BUFFER BASED ON REVIEW OF 2015 SITE AERIAL PHOTOGRAPHY PROVIDED BY PATTERSON LAND SURVEYING, PA, APRIL 2015.
 - STREAM BUFFER BOUNDARY BASED ON APPROXIMATE STREAM CENTERLINE PROVIDED BY PATTERSON LAND SURVEYING, PA ON APRIL 15, 2016. NO STREAM TOP OF BANK SURVEY HAS BEEN PERFORMED.

SCALE IN FEET
0 50 100

NORTH CAROLINA
BOARD OF EXAMINERS
FOR ENGINEERS AND
SURVEYORS LICENSE
NO. C-3035



SPECIAL USE SITE PLAN

CONDITIONAL DISTRICT REZONING
GREENWAY WASTE SOLUTIONS
AT NORTH MECK, LLC
15300 HOLBROOKS ROAD
HUNTERSVILLE, NORTH CAROLINA

Civil & Environmental Consultants, Inc.
1900 Center Park Drive - Suite A - Charlotte, NC 28217
Ph: 980.237.0373 - Fax: 980.237.0372
www.ccecinc.com

REVISION RECORD	
NO	DATE
1	6/8/2016
2	6/8/2016
3	7/19/2016

DRAWING NO.:
SP101
SHEET 3 OF 3



Special Use Permit Application

Subject: Letter stating how the applicant satisfies Article 9

Date: 5/1/2016

Greenway Waste Solutions, LLC has been operating in its current use since 1988. During this time Greenway Waste Solutions, LLC has operated under the purview of Article 9.23 and satisfied all criteria. Greenway Waste Solutions, LLC will continue to satisfy Article 9.23. Greenway Waste Solutions, LLC is filing a variance for two line items in Article 9.23.4.c as noted below.

Sincerely,

Macon Carroll
Greenway Waste Solutions

9.23 Off-Site Land Clearing and Inert Debris (LCID) and Construction & Demolition (C&D) Landfills

Off-Site LCID and C&D Landfills are permitted in the SP District subject to a Special Use Permit, according to the procedures of [Section 11.4.10](#). The Town Board shall issue a Special Use Permit for the subject facility in the SP District if, but not unless, the evidence presented at the Special Use Permit hearing establishes the conditions below.

.1 That the site will operate in compliance with the rules according to NCDENR for C&D and LCID landfills, as amended.

This site will operate in compliance with the rules according to NCDERN and C&D LCID landfills, as amended.

.2 That the proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property; and

This site will not endanger the public health and safety, nor substantially reduce the value of nearby property as the facility's use will not change. The proposed changes will not alter the way in which the site and neighborhood interact.

.3 That the proposed use will not be in conflict with the objectives of the most detailed plan adopted for the area; and

This site will not be in conflict with the objectives of the most detailed plan adopted for the area, the East Huntersville Plan. The proposed site fits into the local economy and goals of this plan as a place where people can live and work. The facility has been an active member in the community and will continue to stay involved.

.4 That the comprehensive site plan addresses each of the environmental and development standards below:

a). A landfill which would be larger than 10 acres shall be accessed from a major or minor thoroughfare or from a street built to commercial street standards that connects directly to a major or minor thoroughfare. Landfills 10 acres or less must directly connect to a major or minor thoroughfare, or to a non-residential collector or non-residential local street where



available. However, if such thoroughfares or streets are not reasonably available, the Board may nevertheless issue a special use permit upon finding that the use for which the permit is granted would not likely cause any injurious effect on the property adjacent to the access.

The landfill, which is greater than 10 acres, is accessed by minor thoroughfare and from a street built to commercial street standards that connects directly to a major thoroughfare.

b). That the proposed or existing use will be in compliance with the rules and regulations as established by the Traffic Impact Analysis (TIA) Article 14.

A Traffic Impact Analysis was not deemed necessary.

c). Neither clearing, grading, land disturbing activities nor any portion of a C&D or LCID landfill may be located within 100 feet of any exterior property line. Further, the buffer requirements for the site are required per the state permitting criteria. The requirements stated below take precedence over any and all modification made by the state unless the state standards become more restrictive.

500-foot buffer from existing residential water supply wells to fill area.

200-foot buffer from adjacent property to fill area.

No fill in designated wetlands or the FEMA and/or Community Special Flood Hazard Areas.

50-foot buffer from delineated streams.

50-foot buffer from road right-of-way to fill area (non-state requirement).

The site is currently in compliance with all criteria in this section. A variance request is being filed for the following: "50' buffer from delineated streams" and "No fill designated wetlands or the FEMA and/or Community Special Flood Hazard Areas."

d). Driveway access to the facility must be paved for a distance of at least 100' from the public street.

Driveway access to the facility is paved for a distance of at least 100' from the public street.

e). Vehicular and pedestrian access to the site must be controlled; the site must be closed and secured during hours when filling activities are not under way. A non-climbable fence, at least 6' high, shall be installed around the landfill and all of its operations as a safety device. These fences must be constructed of wire mesh with openings not to exceed 2 inches by 4 inches or equivalent and must be placed on the interior side of screening/buffering devices.

The site is closeable and secured from vehicular and pedestrian access. The applicant is filing for a variance to the fencing requirements.

f). All driveways which serve the site must be wide enough to accommodate two-way traffic for a distance of at least 100' from the public street so that no traffic waiting to enter the site will be backed up on any public right-of-way.

The driveway that serves the site is wide enough to accommodate two-way traffic for 200 feet from the public street. There is ample room such that traffic should not enter the public right of way.

.5 That the landfill operator will be responsible for removal of any and all debris, dirt, or other materials which fall from trucks entering or leaving the landfill from all adjoining streets on at least a weekly basis. Failure to comply constitutes a violation of this ordinance and may constitute grounds for revocation of the operating permit.



Since inception we have taken pride in keeping the roadways clean. This process starts on site where we provide a well groomed tipping floor for our customers. From there we maintain gravel roads to removed dirt from tires. Lastly, the site operators routinely wash the street with a specialized truck designed to remove any dirt or mud. Additionally, the operator takes pride in keeping the roadside clear of debris. This includes debris that is not related to our facility.

.6 That the use of the site for any purpose shall be limited to the hours of 7:00 a.m. until 6:00 p.m. Monday through Saturday, if the site adjoins or is across the street from property located in a residential district.

The use of the site is limited to the hours of 7:00AM until 6:00PM, Monday through Saturday.

.7 That a timetable has been submitted with the application indicating the development phases and the projected life expectancy of the landfill.

An updated timetable has been submitted with the application.

.8 That a reclamation plan is provided that shows how the site will be reclaimed upon the closing of the landfill. The reclamation plan shall state the proposed method of conservatorship and perpetual maintenance or use. It shall demonstrate that the site, when closed, will pose no threat to public safety; that the finished contours and groundcover will reestablish a compatible appearance with surrounding lands and buildings; and that the method of maintenance or use will cause no future environmental degradation.

Per NCDEQ we have a 30 year responsibility to maintain the site, this process is bonded to ensure that it will be done.

.9 An existing LCID landfill shall not be required to be brought into compliance with the provisions of this ordinance provided:

This not applicable to this site.

a). The landfill has been continuously operating since 1990 and was not within the zoning jurisdiction of the Town of Huntersville in 1991;

b). The landfill has a valid LCID or demolition landfill permit and/or obtains any renewals of the LCID or demolition landfill permit required by the State of North Carolina and/or Mecklenburg County;

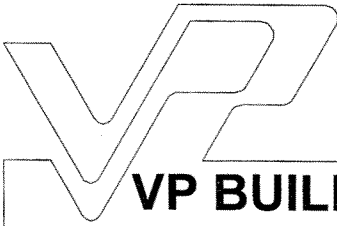
c). The landfill has a closure plan approved by the State of North Carolina and/or Mecklenburg County; and

d). In no event shall the landfill operate under a LCID or demolition landfill permit later than December 4, 2016 and further provided that on the earlier of the final date permitted for operation of the landfill or the date the landfill permanently ceases operation, the owner and/or operator of the landfill shall immediately commence and continuously pursue to completion closure of the landfill according to the provisions of the then current closure plan approved by the State of North Carolina and/or Mecklenburg County. Failure to complete closure according to such approved plan shall be a violation of this ordinance enforceable by all remedies and penalties available to the Town.

.10 Any existing C&D landfill shall be permitted to continue operation in the zone in which it is located provided the landfill has an unexpired special use permit. Any expansion beyond the property boundary of an existing C&D landfill as approved on November 11, 2005 must be



located in the SP district with a special use permit in accordance with the provisions of this Section.



VP BUILDINGS

VARCO PRUDEN

A BlueScope Steel Company

DRAWING INDEX	
DRAWING TITLE	PAGES
Cover Sheet	1
Notes	2
Anchor Rod Plan	3
Primary Structural	4- 11
Secondary Structural	12- 14
Covering	15- 19
Special Drawings	
Standard Erection Details	20- 22

DRAWING RELEASE HISTORY		
TYPE	DATE	DESCRIPTION
A. Rod drawings	2-5-09	FOR CONSTRUCTION
ERECTOR DRAWINGS	2-13-09	FOR CONSTRUCTION

GENERAL NOTES

MATERIALS

3 PLATE WELDED SECTIONS
 COLD FORMED LIGHT GAGE SHAPES
 BRACE RODS
 HOT ROLLED MILL SHAPES
 HOT ROLLED ANGLES
 HOLLOW STRUCTURAL SECTION (HSS)
 CLADDING

ASTM DESIGNATION

A529, A572, A1011, A1018
 A653, A1011
 A572
 A36, A529, A572, A588, A709, A992
 A529, A572, A588, A709, A992
 A500
 A653, A792

GRADE 55
 GRADE 60
 GRADE 50
 GRADE 36 KSI UNLESS NOTED
 GRADE 50
 GRADE B
 GRADE 50 OR GRADE 80

A325 & A490 BOLT TIGHTENING REQUIREMENTS

IT IS THE RESPONSIBILITY OF THE ERECTOR TO INSURE PROPER BOLT TIGHTNESS IN ACCORDANCE WITH APPROPRIATE REGULATIONS. THE FOLLOWING CRITERIA IS IN COMPLIANCE WITH THE LATEST SPECIFICATIONS, HOWEVER THE ERECTOR IS RESPONSIBLE TO VERIFY LOCAL AUTHORITY REQUIREMENTS.
 ALL CONNECTIONS MADE WITH A325 BOLTS MAY BE TIGHTENED TO THE "SNUG TIGHT" CONDITION AS PERMITTED BY THE SPECIFICATION FOR STRUCTURAL JOINTS USING A325 OR A490 BOLTS (2004 ED), UNLESS INDICATED AS "PRE-TENSIONED" ELSEWHERE IN THESE DRAWINGS, OR AS INDICATED BELOW.

PRE-TENSION BOLTS ON PRIMARY FRAMING, BOLTED BRACING, AND STRUT CONNECTIONS IF LOCATED IN IBC SEISMIC PERFORMANCE / DESIGN CATEGORY D, E OR F, UBC ZONE 3 OR 4. SEE CODES AND LOADS NOTES BELOW FOR FOR SEISMIC DESIGN CATEGORY. PRE-TENSION ALL PRIMARY FRAMING CONNECTIONS IN CANADA.

PRE-TENSION BOLTS ON PRIMARY FRAMING, BOLTED BRACING, STRUTS AND CRANE RUNWAY CONNECTIONS IF BUILDING SUPPORTS A CRANE WITH A CAPACITY GREATER THAN 5 TONS.

CONNECTIONS THAT SUPPORT RUNNING MACHINERY AND OTHER SOURCES OF IMPACT OR STRESS REVERSAL MUST BE PRE-TENSIONED.

ALL SLIP CRITICAL CONNECTIONS AS INDICATED IN THESE DRAWINGS WITH -SC DESIGNATION MUST BE PRE-TENSIONED. SC TYPE CONNECTIONS MUST BE FREE OF PAINT, OIL OR OTHER MATERIALS THAT REDUCE THE FRICTION AT CONTACT SURFACES.

CONNECTIONS DESIGNATED AS A325-X OR A490-X SHALL BE INSTALLED WITH BOLT HEAD ON SIDE OF THE THINNEST PLATE BEING CONNECTED.

SECONDARY MEMBERS AND FLANGE BRACE CONNECTIONS ARE ALWAYS "SNUG TIGHTENED", EVEN IF ABOVE CONDITIONS EXIST, UNLESS SPECIFICALLY NOTED OTHERWISE ON DETAILS.
 WASHERS ARE NOT REQUIRED FOR "SNUG-TIGHT" CONNECTIONS. PRE-TENSIONED A325 OR A490 CONNECTIONS TIGHTENED USING THE TURN-OF-THE-NUT METHOD DO NOT REQUIRE WASHERS. A490 BOLTS MUST ALWAYS BE PRE-TENSIONED.

CODES AND LOADS

WHEN MULTIPLE BUILDINGS ARE INVOLVED, SPECIFIC LOAD FACTORS FOR DIFFERING OCCUPANCIES, BUILDING DIMENSIONS, HEIGHTS, FRAMING SYSTEMS, ROOF SLOPES, ETC., MAY RESULT IN DIFFERENT LOAD APPLICATION FACTORS THAN INDICATED BELOW. SEE CALCULATIONS FOR FURTHER DETAILS.

Building Code: 2006 International Building Code
 Waste Transfer Station : Building Use:Standard Occupancy Structure, Collateral Gravity: 3.00 psf (Not including bldg wt)
 LIVE LOADS AND RAINFALL
 Live Load 20.00 psf (Reducible)
 Rainfall: 8.00 inches per hour

SNOW LOAD
 Ground Snow: 15.00 psf, Flat Roof Snow: 12.50 psf
 Snow Exposure Category (Factor): 2 Partially Exposed (1.00)
 Snow Importance: 1.000 Thermal Category (Factor): Unheated (1.20)

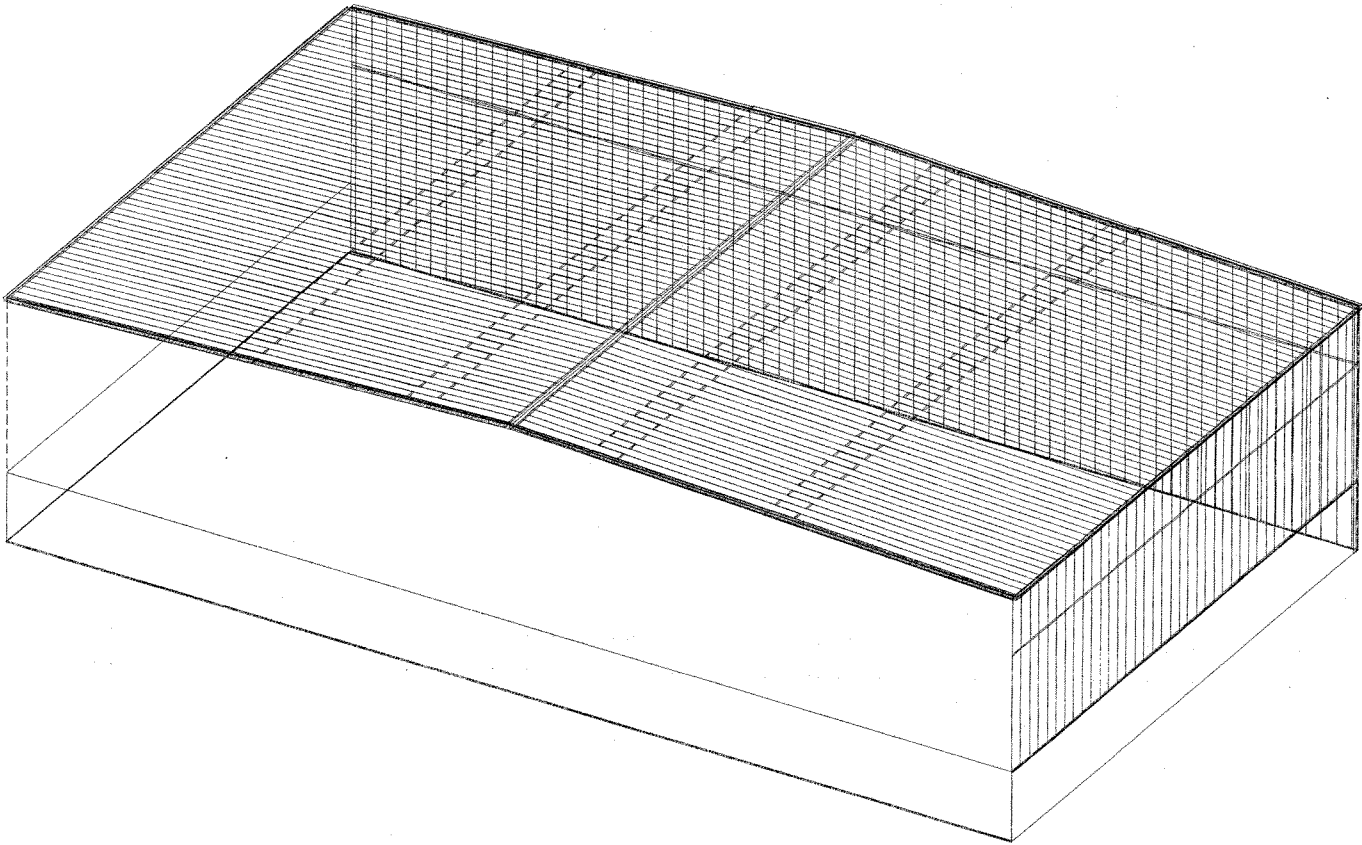
WIND LOAD
 Wind Speed: 95.00 mph, Wind Exposure: B
 Basic Wind Pressure: 15.83 psf
 Wind Importance Factor: 1.000, Ft= Topographic Factor: 1.0000
 Wind Enclosure: Partially Enclosed, 0.550
 Note: All windows, doors, skylights and other covered openings must be designed for the specified above wind loads

EARTHQUAKE DESIGN DATA
 Lateral Force Resisting Systems using Equivalent Force Procedure
 Mapped Spectral Response - Ss:24.10 %g, S1:10.10 %g
 Seismic Hazard / Use Group: Group 1
 Seismic Performance / Design Category: C (See Bolt Tightening Note Above)
 Seismic Snow Load: 0.00 psf
 Seismic Importance: 1.000
 Soil Profile Type: Stiff soil (D, 4)
 Design Spectral Response - Sds: 0.2571, Sd1: 0.1616

Ordinary Steel Moment Frames
 Frame Redundancy Factor:1.0000
 Framing R-Factor: 3.0000, Frame Seismic Factor (%s): 0.0855, Design Base Shear = 0.0855 W
 Ordinary Steel Concentric Braced Frames
 Brace Redundancy Factor:1.0000
 Bracing R-Factor: 3.0000, Brace Seismic Factor (%s): 0.0857, Design Base Shear = 0.0857 W



1-6-09
 2-13-09



VP Buildings 3200 Players Club Circle Memphis TN 38125

THE VP ENGINEER'S SEAL APPLIES ONLY TO THE WORK PRODUCT OF VP AND DESIGN AND PERFORMANCE REQUIREMENTS SPECIFIED BY VP. THE VP ENGINEER'S SEAL DOES NOT APPLY TO THE PERFORMANCE OR DESIGN OF ANY OTHER PRODUCT OR COMPONENT FURNISHED BY VP EXCEPT TO ANY DESIGN OR PERFORMANCE REQUIREMENTS SPECIFIED BY VP.

THIS DRAWING, INCLUDING THE INFORMATION HEREON, REMAINS THE PROPERTY OF VP BUILDINGS.
 IT IS PROVIDED SOLELY FOR ERECTING THE BUILDING DESCRIBED IN THE APPLICABLE PURCHASE ORDER AND SHALL NOT BE MODIFIED, REPRODUCED OR USED FOR ANY OTHER PURPOSE WITHOUT PRIOR WRITTEN APPROVAL OF VP BUILDINGS.

THE GENERAL CONTRACTOR AND/OR ERECTOR IS SOLELY RESPONSIBLE FOR ACCURATE, GOOD QUALITY WORKMANSHIP IN ERECTING THIS BUILDING IN CONFORMANCE WITH THIS DRAWING, DETAILS REFERENCED IN THIS DRAWING, ALL APPLICABLE VP BUILDINGS ERECTION GUIDES, AND INDUSTRY STANDARDS PERTAINING TO PROPER ERECTION, INCLUDING THE CORRECT USE OF TEMPORARY BRACING.



COVER SHEET

BUILDER Annis Building Corp.
 CUSTOMER
 LOCATION Raleigh, North Carolina
 PROJECT Shotwell W.T.P.
 BUILDERS PCW



A BlueScope Steel Company
 VPC VERSION: 7.1c

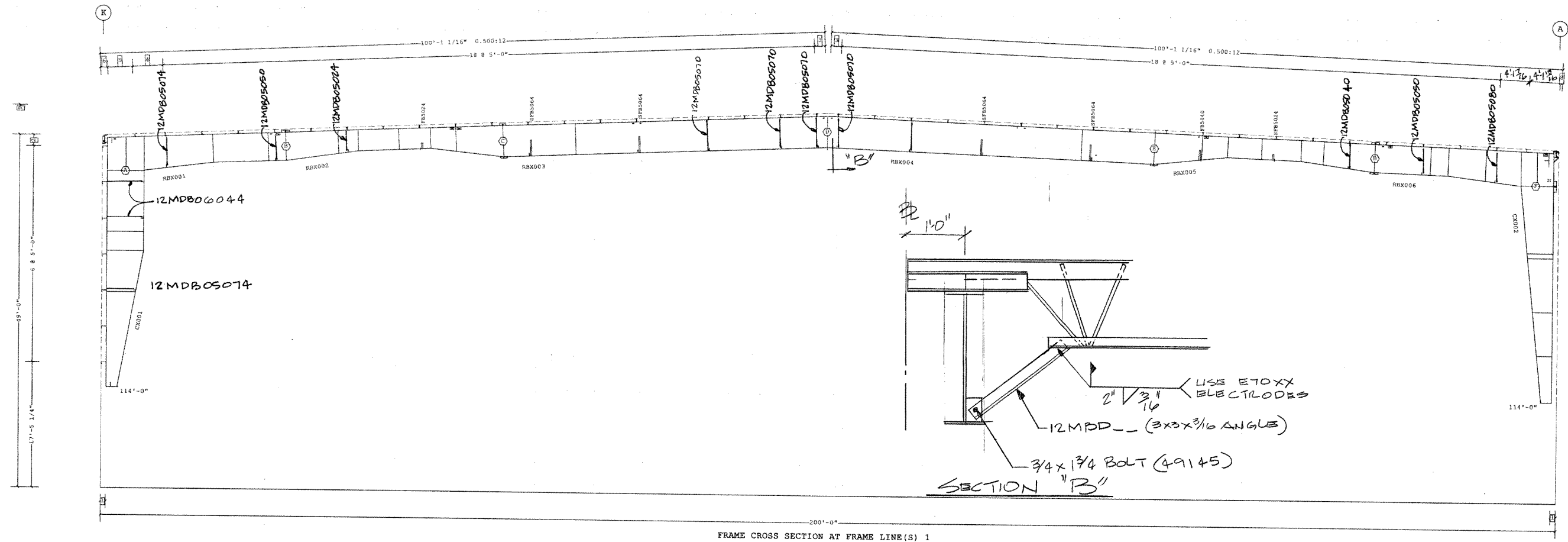
JOBNO 09-379
 DATE 2-5-2009
 DRAWN / CHECK VEM
 PAGE 1

FILENAME 2256-08-1403 revised lc at 1 & 2.VPC

Concept elevations, final design pending.

Bolt Connection & Qty		Plate Schedule		Rows		Tension	Washer
Id	ASTM	Bolt	Bolt	Plate	Out	In	Bolt
A	12	A325	Dia.	Length	Thick.		
B	16	A325	1 7/8"	4 1/2"	1 3/4"	4	2
C	16	A325	3/4"	2 3/4"	3/4"	4	4
D	14	A325	1"	2 1/4"	5/8"		
E	14	A325	1"	3 1/2"	1"	3	4
F	14	A325	3/4"	2 1/4"	5/8"	3	4
X	14	A325	1 1/4"	4"	1"	4	3

Frame Clearances
 Horiz. Clearance between members 1(CX001) and 17(CX002): 189'-1"
 Horiz. Clearance between members 1(CX001) and 18(CX002): 190'-1 1/16"
 Horiz. Clearance between members 2(CX001) and 17(CX002): 189'-1"
 Horiz. Clearance between members 2(CX001) and 18(CX002): 190'-1 1/16"
 Vert. Clearance at member 2(CX001): 44'-0 13/16"
 Vert. Clearance at member 17(CX002): 44'-0 9/16"
 Finished Floor Elevation = 100'-0" (Unless Noted Otherwise)



FRAME CROSS SECTION AT FRAME LINE(S) 1

9 53'-2" Ridge Ht.
8 3 1/2"
6 3 1/2"
5 4'-1 15/16"
4 4'-1 7/16"
3 1'-6 3/16"
2 1'-6 3/4"
1 8 1/2"

☐ Dimension Key

1. USE 1/2 X 1 1/2 A325 SNUG TIGHTENED BOLTS FOR PURLIN TO FRAME, GIRT TO FRAME, AND GIRT TO CLIP CONNECTIONS UNLESS NOTED OTHERWISE.
2. SLOT REINFORCEMENT PLATES NEED NOT BE LOCATED ON THE SAME SIDE OF THE WEB AS THE HILLSIDE WASHER.

THE VP ENGINEER'S SEAL APPLIES ONLY TO THE WORK PRODUCT OF VP AND DESIGN AND PERFORMANCE REQUIREMENTS SPECIFIED BY VP. THE VP ENGINEER'S SEAL DOES NOT APPLY TO THE PERFORMANCE OR DESIGN OF ANY OTHER PRODUCT OR COMPONENT FURNISHED BY VP EXCEPT TO ANY DESIGN OR PERFORMANCE REQUIREMENTS SPECIFIED BY VP.

Shape Name = Waste Transfer Station Wall 4, Frame 1

THIS DRAWING, INCLUDING THE INFORMATION HEREON, REMAINS THE PROPERTY OF VP BUILDINGS. IT IS PROVIDED SOLELY FOR ERECTING THE BUILDING DESCRIBED IN THE APPLICABLE PURCHASE ORDER AND SHALL NOT BE MODIFIED, REPRODUCED OR USED FOR ANY OTHER PURPOSE WITHOUT PRIOR WRITTEN APPROVAL OF VP BUILDINGS.

THE GENERAL CONTRACTOR AND/OR ERECTOR IS SOLELY RESPONSIBLE FOR ACCURATE, GOOD QUALITY WORKMANSHIP IN ERECTING THIS BUILDING IN CONFORMANCE WITH THIS DRAWING, DETAILS REFERENCED IN THIS DRAWING, ALL APPLICABLE VP ERECTION GUIDES, AND INDUSTRY STANDARDS PERTAINING TO PROPER ERECTION, INCLUDING THE CORRECT USE OF TEMPORARY BRACING.

VP Buildings
3200 Players Club Circle Memphis TN 38125

REV	DATE	BY	DESCRIPTION

FOR CONSTRUCTION

FRAME CROSS SECTION AT FRAME LINE(S) 1

BUILDER	Annis Building Corp.
---------	----------------------

CUSTOMER	
LOCATION	Raleigh, North Carolina

PROJECT	Shotwell W.T.P.
---------	-----------------

BUILDERS POS

FILENAME: 2256-08-1403 revised ic at 1 & 2 VPC



VP BUILDINGS
VARCO PRUDEN

OBNO	
9-379	
DATE	2/11/2009
DRAWN/CHECK	
JTI / BLM	
PAGE	5

Town of Huntersville North Carolina

Special Use Permit Granted

On Monday, November 21, 2005, the Huntersville Town Board held a public meeting to consider the below noted Special Use Permit:

Special Use Permit request by Griffin Brothers Enterprises, Inc. to expand the North Mecklenburg Landfill by 25 acres on the south side of Holbrooks Road near the end if the street, Tax Parcels 01919114, 01919107, 01919112, 01919120, 01919198.

Having heard all the evidence and argument presented at the hearing, the Board finds the application is complete, that the application complies with all of the applicable requirements of the Huntersville Zoning Ordinance for the expansion proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance, the attached Findings of Fact, and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Town of Huntersville Town Hall.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

IN WITNESS WHEREOF, the Town of Huntersville has cause this permit to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

_____, owner(s) of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owners do further acknowledge that no work may be done pursuant to the permit except in accordance with all of its conditions and requirements and that the restriction shall be binding on them and their successors in interest.

Owner

NORTH CAROLINA

MECKLENBURG COUNTY

I, _____, certify that the following person(s) personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:.

(Name and capacity of person(s) signing)

Date: _____

Notary Public

(Official Seal)

(Not valid until fully executed)

ADOPTED FINDING OF FACT:

1. *The existing C&D landfill is over 60 acres in size.*
2. *A thoroughfare study was previously funded and the proposed alignment of Verhoeff Drive will be approximately 2,000' south of the proposed landfill expansion area.*
3. *If approved, the landfill expansion area will operate no longer than five years from the date the final state approval is granted for the landfill operation.*
4. *According to the site plan, the expansion area does not exceed 25 acres. The site plan does show a small area to the south of the expansion area that is to be an undisturbed buffer.*
5. *The proposed alignment of Verhoeff Drive will be approximately 2,000' south of the landfill expansion area.*
6. *The site plan prepared by BPB dated September, 2005 shows there will be over a 500' buffer between the fill area and existing residential water supply wells; a 200' buffer from adjacent property to the fill area; and over a 50' buffer from the road right-of-way to the fill area. A more detailed map will need to be submitted indicating details on the C&D landfill (i.e. fill limits, proposed stockpile areas; sediment basins' etc.) to further verify compliance with this subsection. The applicant has stated they will comply with all applicable buffer/setback requirements (see attached letter).*
7. *The North Mecklenburg Landfill has been granted one expansion. If approved, there can be no more expansions under the provisions of 9.23(9). Additional landfill activity would have to comply with the provisions of section 9.23 for new landfills.*
8. *The proposed C&D landfill will comply with all state and Town of Huntersville regulations. In an email dated August 11, 2005, Mr. Mike Stilwell, Solid Waste Compliance Inspector for Mecklenburg County, indicated the site has been inspected by him monthly since July 2003 and there have been no notices of violation for the landfill site. The applicant has stated they will continue to pick-up all trash and materials that are dropped on Holbrooks Road and portions of Hwy. 115 around Holbrooks Road. Further, the applicant has stated they have contracted a person to clean-up all roadside litter on Holbrooks and Old Statesville Road from North Meck High School to Gilead Road every Monday and Thursday (see attached).*
9. *There is no detailed plan adopted for the area in question. Therefore the proposed use does not conflict with any adopted plan.*
10. *The Traffic Impact Analysis has been submitted and review by the Town Traffic Engineer. Mr. David Jarrett, Town Engineer, is requesting that Holbrooks Road be improved at the intersection with NC 115 to a three-lane section.*
11. *The North Mecklenburg Landfill will comply with all Town of Huntersville buffer requirements.*
12. *The North Mecklenburg Landfill shall comply with the vehicular and pedestrian access standards of this subsection.*
13. *According to the application submitted, there will be no filling in the regulated floodplain.*
14. *The site plan indicates driveways serving the site are at least 30' wide which is enough to accommodate two-way traffic.*

15. *The landfill operator shall remove all debris, dirt, and other materials in accordance with this provision.*
16. *The applicant shall be limited to the hours of 7am until 6pm Monday through Saturday since this site adjoins property zoned residential.*
17. *The landfill operator shall provide an irrevocable letter of credit in compliance with this subsection ensure the landfill area will be closed in an approved fashion.*
18. *The applicant intends to fill the expansion site to about 20% capacity per year for a five year time period according to the application.*
19. *According to the application, "NCDENR details the minimum requirements and monitoring methods to which we must perform upon closing the facility. We have a 30 year ground water monitoring commitment. Per the included area map, our property will be very compatible for a county or town park. We are willing to commit to this post closure.*
20. *The property proposed for the landfill expansion area is zoned Transitional Residential.*
21. *The proposed use will not endanger the public health and safety, nor substantially reduce the value of nearby property;*



Special Use Permit Amendment Granted

On Monday, December 7th, 2009, the Huntersville Town Board held a public meeting to consider the below noted Special Use Permit Amendment:

SUP05-01: Special Use Permit amendment request by Griffin Brothers Enterprises, Inc. to remove the expiration date of the permit and to amend its conditions as described in the attached finding of fact; Tax Parcels 01919114, 01919107, 01919112, 01919120, 01919198, 01910117, 01910102, 01910108, 01919113.

Having heard all the evidence and argument presented at the hearing, the Board finds the application is complete, that the application complies with all of the applicable requirements of the Huntersville Zoning Ordinance for the operation proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance, the attached Findings of Fact, and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Town of Huntersville Town Hall.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

IN WITNESS WHEREOF, the Town of Huntersville has cause this permit to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

Michael L. Griffin, Sec/Treas., owner(s) of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owners do further acknowledge that no work may be done pursuant to the permit except in accordance with all of its conditions and requirements and that the restriction shall be binding on them and their successors in interest.

A handwritten signature in black ink, appearing to read "M. L. Griffin", written over a horizontal line.

Owner

Planning

Post Office Box 664 • 101 Huntersville-Concord Road • Huntersville, NC 28070
phone 704.875.7000 • fax 704.875.6546 • www.huntersville.org

NORTH CAROLINA

MECKLENBURG COUNTY

I, Michelle V. Haines, certify that the following person(s) personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:.

Michael L. Griffin Sec/Treas.

(Name and capacity of person(s) signing)

Date: Feb. 18, 2010

Michelle V. Haines
Notary Public

(Official Seal)

(Not valid until fully executed)

AMENDED FINDINGS OF FACT (as amended 12/7/09):

1. *The North Mecklenburg Landfill is an existing landfill with an unexpired special use permit that would be allowed to continue to operate in its current zoning designation per Article 9.23.10. The proposed application is to amend the existing special use permit to remove the expiration date so it can continue its use within its current boundaries indefinitely; infilling the site as shown on the site plan. The “infill” area would be located between two closed fill areas that currently exist onsite. No expansions are currently proposed. No rezoning to SP would be required as long as 1. The special use permit does not expire and 2. No expansions outside of the current property boundaries take place. The current special use permit is good through October 26th, 2011.*
2. *The NCDENR (North Carolina Division of Environment and Natural Resources) permit was approved on October 26th, 2006 and is attached for reference. Please also find an email from Joe Hack (Solid Waste Management, Mecklenburg County). Mr. Hack reports no violations or compliance issues in the last five years. The North Mecklenburg landfill will continue to be subject to the NCDENR rules and regulations.*
3. *Per the email from Mecklenburg County Waste Management, staff has no reason to believe public health, safety, or property values will be negatively affected by the amended special use permit.*
4. *The proposed use does not conflict with any adopted/accepted small area plans. However, the East Huntersville Plan does call for a connector road to be established through the proposed property in question (connecting the proposed North Mecklenburg Industrial Park to the south with the future Asbury Chapel Road extension to the north). The applicant has agreed to reserve right-of-way for the future connection as shown in the East Huntersville Small Area Plan. It is unclear at this time who would be responsible for constructing the connector road through the subject property.*
5. *The applicants intend to continue to use Holbrooks Road as their main access to the facility as no thoroughfare or commercial street is currently available. Please see the letter from the applicant attached. They have agreed to move their main entrance from Holbrook Road to the future thoroughfare (Asbury Chapel Extension) to the north or the commercial business park roads (North Mecklenburg Business Park) to the south. However their proposal would only make the move required if a completed and constructed street along with associated right of way becomes immediately adjacent to their property. No proposal to construct any of the proposed thoroughfares or commercial streets (on or off their property) has been offered. Please find an email from Max Buchanan (Huntersville Public Works Director dated November 3rd, 2009) attached. According to Mr. Buchanan, the NCDOT Maintenance Engineer for the area has stated that “Holbrooks Road requires regular maintenance activities be performed due to a large volume of truck traffic on pavement structure not designed to carry such volumes/weights”. However no proposal for improvements or maintenance for Holbrooks Road has been received (other than to clean debris and trash; see below) from the applicant.*
6. *Because the facility existed prior to the effective date of the TIA ordinance, it is not required to submit a traffic impact analysis per Article 14.2.1 (G). However if there is ever an expansion to the outer property boundaries of the site, a TIA may be required if the expansion meets the threshold requirements of Article 14.*

7. *The North Mecklenburg Landfill letter states that they comply with all buffers listed above except one. The northwest portion of the property has an existing dirt road that is within the 100 foot undisturbed buffer area. This is a pre-existing condition that, because of the location of closed out fill areas, can not reasonably be changed.*
8. *According to the attached letter from the applicant, their main driveway is paved 170 feet back from Holbrooks Road to their gated entrance.*
9. *The North Mecklenburg Landfill currently has a security fence that extends around the active fill area and the front main entrance. The closed out fill area does not have a security fence.*
10. *The application letter lists the driveway entrance at 48 feet wide 100 feet back from Holbrooks Road.*
11. *In the letter attached, the applicant has agreed to be responsible for a weekly cleaning of Holbrooks Road.*
12. *The North Mecklenburg Landfill is adjacent to and inside a residential zoning district therefore the restricted hours of operation will apply.*
13. *The letter from the applicant estimates the new life expectancy of the landfill to be 25 years.*
14. *Please find the proposed reclamation plan submitted by the applicant attached. The submitted information has not been approved as of yet by NCDENR.*
15. *The North Mecklenburg Landfill is a Construction and Demolition Landfill (C&D) and is not subject to this section of the ordinance. This section of the ordinance applies to Land Clearing and Inert Debris Landfills (LCID).*
16. *The current special use permit for the North Mecklenburg landfill is currently unexpired and valid. It states that the landfill could operate no longer than five years from the date the final state approval is granted. The state approval was granted in October 26th, 2006 therefore under the current special use permit the landfill needs to cease operation on or before October 26th, 2011. This proposed special use permit amendment however would remove the time restriction from the permit and the existing landfill would be allowed to continue to operate within its current boundaries indefinitely per the article above.*

Conditions added by the Town Board at the Special Use Permit Hearing

17. *The applicant must be annexed into the Town of Huntersville.*
18. *The applicant must enter into a franchise agreement with the town that will have an expiration date 10 years from the date of the approval. The special use permit has no expiration date.*
19. *The safety, stability, and capacity to handle commercial trucks for Holbrooks Road must be revisited by the Town and NCDOT in 5 years.*
20. *The applicant will donate \$25,000 for the improvements and/or maintenance of Holbrooks Road within the 10 year term of their franchise agreement with the Town.*

From: Max Buchanan
Sent: Wednesday, December 02, 2009 1:58 PM
To: Bradley Priest; Bill Coxe
Subject: Fw: NCDOT Meeting - Holbrooks Road

Max L. Buchanan, PE
Town Engineer
Public Works Director
Town of Huntersville, NC
704-875-7007
mbuchanan@huntersville.org

----- Original Message -----

From: Mitchell, Louis L <lmitchell@ncdot.gov>
To: Canipe, Brett D <bcanipe@ncdot.gov>; jmueller@griffinbrothers.com
<jmueller@griffinbrothers.com>
Cc: Max Buchanan
Sent: Wed Dec 02 09:15:41 2009
Subject: RE: NCDOT Meeting - Holbrooks Road

Mr. Mueller

We have analyzed Holbrooks Rd. and have surveyed the Traffic and proposed future for this facility. In view of our findings, it is my recommendation that this facility have the proper pavement failures repaired/ patched followed by a 1.5 inch overlay. Holbrooks Rd. does not possess the pavement structure to accommodate the truck traffic it has experienced and will be subject to with the continued use your Company is planning. The facility has started to show signs of the stresses placed upon it, which will require abatement. If this facility is not repaired will have no choice, but to place a weight restriction to prevent further damages and deterioration. We trust that you understand our position. If you have any additional questions, please advise.

Louis L. Mitchell
District Engineer-Mecklenburg
NCDOT

From: Canipe, Brett D
Sent: Tuesday, December 01, 2009 4:32 PM
To: Mitchell, Louis L
Subject: FW: NCDOT Meeting - Holbrooks Road

Louis,

I have yet to respond to Mr. Mueller. Can you provide confirmation to him on your decision.

thanks,

Brett

From: Justin Mueller [<mailto:jmueller@griffinbrothers.com>]

Sent: Tuesday, December 01, 2009 11:25 AM

To: Canipe, Brett D

Cc: Mike Griffin

Subject: NCDOT Meeting - Holbrooks Road

Brett,

Just checking in to see if you had heard any word from Louis Mitchell in regards to meeting about Holbrooks Road? I know this is a sensitive time in his life and we don't want to force him into work, but as stated previously this meeting is imperative to the continued operation of the North Mecklenburg C&D Reclamation Facility.

With the December 7th date with the Town Board of Huntersville fast approaching, Huntersville has sent us a message every day to ensure we are doing all we can to get this meeting finalized. Due to the nature of these conversations, we are under the impression that if we do not meet with Louis Mitchell & NCDOT the Town Board Meeting will not occur as scheduled and this would hinder our ability to continue operating as a C&D Reclamation Facility & Landfill due to the tight time line of the permitting process with the North Carolina Department of Environment and Natural Resources (NCDENR).

We appreciate your help in this matter and hope you had a great Thanksgiving Holiday.

Best Regards,

Mike Griffin

Justin Mueller

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

From: Taylor, Wendy A <wataylor1@ncdot.gov>
Sent: Monday, July 25, 2016 11:34 AM
To: Bradley Priest
Cc: Stephen Trott; Sossamon, Gary D
Subject: RE: Greenway Waste Rezoning - Holbrook Road Maintenance

Hi Brad,

Per our conversation, NCDOT will require the following for Holbrook Rd.

- Current and projected truck volumes must be provided for the facility.
- Provide the circulation pattern of the facility and recycling center.
- Cores must be taken along Holbrook to see what the existing pavement structure is on Holbrook. NCDOT will evaluate the pavement structure to see if the pavement structure is sufficient.
- Holbrook must be widened the full width of the main entrance and continue approximately 300' to the west. We also require a full width overlay for any pavement widening.

Let me know if you have any questions.

Thanks,

Wendy Taylor, PE
District Engineer
NCDOT
Division 10/District 2

980 523 0000 office
wataylor1@ncdot.gov

7605 District Dr
Charlotte, NC 28213



 Nothing Compares 

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

From: Bradley Priest [<mailto:bpriest@huntersville.org>]
Sent: Monday, July 18, 2016 6:08 PM
To: Taylor, Wendy A <wataylor1@ncdot.gov>
Cc: Stephen Trott <strott@huntersville.org>
Subject: FW: Greenway Waste Rezoning - Holbrook Road Maintenance
Importance: High

Hey Wendy,

Stephen mentioned that he spoke to you about this project and that you were going to talk to Doug about the issue. I wanted to follow up with you on it as I'll be putting together my staff report this week and it would be great to understand NCDOT's position in regard to Holbrooks



Traffic Impact Analysis (TIA) Application for Determination of TIA Need

Article 14.2 of the Zoning Ordinance requires that a Traffic Impact Analysis (TIA) be performed for any residential subdivision, multifamily site plan, or non-residential development, or portion thereof, which is expected to create fifty (50) or more peak hour vehicle trips or 500 or more daily trips.

In order to determine whether a TIA will be required for your proposed development, please fill out the form below and submit to the Planning Department. A "Determination of TIA Need" will be made within 10 working days.

Applicant: Greenway Waste Solutions of North Meck

Project Name: GWS-MRF

Location: 15300 Holbrooks Road Huntersville, NC 28078

Project Description (including square footage for each proposed land use):

Materials recycling facility: ~28,300sf. The MRF will separate recyclables from non-recyclables. The recyclables will leave the facility in 53 ft. containers; at current volumes we anticipate 5 containers leaving per day. Currently, average trucks entering the facility is 120 per day.

In the future, biomass from the MRF may be used to supply feedstock to a Waste to Energy facility. This will result in a reduction of truck traffic.


Applicant's Signature

3/15/16

Date

Please feel free to contact the Planning Department @ (704) 875-7000 if you have any questions.

Project file#: _____

Date Submitted: 3/17/16

Daily Trips Anticipated: 10

Peak Hour Trips Anticipated: AM 2 PM 2

TIA Required (Yes/No): No

Date of Determination: 3/29/16

Note: Trips are only for the addition of an indoor recycling machine

Trip Generation of existing conditions prior to expansion:
Daily- 246
AM Peak Hour - 18
PM Peak Hour - 9

Below is information provided by the applicant on current operations at the facility.

- On average we have 120 trucks cross our scales daily and we have 3 employees that drive to work.
- 6:00 - 8:59AM 26 vehicles enter the site; 4:00PM - 5:59PM 6 vehicles enter the site. The same 3 employees arrive and leave w/in these hours as well and were not included in the vehicle counts.
- We won't attract "new" business by the change in our operations. Our customers will remain the same. We anticipate an additional 5 trucks entering the site each day as a result of the new operations. To clarify these 5 trucks will be hauling material away from the site, not bringing in waste.



April 11, 2016

Greenway Waste Solutions, LLC
15300 Holbrooks Rd
Huntersville, NC 28078

RE: Adequate Public Facilities (APF) Application – Greenway Waste Solutions (File#2016-06)

Mr. Carroll:

The Town has completed its review of the above referenced APF Application and deemed it to be complete, per Article 13.6.3 of the Zoning Ordinance. Based upon your request for an allocation of capital facilities for the above-referenced development proposal, consisting of a Materials Recycling Center (28,000 sq. ft.), I am issuing a “Determination of Adequacy (DOA)” for the following public facilities:

- Fire vehicles and station space
- Police vehicles and station space
- Parks & Recreation gym and parks

Please be advised that this DOA is valid for one (1) year, or until April 11, 2017, by which date this development proposal must have achieved vesting, per Section 2.2 of the Zoning Ordinance. Once vesting has been achieved, this DOA is valid for 3 years, at which time it will expire unless a certificate of occupancy or final plat approval has been granted.

Please feel free to contact me with any questions brichards@huntersville.org or by phone: (704) 766-2218.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Richards", with a long horizontal line extending to the right.

Brian Richards
GIS Administrator
APFO Administrator

CC: Jack Simoneau
Brad Priest

Planning

Post Office Box 664 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.875.7000 • fax 704.992.5528 • www.huntersville.org



General Application

Incomplete submissions will not be accepted. Please check all items carefully.

1. Application Type

Please indicate the type of application you are submitting. If you are applying for two (2) actions, provide a separate application for each action. **In addition to the application, the submission process for each application type can be found at**

<http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>

- ☐ CHANGE OF USE
- ☐ COMMERCIAL SITE PLAN
- ☐ CONDITIONAL REZONING
- ☐ GENERAL REZONING
- ☐ MASTER SIGNAGE PROGRAM
- ☐ REVISION to _____
- ☐ SPECIAL USE PERMIT

SUBDIVISION CATEGORIES: *Per the Huntersville Subdivision Ordinance*

- ☐ SKETCH PLAN
- ☐ PRELIMINARY PLAN
- ☐ FINAL PLAT (includes minor and exempt plats)
- ☐ FINAL PLAT REVISION
- ☐ FARMHOUSE CLUSTER

2. Project Data

Date of Application _____

Name of Project _____ Phase # (if subdivision) _____

Location _____

Parcel Identification Number(s) (PIN) _____

Current Zoning District _____ Proposed District (for rezonings only) _____

Property Size (acres) _____ Street Frontage (feet) _____

Current Land Use _____

Proposed Land Use(s) _____

Is the project within Huntersville's corporate limits?

Yes _____ No _____ If no, does the applicant intend to voluntarily annex? _____

3. Description of Request

Briefly explain the nature of this request. If a separate sheet is necessary, please attach to this application.

4. Site Plan Submittals

Consult the particular type of *Review Process* for the application type selected above. These can be found at: <http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>.

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies.

For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility *Willingness to Serve* letter for the subject property.

6. Signatures

*Applicant's Signature  Printed Name _____

Address of Applicant _____

Email _____

Property Owner's Signature (if different than applicant) _____

Printed Name _____

Property Owner's Address _____ Email _____

* Applicant hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Development Firm	Name of contact	Phone	Email
------------------	-----------------	-------	-------

Design Firm	Name of contact	Phone	Email
-------------	-----------------	-------	-------

If Applying for a General Rezoning:

Please provide the name and Address of owner(s) of fee simple title of **each** parcel that is included in this rezoning petition. If additional space is needed for signatures, attach an addendum to this application.

If Applying for a Conditional Rezoning:

Every owner of each parcel included in this rezoning petition, or the owner (s) duly authorized agent, must sign this petition. If signed by an agent, this petition **MUST** be accompanied by a statement signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in filing this petition. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID PETITION. **If additional space is needed for signatures, attach an addendum to this application.**

Signature, name, firm, address, phone number and email of Duly Authorized Agent by owner needed below:

 Mike Griffin 704-533-5781

If Applying for a Subdivision:

By signature below, I hereby acknowledge my understanding that the Major Subdivision Sketch Plan Process is a quasi-judicial procedure and contact with the Board of Commissioners shall **only** occur under sworn testimony at the public hearing.

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	http://www.huntersville.org/Departments/Planning.aspx



General Application

Incomplete submissions will not be accepted. Please check all items carefully.

1. Application Type

Please indicate the type of application you are submitting. If you are applying for two (2) actions, provide a separate application for each action. **In addition to the application, the submission process for each application type can be found at**

<http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>

- | | |
|---|--|
| <input type="checkbox"/> CHANGE OF USE
<input type="checkbox"/> COMMERCIAL SITE PLAN
<input checked="" type="checkbox"/> CONDITIONAL REZONING
<input type="checkbox"/> GENERAL REZONING
<input type="checkbox"/> MASTER SIGNAGE PROGRAM
<input type="checkbox"/> REVISION to _____
<input checked="" type="checkbox"/> SPECIAL USE PERMIT | SUBDIVISION CATEGORIES: <i>Per the Huntersville Subdivision Ordinance</i>
<input type="checkbox"/> SKETCH PLAN
<input type="checkbox"/> PRELIMINARY PLAN
<input type="checkbox"/> FINAL PLAT(includes minor and exempt plats)
<input type="checkbox"/> FINAL PLAT REVISION
<input type="checkbox"/> FARMHOUSE CLUSTER |
|---|--|

2. Project Data

Date of Application 4/27/2016

Name of Project Greenway Waste Addendum R16-06 Phase # (if subdivision) _____

Location 15300 Holbrooks Road Huntersville, NC 28078

Parcel Identification Number(s) (PIN) portion west of Cane Creek of parcel 01918162

Current Zoning District NR and TR Proposed District (for rezonings only) SP(CD)

Property Size (acres) 135 Street Frontage (feet) 1034 feet

Current Land Use Construction and Demolition Landfill

Proposed Land Use(s) Construction and Demolition Landfill with Materials Recycling Facility

Is the project within Huntersville's corporate limits?

Yes ☒ No ☐ If no, does the applicant intend to voluntarily annex? _____

3. Description of Request

Briefly explain the nature of this request. If a separate sheet is necessary, please attach to this application.
Proposing to build a materials recycling facility on existing construction and demolition landfill.

This is an addendum to Greenway Waste Solutions larger conditional re-zoning.

4. Site Plan Submittals

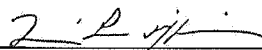
Consult the particular type of *Review Process* for the application type selected above. These can be found at: <http://www.huntersville.org/Departments/Planning/PermitsProcess.aspx>.

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The *Review Process* list includes plan documents needed for most town and county reviewing agencies.

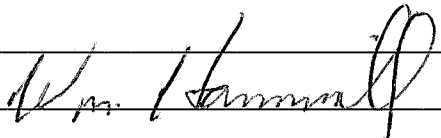
For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility *Willingness to Serve* letter for the subject property.

6. Signatures

*Applicant's Signature  Printed Name Mike Griffin

Address of Applicant 19109 W. Catawba Ave Ste 100 Cornelius, NC 28031

Email mike@griffinbrothers.com

Property Owner's Signature (if different than applicant) 

Printed Name William W. Hammill

Property Owner's Address 11745 Trails End Ln Huntersville, NC Email billhammille@gmail.com

* Applicant hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Civil & Environmental Con Todd Gingrich 980-237-0371 tgingerich@cecinc.com

Development Firm	Name of contact	Phone	Email
Civil & Environmental Con	Scott Brown	980-237-0371	sbrown@cecinc.com

Design Firm	Name of contact	Phone	Email

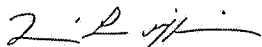
If Applying for a General Rezoning:

Please provide the name and Address of owner(s) of fee simple title of **each** parcel that is included in this rezoning petition. If additional space is needed for signatures, attach an addendum to this application.

If Applying for a Conditional Rezoning:

Every owner of each parcel included in this rezoning petition, or the owner (s) duly authorized agent, must sign this petition. If signed by an agent, this petition **MUST** be accompanied by a statement signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in filing this petition. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an **INVALID PETITION**. **If additional space is needed for signatures, attach an addendum to this application.**

Signature, name, firm, address, phone number and email of Duly Authorized Agent by owner needed below:

 Mike Griffin 704-533-5781

19109 W. Catawba Ave Ste 110 Cornelius NC 28031

If Applying for a Subdivision:

By signature below, I hereby acknowledge my understanding that the Major Subdivision Sketch Plan Process is a quasi-judicial procedure and contact with the Board of Commissioners shall **only** occur under sworn testimony at the public hearing.

Contact Information

Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	http://www.huntersville.org/Departments/Planning.aspx

New Haven Park/Pottstown Association 2016
Betty Jane "Bee Jay" Caldwell, Facilitator
July 13, 2016

New Haven Park/Pottstown Association is a newly formed community association to meet the needs of the community in order to receive communications from Huntersville's governing body. The formation of the Holbrooks Road Association in 2000 has resulted in a "split/fracture" in the community. Pottstown citizens have suffered greatly because of this. Our complex society dictates that we as a people must reclaim our place in Huntersville's government. We must draw strength from our past when the Huntersville Community Development Association represented all segments of the Pottstown and adjoining communities – New Haven Park, Holbrook Road Community, David Street residents, Dellwood Drive residents, Whispering Pines, and Gibson Park.

Currently the Holbrooks Road Association is the only group in the Pottstown community that receives updates from the town on a regular basis. It consists of home owners/renters whose homes have a direct access to Holbrooks Road. It is a private entity (meaning that other Pottstown citizens are excluded from attending their meetings). Because it gives compensation to its members, (about 30 homes) twice a year, it has been a source of contention among the citizens. This is an injustice, because all who live in close proximity to Holbrooks Road suffer from the affects of diesel pollutants from the 200 plus trucks that travel it daily.

These dwellings are first generation homes of descendants of slaves and were designated as a site for them in 1909 by the governing body of Huntersville. No street has any infrastructure or sidewalks. If it rains, standing water at the corner of Central and Holbrooks Road floods and gushes like a roaring river. As of August 31, 2015, Huntersville Park and Rec has not served the citizens of these communities in any way. The community is the battering rams of a millionaire developer and a multi-millionaire business/landfill owner who is waiting for the older ones to die and take possession of this prime property real estate. I have listed the names of streets and the names of families living on it.

South Church Street (Dead Ends)
Huntersville A. M. E. Zion Church
Young
Houston
Renter
North of Holbrooks Road
Renter
Sherrill
Sloan
Staton
Boyd
Caldwell
Renter (Latino)
Renter
Whitley
Vacant

Caldwell
Renter
For Sale
South Church Street Extension
Bost
Vacant
Patterson

Holbrooks Road
Renter Corner of Church
Renter Corner of Church
Elliott
Brown
Renter
Renter
Barringer
Grier
Smith
Ross
Wynn
Wynn
Wynn
Houston
Moultry
Renter
New Home Owner
Smith
New Home Owner
Renter
Renter
Renter
Blackmon
Blackmon
Blackmon

North Central Avenue
Patterson
Sherrill
Vacant
Latino
Moore
Sherrill
Renter
Latino
Renter
Phillips
Smith

South Central Avenue (East Side)

New
Vacant
Alexander
Sloan
New

South Central Avenue (West Side)

Gibson
Moore
Latta
Berry
White
Grier
Hughey
Douglas
Brunson
Beatty

David Street (South side)

Thompson
Thompson
Neal

David Street (North side)

Henderson
Vacant
Renter
Renter
Renter

Below are the names of other families who live within a one half mile to one mile of Holbrooks Road and travel it to gain access to their homes.

North Central Avenue to Dellwood Drive (East Side)

Alexander
Brown
Vacant
Whitley
Alexander
Renter
Alexander

North Central Avenue to Dellwood Drive (West Side)

Trapp
Thompson
Vacant
Springs
Hall
Renter
Neal

Latino
Moore
Renter

Neeley Street
Torrence
Vacant
New

Dellwood Drive (South Side)

Brice
New
Latino
Vacant
Brice
Fletcher
Johnson
Johnson
Alexander

Dellwood Drive (North Side)

Whitley
Latino
Smith
Brown
Renter
Latino
Habitat
Habitat
Habitat
Habitat

Vermillion N/A – New Development

Whispering Pines (Cul-de-sac)

Sherwynn Drive – Fourteen (14) homes on it.

Gibson Park Drive (Mixture of old and new Vermillion homes) {South Side}

Home owner
Vermillion Homes
Moore
Home owner
Home owner
Home owner
Barringer

Gibson Park Drive (North West Older Homes)

Habitat
Habitat
Habitat

Moore
Bost
Brown
Harris
Hicks
Davis
Hicks

For most Pottstown citizens, the landfill has outlived its usefulness because it runs directly through our community and that means the 200+ plus trucks it carries. Mr. Griffin speaks of how great a "hardship" it will be if the town does not grant the requested variances. For him, it's the income it will generate for him and his family, for the town and the county for generations to come.

For us, we agree that it will be a hardship on our quality of life ... while at 6 AM daily, we hear speeding trucks entering our community; we smell the diesel fumes while we wait at the bus stop with our children! Each time we have voiced our concern for our health and safety, promises have been made to close Holbrook Road to landfill traffic. For many years we have set by using the "grace of silence" not to object to the fumes, speeding trucks, the noise and the fact that approximately twenty families receive annual compensation for agreeing to be supportive of it.

There is an end to everything, and 2016 is the year to assign a permanent year end stipulation to the landfill at the end of Holbrooks Road. It is important to note that it changes its name in order to assure its longevity.

Feel free to "Fact Check" this info.

Bee Jay's 70th birthday—July 13, 2016

New Haven Park (East)

Houston

Henderson

Latino

Neal

New Haven (West)

Speart

Rental

Spears

Vacant

Home owner

Home owner

Home owner

over

Town of Huntersville
REQUEST FOR BOARD ACTION
9/6/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Michael Jaycocks
Subject: Northern Regional Recreation Center Resolution

This resolution is to show Mecklenburg County that the three northern towns support the Northern Regional Recreation Center as approved by the voters in 2008 and request that BOCC to include \$1 million in FY18 budget to start the design and planning process for this facility. The Parks and Recreation Commission has approved a similar resolution back in July.

ACTION RECOMMENDED:

Approve Resolution supporting the Northern Regional Recreation Center

FINANCIAL IMPLICATIONS:

None

ATTACHMENTS:

Description	Type
□ Resolution	Resolution

TOWN OF HUNTERSVILLE RESOLUTION OF SUPPORT
FOR THE PROVISION OF
NORTH MECKLENBURG REGIONAL RECREATION CENTER

WHEREAS, voters approved the 2008 Mecklenburg County General Obligation Park Bond Referendum, which included the construction of the North Mecklenburg Regional Recreation Center, and with the understanding that the North Mecklenburg Regional Recreation Center would be the first regional recreation center constructed; and

WHEREAS, although lakefront and greenway initiatives are in progress, County citizens have ranked the need for a new recreation center as a top priority based upon a recent survey; and

WHEREAS, Mecklenburg County has not built any recreation centers or indoor aquatic facilities anywhere north of I-485; and

WHEREAS, the Towns of Cornelius, Davidson and Huntersville support active and passive recreation and healthy living; and

WHEREAS, the northern end of Mecklenburg County has experienced explosive growth in population since 2000, with the 2014 population of Town of Cornelius up by 129.6%, Town of Davidson up by 67.8%, and Town of Huntersville up by 106.6% ; and

WHEREAS, growth in indoor athletic and recreation participation has pushed demand for existing venues beyond capacity and future delays will result in many more Mecklenburg County residents not being served; and

WHEREAS, the Town of Huntersville cannot continue to carry the responsibility to provide for the needs in our budget as well as grow our Parks and Recreation Department, in order to handle the demand resulting from our explosive growth; and

WHEREAS, Mecklenburg County has established the North Mecklenburg Regional Recreation Center as a top priority since 2008; and

WHEREAS, in a news release in October 2008, Charlotte and Mecklenburg County Mayors pledged support for the General Obligation Park Bond to construct a North Mecklenburg Regional Recreation Center; and

WHEREAS, at a joint meeting of the Mecklenburg County North Park Region Advisory Council, Mecklenburg County Park and Recreation officials, the Town of Cornelius Parks, Arts, Recreation and Culture Commission, the Town of Davidson Livability Board, and the Town of Huntersville Parks and Recreation Commission held on February 7, 2013, the North Mecklenburg Regional Recreation Center was named as a top priority; and

WHEREAS, Mecklenburg County, in collaboration with the Towns of Cornelius, Davidson, and Huntersville, acquired land in 2013 for the North Mecklenburg Regional Recreation Center at 18121 Statesville Road in Cornelius; and

WHEREAS, the FY 2015 Mecklenburg County Five-Year Capital Improvement Plan documents a \$28M (later \$40M) allocation for a North Mecklenburg Regional Recreation Center; and

WHEREAS, the Mecklenburg County Park and Recreation Commission affirmed their Park and Recreation Department's capital prioritization process at its March 8, 2016 meeting by a vote of 11-1; and

WHEREAS, the Town of Cornelius Parks, Arts, Recreation and Culture Commission, the Town of Davidson Livability Board, and the Town of Huntersville Parks and Recreation Commission have separately and jointly agreed that the North Mecklenburg Regional Recreation Center is a top priority for northern Mecklenburg County.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Huntersville Board of Commissioners agrees that the North Mecklenburg Regional Recreation Center is a top priority for northern Mecklenburg County and supports Mecklenburg County in the development of a regional recreation center as approved by voters in the 2008 general obligation park bond referendum and as identified in the FY 2015 Mecklenburg County capital improvement plan.

FURTHERMORE, the Town of Huntersville Board of Commissioners respectfully requests Mecklenburg County appropriate \$1,000,000 (one million dollars) in funds to initiate the planning and design process for the North Mecklenburg Regional Recreation Center as part of their FY18 budget.

Adopted this ____ day of September, 2016.

John Aneralla, Mayor
Town of Huntersville

Town of Huntersville
REQUEST FOR BOARD ACTION
9/6/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Pierson, Town Clerk
Subject: Approval of Minutes - August 1

Consider approving the minutes of the August 1, 2016 Regular Town Board Meeting.

ACTION RECOMMENDED:

Approve Minutes

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

Description	Type
□ Draft Minutes	Backup Material

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**August 1, 2016
6:30 p.m. – Huntersville Town Hall**

PRE-MEETING

The Huntersville Board of Commissioners held a pre-meeting at the Huntersville Town Hall at 5:30 p.m. on August 1, 2016.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, and Rob Kidwell. Commissioner Danny Phillips was not present.

Animal Tethering Ordinance. Holly Davis presented PowerPoint presentation to the Board requesting proposed changes to the dog tethering ordinance. *PowerPoint attached hereto as Exhibit No. 1.*

Comprehensive Transportation Plan Update. Bill Coxe, Transportation Planner, updated the Board on the Comprehensive Transportation Plan. *PowerPoint presentation attached hereto as Exhibit No. 2.*

**REGULAR MEETING
TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall at 6:30 p.m. on August 1, 2016.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, and Rob Kidwell. Commissioner Danny Phillips was not present.

Mayor Aneralla called the meeting to order.

Commissioner Guignard provided the invocation.

MAYOR AND COMMISSIONER REPORTS/STAFF QUESTIONS

Mayor Aneralla – No Report.

Commissioner Bales

- The Lake Norman Economic Development Commission held a legislative update in concert with the Lake Norman Chamber of Commerce this past Friday. State Senator Jeff Tarte came and shared with us the short session and some of the obstacles and challenges that the general legislature has been facing.

- Encouraged businesses and community leaders to consider partnering with the Chamber of Commerce and the Lake Norman Education Collaborative as we look to partner with our area schools.

Commissioner Boone

- The next meeting of the Land Development Ordinances Advisory Board is August 4.
- The plans for the new fire station are almost complete and the construction bid should be going out next month. We are still looking at a construction time of 10 months.
- Tomorrow is National Night Out at two locations. If you are interested in a career in law enforcement, the Huntersville Police Department will have two recruiters at each location.
- The Huntersville Police Department and the Fire Department are teaming together to host a child safety seat checking station.
- Encouraged people to lock their cars and take the valuables out of them due to increase in larcenies from autos.

Commissioner Gibbons

- The next meeting of the NC 73 Council of Planning is this fall.
- The next meeting of the Mecklenburg Veterans Council is tomorrow. On Thursday at the Levine Center in Matthews there will be a canteen in the morning for Veterans and there will also be a presentation based on social security and how that goes with either your military retirement or how you can use that in the future.
- National Night Out is tomorrow night.

Commissioner Guignard

- A new committee has been formed for the re-build of the Waymer Center. It was a well attended meeting. I look forward to working with this group to see what can be done with the Waymer Center as we continue the process of rebuilding that building.
- The next meeting of the Centralina Council of Governments is August 10.
- The next meeting of the Planning Coordinating Committee is in September.

Commissioner Kidwell

- Helping Others Help Themselves (H.O.H.T.) will hold a business mixer on August 4.
- The next meeting of the Olde Huntersville Historic Society August 3.
- At the last meeting of the Charlotte Regional Transportation Planning Organization we approved some 20 plus million dollars in direct attributable funds to multiple projects throughout the Charlotte region. Huntersville at this point had no projects on that list, but this fall I can assure you that we are going to have several projects to go to that board and we are going to try to do our best to get as many on there as possible with the help of Mr. Cox.

Commissioner Boone announced upcoming Lake Norman Chamber of Commerce events.

Commissioner Kidwell requested update on Veterans Park.

Michael Jaycocks, Parks & Recreation Director said there is a meeting scheduled tomorrow to review the plans before they are submitted. Some of the property owners for the drainage easements and right-of-way have been contacted. Norfolk Southern has responded to our storm drain that goes under the railroad tracks, which one of the comments was kind of odd that came back, they talked about

upgrading the crossing at Huntersville-Concord Road which our project has nothing to do with, so we are going to have to talk through that. Our goal is try to break ground on Veterans Day.

Commissioner Bales requested update on Waymer Center.

Mr. Jaycocks said the people at the meeting were able to give input so the county could get an idea of what the interior of the facility should be renovated to so that it's matching what the people want offered in the facility for programs. That's about a 3 month process of them getting back and meeting again and bringing some ideas back to the community, but we don't have any future dates set at this point.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Mayor Aneralla proclaimed August 2, 2016 as Huntersville Night Out.

Town of Huntersville Proclamation

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a nationwide crime, drug and violence prevention program on August 2, 2016 entitled "National Night Out"; and

WHEREAS, National Night Out has become an annual event in the Town of Huntersville these past twelve years and provides a unique opportunity for the Town of Huntersville to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the Huntersville Police Department takes an active role in Crime Prevention activities; and

WHEREAS, it is essential all residents of the Town of Huntersville be aware of crime prevention programs and recognize the impact their participation can have on reducing crime, drugs and violence in the Town of Huntersville; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" Program.

NOW, THEREFORE, I, John Aneralla, Mayor of the Town of Huntersville, do hereby proclaim August 2, 2016 as "**Huntersville Night Out**" and call upon all residents of Huntersville to participate in our 12th Annual National Night event on August 2, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Huntersville to be affixed this the 1st day of August, 2016.

Bill Russell, 9449 Mt. Holly-Huntersville Road, on August 11 we are having a community forum with CPCC where we are going to have members of law enforcement that are going to talk about working together.

Kathy Jones, 104 Walters Street, President of Olde Huntersville Historic Society, said I'm here to represent the Olde Huntersville Historic Society in regards to the sale of the caboose that currently sits at Main and Maxwell. Earlier last week you received a packet that our group put together and it also included petition with signatures for over 600 residents local and 5,100 total nationwide. As a historic society we understand the relevance of items like the caboose, the old jail, the ice house and other landmarks that helped leave a picture of Huntersville and how the town has developed over the years. As a lifelong resident I and others can see the many changes that have taken place in what was once a small textile, rail and farming community – some good, some not so good. Our group feels that the caboose is one of the good things the town should preserve and incorporate into the new, much anticipated downtown revitalization efforts. We have lost most of our old downtown and what remains is in desperate need of repair. It is our hope that the town realizes that not everything needs to be shiny and new to have value. Old and new can live together to enrich a community. Historic structures serve

a purpose by reminding natives of their town's yesteryears while drawing new families to the area because of the quaintness they represent. The suggestion made to our group is that the town save our caboose and at a later date when another location has been secured, purchase another one. As you saw in the report, caboose supply is very small and very expensive. And most of those that are available for sale have either been gutted and they're in horrible shape, if you can even find one at all. And the price ranges from \$11,000 to \$29,000 and they are in nowhere near as good a condition as the caboose we currently have. The caboose we currently have has all the original interior, instrumentation. It is one of 20 left in existence. It's considered to be in excellent condition. Also included in the packet you received was an article from May of this year where one town looked for 12 years to find a caboose. Once they found a caboose they ended up paying around \$23,000 for the caboose and transportation. That didn't include any of the restoration they were going to have to do and it wasn't in anywhere near of good of condition as our caboose is that we have now. That town in Virginia looked at that as a worthwhile investment because they consider that tourism. If the town were to sell our caboose now it would be nearly impossible to find another one, especially in the condition of the one that we currently have and we estimate it would cost around \$40,000 to purchase a caboose, move it here and restore it. Our group would like to request that the caboose be incorporated into the new Veterans Memorial Park. But if that isn't possible, the town could store the caboose offsite at their McCord Road storage area until a suitable home could be found, possibly the park or greenway area in the Anchor Mill project. This would be an awesome home for the caboose, close to both the railroad and the old mill site. Our group wholeheartedly offers our assistance in any way possible to help keep, restore, and prominently display the railroad caboose. Several local businesses have also expressed interest in helping and being involved in the project. We respectfully request that this discussion not be entered into lightly but with great consideration for our town's history. Some decisions should not be based solely on fiscal concerns but based also on the quality of life they provide and the hearts they represent.

Nathan Barron, 102 Baucom Lane, unlike many people who live in this town currently, I was born and raised here. It's hard to drive through the Old Statesville intersection and not get sentimental in some way or another. On every street corner we have ties of emotion and connections running deep through this community. But for all the experiences and memories I've made here nothing comes to mind faster when thinking about this town than the caboose sitting on Main Street. As a child my mother would take me to play on the caboose when we were only a town of 4,000 and to me it was a place for you to go and let your imagination run wild. As I grew older my grandfather would take me to the Farmers Market early Saturday mornings before he passed. The first person to see the train when we were driving up was always the winner. And that would be a game I'd like to play with my child some day. In high school at North Mecklenburg the train was a part of everyday life. It was a convenient place to meet up before a cook-out or high school football game. It was a convenient place to take your date afterwards. I'd be lying if I didn't say my first kiss was in the train over there on Main Street. But I'm not the only person that has witnessed this train over the years as they grow. Dante Y. of Huntersville wrote this caboose was a large part of my childhood and I want this train to stay as a step forward on the path of historical preservation. Teresa H. says I have lived outside of Huntersville for 46 years and consider it a home. Keep history alive by keeping this caboose. Or Sierra H. wrote me and my dad when I was younger would act like we were running away from the town and sit on the train and laugh for hours. In the short 20 years that this train has been here in Huntersville, it has become an engrained and cherished part of the local community from being a backdrop to family photos, a landmark for directions or the gleam in a child's eye when seeing it for the first time. The value of that train to Huntersville is priceless. And though I understand progress cannot be stopped, it should not come at the price of forsaking our past. The old should be incorporated into the new if not for a reminder from where we come from, but how far we have come. This decision will be made by the Board of Commissioners today and as a long-time Huntersville resident and someone who has never asked anything, please hear my

solemn request – do not make this decision lightly. A few thousand dollars is a small fee to pay for not only my past but the Town of Huntersville's past.

Dan Cedrone, 14330 Ramah Church Road, said I've been a resident of Huntersville for about 24 years. I own several companies here in town. I employ about 50 people total, starting from just myself in a 10'x10' room all the way up to where we are today where we make life-saving devices on Statesville Road. For the veterans who are here tonight, I say thank you very much and for the veterans who are still out there protecting us so that we can be here this evening, I thank them as well. So who is Dan Cedrone. Dan Cedrone is the guy who wants to restore the caboose and put it on our farm, half of which has been donated to conservancy. My intention is to restore it, put it on the farm and allow people to come visit it by invitation. It will still be here in Huntersville and that may not have been communicated by the folks who are opposed to its movement. I would just ask the commissioners and those who are making the decision to allow us to do this because I don't want to see it moved outside of Huntersville either. It's one of the reasons why every time I pass by it I called and asked what the intention was with the Veterans Park and they said that it didn't quite fit the new image of the park and that's what prompted our idea to restore it and keep it here in town. Whatever decision that you would make, I'll appreciate and whatever donation that requires maybe even a donation towards the next one if you decide to let us restore it, that would be fine as well.

AGENDA CHANGES

Commissioner Guignard made a motion to move Item D under the Consent Agenda (Approve Resolution Authorizing the Issuance of \$865,000 General Obligation Bonds, Series 2016A; Not to Exceed \$3,750,000 General Obligation Refunding Bonds, Series 2016B and \$7,810,000 General Obligation Bonds, Series 2016C) to Item G under Other Business and add Item G under the Consent Agenda – Approve SL362 Property Tax Refunds Nos. 65, 66 and 67.

Commissioner Gibbons seconded motion.

Motion carried unanimously.

Commissioner Guignard made a motion to adopt the agenda, as amended.

Commissioner Boone seconded motion.

Motion carried unanimously.

PUBLIC HEARINGS

Petition #R16-06. Mayor Aneralla called to order public hearing on Petition #R16-06, a request by Greenway Waste Solutions LLC and William Hammill to conditionally rezone 135 acres (parcels 01910102, 01910109, and portions of 01918135, 01918162, and 01934118) from Transitional Residential and Neighborhood Residential to Special Purpose Conditional District.

Brad Priest, Senior Planner, entered the Staff Report into the record. The application before us tonight is strictly a rezoning application for the properties you see in front of you here. It's for the Greenway Waste Solutions LLC, the landfill at the very end of Holbrooks Road. Why does the landfill need the rezoning. The answer is under Article 9.23 of the ordinance, the existing landfills that have an existing Special Use Permit issued can operate indefinitely and you will notice the zoning within the site is

Neighborhood Residential and Transitional Residential, so essentially the allowance of a landfill to continue operation is within its current boundaries. The ordinance says when there's any kind of expansion then that new expansion area has to be Special Purpose, which is our commercial industrial type zone and more appropriate for that type of use. If you see in the areas right near Holbrooks Road there's a small area with a purple line that indicates the current boundary of the site and the black line kind of indicates and shows where a new parcel is proposed. The same to the southeast of the site, you see the black line that extends pretty much to the creek and then you see that purple line back a bit. In between those two lines you see the expanse of new properties that are being added to the landfill. Then per the ordinance you need a Special Purpose zoning in order to expand past those boundaries and that's why the rezoning is before us tonight.

The landfill has been in operation since 1993 and that actually pre-dates the current Huntersville Zoning Ordinance which was approved in 1996. Back in 1993 the ordinance kind of allowed the use as a legal non-conforming use with no expansions at all really allowed. So what the applicant did in 2000 was come back and request that the text for Article 9.23 be amended and changed to allow one expansion and in 2000 that text amendment was approved and ultimately you see here the expansion area that was approved then. That first expansion was approved with a maximum of 5 years of operation that was attached in that text in Article 9.23. In 2005, you see the expansion area No. 2, the text for Article 9.23 again were changed to allow not one, but two expansions for existing landfills. But it was given so with the approval of a Special Use Permit, that was unique between No. 1 and No. 2. They could expand, but they needed a Special Use Permit. In 2005 that Special Use Permit was approved to show those two expansion areas. Then in 2009, Article 9.23 was significantly changed and then again the allowance for existing landfills it allowed existing landfills to continue as long as there was no expiration date of the Special Use Permit. So what happened back in 2009, the applicants came back and amended their Special Use Permit with the graphic shown on the right that shows the expansion in between the first two expansions. They filled in those two expansion areas and built on top of it and so that Special Use Permit was approved in 2009 with no expiration date. At the time of the 2009 expansion, with that approval, the lifespan of the landfill was estimated to be about 25 years. That was the last approval that was given by the Town for the landfill.

The application today, there's a creek that's running through the center of the landfill. They would like to rezone the property and apply for a Special Use Permit later in order to pipe the creek and have another expansion that would go on top of the creek and also a part of this application you will see to the north near Holbrooks Road is the potential for a recycling facility that would assist in recycling the goods that come into the landfill, separating the pieces that are valuable, reselling that material and then putting less material into the dirt in the mound behind. That application is proposed to be the expansion and again a Special Use Permit will be required in order to allow that. Also, in regard to requirements, in order to pipe the stream three variances from the Zoning Board of Adjustment are needed, one of which is in regard to the SWIM buffer requirements. Usually there's a buffer required adjacent to the stream and so obviously piping the creek and filling on top of it eliminates that buffer, so the ordinance would require a variance in order to make that happen. Also, our Floodplain Ordinance specifically prohibits floodplains from being filled upon with landfills unless there's a variance granted. There's language that dictates that it can happen, but a variance is needed. And then Article 9.23 prohibits the fill within a stream within a floodplain and a hazard area and then also a wetland. So those three sections of the ordinance are currently being reviewed by the Board of Adjustment in regard to their variance request. This application certainly would be contingent upon those variance requests being approved.

There's a few site issues that we are currently working through with the applicant and kind of bringing the site into conformance. There's a few issues that we're looking at in regard to the 80' buffer. One of the issues that's being worked through specifically is that right through the creek there's actually a proposed greenway on the Huntersville Bikeway and Greenway Master Plan that is going through there. Obviously if the applicants fill the creek and put a mound on top of it, that would not be conducive for a nice greenway running through there. So as it currently sits, the application is not conforming to that plan. However, as mentioned in your Staff Report there is a plan to bring a sewer line and a sewer line easement to the south adjacent to the south of the property here that would connect from west to east down to Cane Creek and the applicant has stated that they would be willing to put an easement along their southern property line in order to accommodate that sewer line and that greenway easement. Last Tuesday the Bikeway, Greenway Trail Committee met and did recommend that if the Town Board sees that there is value in the rezoning and rezones the property, then they would recommend that the greenway move to that location shown on the southern property line. But ultimately that would be a Town Board decision and so if the rezoning is done, staff would recommend that the Town Board also take action to amend the Greenway Plan to show that modification. But as it exists right now the plan does not have the accommodation for a modified greenway trail.

A few other of the issues that we are looking at is in regard to Holbrooks Road the ordinance says in Article 9.23 that landfills over 10 acres should have frontage on a commercial street or a thoroughfare. Obviously this is an existing landfill and so the only access that the landfill has is through Holbrooks Road, which is not designed as a commercial thoroughfare or for commercial traffic and so that's an issue. But the ordinance does say the Town Board can approve a Special Use Permit for landfills that don't have frontage on a thoroughfare as long as it says that the access would not likely cause any injurious effect on the property adjacent to the access. Also in your Staff Report was included some e-mails from NCDOT. They did have a concern about the durability of Holbrooks Road. Back in 2009 the issue came up and the issue was the durability. And in 2013 as a condition of the SUP staff went out and re-looked at Holbrooks Road and evidently NCDOT had just finished putting down 4" of asphalt along the entire length of Holbrooks Road. But now the situation is the same with the substructure of the road not designed for heavy trucks, will it hold up. And so that's the concern. That issue we're still working out with the applicant. Tree save – a tree survey has not yet been submitted to show what trees would be removed and whether or not conformance to the ordinance could be shown in regard to tree save. But again it's a work in progress and we did receive an updated plan on July 21 and there were some changes to the plan that included a new paved driveway, added parking area and the new Asbury Chapel alignment. Everything really is in a state of flux right now and we are hoping to work with the applicant to get a new plan submitted prior to the Planning Board meeting that addresses all the staff comments.

Staff recommendation – considering the transportation issues, the variances and the site issues, we don't have a recommendation for or against at this point, so we have to see how that shakes out. What we do recommend is that the lifespan of the site not be extended indefinitely with access to Holbrooks Road. As mentioned the durability issues, but there's also the issue of compatibility through a residential neighborhood on Holbrooks Road and the commercial traffic through there. Back in 2009, as mentioned in the Staff Report, the Special Use Permit was approved with an indefinite expiration date. There was no expiration date but at that time with the fill capacity that they had the lifespan was an estimated 25 years. So that essentially brought the ability of the landfill to use Holbrooks up to 2034 and that's currently where we are now. Staff recommends that there be a condition on the plan or stipulated on the Special Use Permit eventually that the access be changed to the south no later than 2034. At the red line going through here you'll see the green line to the south, that's the future proposed area of Verhoeff Extension. The little subdivision lots that you see is the Commerce Station

business park. The intent and the hope is through the county and the applicant's assistance and through the town we can get Verhoeff built and a connection to the landfill sooner rather than later. That's the intent. That's the hope that prior to 2034 this connection happens and it brings relief not only for the neighbors at Holbrooks Road but also for the applicant in being able to have a nice thoroughfare and have traffic that's where it should be.

Betty Caldwell said in 1986 I was 40. In 2016, I am now 70. In 15 years, I'll be 85. Twenty-five years later, I'll be 110. Now that is a very long time for me to live should I do that. But that would be awfully long for a landfill to operate. All I know is that this cash coffee has been around for decades. The owner, his family and yet unborn descendants and others who benefitted from the landfill leave a successful legacy of having enjoyed that cash coffee. But to those in Pottstown, other than those living on Holbrooks Road, all we get are the coffee grounds. Our concern is whether or not any studies have been conducted as to the impact of the landfill and the recycling center will have on our lives and those of our new Vermillion neighbors. Now in 2000 we were beat bad. The community came together and we tried our best to come up against the landfill. And since that time no one in the community has the guts to come out against such a powerful force. But in June 2016 when the Christmas in the Summer checks were disseminated the owner of the landfill sponsored a breakfast and invited the Holbrooks Road residents, town staff and elected officials. One item on the agenda was for them to request all of these hardship variances. Now I know that it's going to be a hardship for the town, the county and all kind of people if they don't get this landfill where they can put the debris, but all I want you to know is that if you've been drinking coffee grounds as long as I have you are ready for a change.

Mike Tinsley, said I too have grown old here with some of you on the Town Board and some of you on the staff as the various zoning petitions have come through extending the life of this landfill. I live on one of the residential lots south of the proposed change. I'm a little disappointed actually to hear from town staff that there's not a position at this point. I can't imagine a better case and I'm not going to try to make one than what they outlined for not allowing something like this to happen. I don't know what else we would need to hear to understand this is not a good idea. It's not a good idea to put that much creek in a pipe, to bury the storm water quality benefits that you might gain from that. It's not a good idea to lose a greenway access. As Ms. Caldwell was speaking to, there's been a lot of folks impacted by this landfill for a long time and quite honestly every time that they've wanted to continue to operate, they have come to the town, they modified the Zoning Ordinance and the town board much like yourselves has said okay, since you are only asking for another 5 years, another 10 years, another 15 years. I really believe the better thing to do if that's the way it's going to continue to go is just say they are going to operate indefinitely and they're going to operate by whatever rules they choose to operate by. That just seems to be the way it goes. I don't know what is coming in the presentation. There's a couple of things that I think as a matter of fact that I'd like to state just in case they don't come up. North Carolina Department of Environmental and Natural Resources has issued several violation notices against the landfill, including groundwater contamination on and off their property, including methane gas contamination which is in remediation process at the landfill, including storage of landfill materials outside the boundaries of the landfill which is actually the reason for some of the property expansion requests. I believe that staff is aware of these violations and has been in contact with DENR. The road access speaks for itself and to me that's a transportation issue. I believe it's an unfair burden on the Holbrooks Road community and wouldn't happen if those people weren't quite as dependent as they are on the pay-off. There are also properties shown on the expansion as though they are within the boundary of the landfill that are properties that have been removed from a recorded subdivision without proper approval.

Bill Hammill, 11745 Trails End Lane, said my wife and I own one of the properties that is currently in the southwestern corner that needs to be rezoned. My name is on the petition. I respectfully cannot move forward with Mr. Griffin and the landfill acquiring our property until Mr. Griffin and Greenway and company come to an agreement with us and have not yet been able to reach that agreement. Unfortunately, while I'm not sure why I am a part of any of the other rezonings, I do own one of the pieces of the property that he's requesting to come into the landfill. Respectfully until that is worked out I have no ability whatsoever to allow that property to leave our possession.

Demetrius Hampton, 14631 Holbrooks Road, said I also own property at 14701 Holbrooks. I have a letter from the Holbrooks Road Association. I'm going to read that real quickly and then I'll say a few things. It says over the past 16 years HRA (Holbrooks Road Association) and GSW have developed a strong relationship. GSW has supported the association in many ways. In addition to financial support, GSW has acted as a good neighbor. GSW has hosted community events, helped with yard work. In fact anyone who is disabled gets their yard cut and groomed for free of charge. They have kept the road clean and addressed our concerns. Through this partnership we have developed a strong channel of community with GSW staff and with Mike Griffin in particular. In fact, Mike is available whenever he is needed even though he has a busy work schedule. Each year Mike sends a letter discussing GSW's desire for another road option and anything we don't understand he is willing to meet with us and discuss it. We feel we are in agreement with GSW that this would be the best long-term option for HRA and GSW in the absence of a feasible alternative. We are happy with our relationship and appreciate GSW looking for ways to improve. Their desire to put a recycling center has been discussed with us on several occasions and they have answered our concerns. A recycling center will certainly be good for the environment in our community. That was from the Holbrooks Road Association. Me as a homeowner owning two properties right on Holbrooks Road, the trucks come by, yeah they are little noisy but it never really causes a problem. It's not so much traffic that it's a huge issue and if we ever have a problem with them speeding or anything like that, we call right down there and Greenway takes care of it. As far as positive benefits, of course a recycling center is going to be a lot better. There's going to be construction garbage that has to go somewhere, so if they are recycling that's much better. As it is we don't get any smell or anything from the garbage dump as far as that goes and I've been living there for seven years right on that road. I think somebody up here said that the Holbrooks Road Association is dependent on the money from it. That's not why I am here. We get \$1,000 a year. I have a \$400,000 house, what is \$1,000 a year going to do. Not much. My parents own a home at 14703 Holbrooks. They are disabled. They cut their yard and help look after them and so I think they have been very good for our community and they help us out in many ways so I think that the recycle center should be allowed.

Mike Griffin, 19109 West Catawba Avenue, Cornelius, presented PowerPoint presentation outlining their request.

Commissioner Kidwell requested the Board be provided a copy of the presentation.

Commissioner Gibbons said am I understanding correctly that the rezoning that is being asked for would have to happen prior to these other things happening.

Mr. Priest said I'm not sure exactly the order in regard to the specific permits that are going to need to get done first and whether or not the zoning is appropriate for those permits to take place. Some of them probably will be needed in order to check off the box is zoning okay – yes, in order to get those permits.

Commissioner Gibbons said because it's going to be put in front of us first as a rezoning, what are we actually saying and is that needed to move forward. These variances they sound like will not some larger state or federal agency get involved when we start talking about this wetland.

Mr. Priest said yes.

Commissioner Gibbons said so the variance that the Board of Adjustment may have to give may be overruled. True or not true?

Mr. Priest said any variance that's approved is going to just like the rezoning I think it was mentioned in the presentation the conditions of those approvals would be that the applicant obtain x, y and z permits. So that would have to be stipulated on both the rezoning plan and on the Special Use Permit plan and on the variance approvals that it's conditioned upon that. Conceptually the other part of the coin is not only are those permits going to have to get done but from the applicant's perspective it's very costly to produce the plans and the engineering and all that, so if they went and spent all that money and did that first then came back and the town said no the zoning's not good, then they wasted a lot of money. So conceptually from the big picture scenario we are trying to understand if the zoning works or not and if it does then the applicant has some competence level to go and say okay let's go try to get these permits.

Joe Sailors said just for my information when you are coming before the Planning Board, looking at your plan and measuring right now I'm visualizing roughly 120,000 sq. ft. of proposed storm water management area. If you would by the time you get to the Planning Board give me an exact measurement of water containment volume on that area so we can make sure relative to the flood plain processes that it's going to hold the 100 year flood plain.

Mr. Griffin said what we would hope and expect the Planning as well as Town and Board of Adjustment that you would give us approval contingent on making sure we provide the proper amount. I guess my answer is we won't know the exact square footage because those years of work that it's going to take with our engineers working with those other.....that will dictate. We'll get our engineering company to give us the estimated amount. But they will have to do a lot of studies about how much water, what type floods in order to get exact.

Mr. Sailors said having been on the Planning Board for a few years I remember them coming back approximately 3 years ago and in your listing of timeframes you said the last time they'd been here was 2009, but I think Mike will concur with me, you guys were here maybe four years ago for a zoning change through the Planning Board. And that's been since 2009. It was probably around 2012-2013.

Mr. Priest said I do not have a recollection of that one.

Jack Simoneau, Planning Director, said I don't recall anything. There was an annexation.

Mayor Aneralla said can we just check into that.

Mr. Griffin said and sometimes time flies. I think it was 2009 and the approval was January 2010. I think that's the last time we've been in front of the Board.

Commissioner Guignard said one of the things that Mr. Griffin showed us was where the other landfills are. If this landfill didn't exist and we have more trucks on the road right now than any of us want to say

grace over especially when we're on that wonderful I-77 out there, I don't think that we can even quantify what happens when you put another 150 trucks going either to Highway 16 or to Harrisburg. And one of the things that has not been quantified and I'm not asking anybody to do it and I'm certainly not going to do it is the cost that this adds to the cost of any structure if you've got to add the cost of trucking to these other locations. So those are just other things that I think we need to put into our thinking caps as we consider this whole situation....all those many trucks going to Harrisburg or these other locations. It's just another safety issue to me. This is close and convenient, not perfect but the only way for it to be perfect is to build a structure and not have anything left over and I haven't found that contractor yet.

Hal Bankirer expressed concern that there is a drop dead date of September for the resolution of property ownership.

There being no further comments, Mayor Aneralla closed the public hearing.

OTHER BUSINESS

Asbury Chapel NVR Subdivision Sketch Plan. Mayor Aneralla pointed out this item will be heard as quasi-judicial.

Mayor Aneralla swore in Jack Simoneau, Stephen Trott, Devona Allgood, Randy Poindexter, Mallie Colavita.

Jack Simoneau, Planning Director, said this request is to approve an application for a 110 lot single-family subdivision on Asbury Chapel Road. The site in question is right by Asbury United Methodist Church. This is back of Olmstead and the site in question is right here. It represents just over 76 acres and as you can see it's just north of Eastfield Road.

I mentioned about the units and the number of acres in there that represents 1.44 units an acre. They are allowed a maximum of 1.5, so they are under that. They are providing over 44 percent open space. They need to provide 39 percent, so they meet that. Thirty-six percent of the tree canopy saved and 53 percent of specimen trees are saved, they have to preserve 35 percent of each.

There's a cemetery the corner of which actually is on this property but a majority of which is on the adjoining property. What the applicants are proposing to do is to provide an access easement to there. The lots in question will be angled to stay away from that and then there will be a fence that will be constructed around there and the members of the Asbury United Methodist Church will be maintaining that.

In addition to that the traffic impact analysis did not require, although the Town Engineering Department did recommend, two left-turn lanes be installed at each of the two entrances, so again you have the Asbury United Methodist Church here and as you are coming towards Eastfield Road a left-turn lane into the development. You go around Asbury Chapel and you make the 90 degree bend and you come down and there will be a second entrance in there, so again a second left-turn. The applicants have agreed to do that. NCDOT has agreed with the Town Engineering staff to install that as well.

All of this is in the Staff Report which I enter into the record. *Staff Report attached hereto as Exhibit No. 3.* There are two waivers of block lengths that exceed the standards and the Town regulations. One is 1,150' before they have an intersection and another one is 1,645' again before there's an intersection

and given the environmental constraints with the topography and the SWIM buffers, Staff would recommend approval of that.

This entrance right here was a significant discussion at the Planning Board stage and in particular the Town Engineering Department and NCDOT want to make sure that that driveway or the road access into this development line up with this private access that services five lots. And so that's why that driveway was up there. There was significant concern about the impact on the Poindexter property which is to the north and the driveway that the Poindexter property has in relation to that street. That was a significant amount of discussion. And also a big part of Staff review is to make sure that there's some connectivity and so what's going to happen is the right-of-way is going to be 70' wide so that if and when the Poindexter's ever decide to provide a development then they could make a connection at the point that makes the most sense to them.

In addition to that there's a 26' area here which is reserved for the buffer. Again a significant discussion at the Planning Board stage. The applicants and the Poindexter family have come to an agreement on the type of buffer, so there's going to be some Leyland Cypress lined up along in here and then in between that will be some trees and shrubs in that buffer and that's represented in this drawing.

This just simply shows a kind of a view when you have the Leyland Cypress this wall that would be happening and so the other issue was this driveway right in here. Again this road and the driveway proximity so as part of this project this driveway to the Poindexter property will be moved to improve safety and separation between those.

Staff recommendation – the application is complete, supports the authorizing of greater block lengths for the two areas that we showed. The application does comply with the ordinance per the Staff Report and recommend approval upon those issues being addressed. The Planning Board 8-0 recommended approval. Basically the plan was complete. The Planning Board identified all the goals that were consistent with this project in the Huntersville 2030 Community Plan as well as indicating it was consistent with the Eastfield Road Small Area Plan. They did recommend the two block length waivers. They indicated that the application does comply with the Zoning Ordinance and future plans and there were some significant things to add in there and that's NCDOT's chosen to agree and require the road improvements as suggested by the Town, so that is part of the record. There's exclusive left-turn lanes on Asbury Chapel Road which is part of this project. The trees are planted along Asbury Chapel Road and will need to be 5' from the back of the ditch, they've agreed to that. Internal site triangles will need to be revised. That will occur. Proposed storm water lines may not have more than 50' of pipe under pavement. They will agree to that. And that these items be noted on the sketch plan. Ultimately if it's noted on the sketch plan as approved with these conditions then the next plan they turn in which is Staff approval is the construction drawing known as the preliminary plan and we'll make sure that those things are in there.

Next is including the easements to the cemetery be documented and included in the Homeowners Association documents and who is to cover the maintenance of the easement and that a fence for the corner of the cemetery property intruding into the subdivision be included in the sketch plan and that has been done. And that the meeting with Mr. Poindexter to determine the vegetation be planted in the buffer along his property line be agreed upon with the applicant. Since the Planning Board, that has occurred.

The Board will have to have a decision statement – application complete, compliance with regulations, need you to say something about the block lengths and recommendation of approval or denial.

Randy Poindexter, 1132 Asbury Chapel Road, said we've been living at this residence for over 26 years. When I first moved to Huntersville there were only 2,000 people or actually there were less than 2,000 people. This development certainly is going to have a direct impact on our family and our property from some of the maps that Jack showed you. I'm really here tonight to support this surprisingly. I would say a couple of months ago I wasn't really there. Having an entrance directly beside our driveway is very disturbing. I attended one Planning Board meeting which led to a second Planning Board meeting and got some great direction and comments from the Planning Board. Since then I've had multiple e-mails, multiple meetings and multiple phone calls with Planning Staff who have been outstanding and very sensitive to the line of sight impact that this new entrance road is going to have on our family. And then the adding of the buffer, because when I saw the site plan the very first time there wasn't even the buffer, so the Planning Staff and Ryan Homes have really gone out of their way to try to alleviate some of my concerns. Those are some of the very positive things that came from this. I have had several phone calls, e-mails and meetings with Mallie from Ryan Homes. He, too, on a very personal level is very sensitive to the impact that this is going to have on our family and I think that Ryan Homes along with Planning Staff have really done a great job trying to provide the maximum amount of buffer to buffer my home. The thing that sealed the deal for me was agreeing to relocate my driveway because you can see from one of those photos that the driveway actually touches the entrance road and I was laughing and envisioning that I was going to have to drive across a sidewalk which is what is shown there in that drawing. So relocating my driveway, it puts me up a little bit higher up on the hill and I think it will even give me a safer view of the curve and the traffic coming around the curve. With that being said, I'm appreciative of Planning Staff, Ryan Homes and my family will support this subdivision sketch plan.

Commissioner Boone said what type of fence is going to be around the cemetery and is it going to circle the entire cemetery.

Mr. Simoneau said I'll let the applicant answer that. It is intended to be just on the applicant's property which they control.

Mallie Colavita said that's correct, we are only impacting the portion of the cemetery that encroaches on our property at this time, so there will be a fence that surrounds the portion that is encroaching but not the portion that is impacting the adjacent parcel.

Commissioner Boone said and what type of fence will that be.

Mr. Colavita said staff recommendation. We are certainly open to whatever consideration the town would like to see.

Commissioner Boone said is there any wooden bridges or walkways throughout this development.

Mr. Simoneau said if you look at the site plan there are some existing bridges on the property. Those are going to be removed. There's going to be a walkway for residents to go that kind of gets you over here and crosses creek, so these bridges will be wherever you see the walking path crossing the stream buffer. I don't have the slide that shows the specific.

Commissioner Boone said and the HOA will maintain those bridges.

Mr. Simoneau said the HOA will maintain not just the bridges but the pathways as well in all the recreation spaces.

Commissioner Guignard said there's been neighbors that have questioned sight distances, etc. and I am not doubting anything that DOT said although we have reasons to doubt some of their decisions. You have agreed to turn lanes. What are the lengths of the storage lanes in the turn lanes.

Stephen Trott, Traffic Engineer, said the Town's recommendation was for 100' of storage at each entrance. And NCDOT's recommendation was that they concurred with that length.

Commissioner Guignard said at the Planning Board meeting y'all discussed the potential of longer storage lanes. Is there either one of those that remotely needs any longer storage lanes. The question arose at the Planning Board meeting by several folks and was discussed having more storage lane length.

Mr. Trott said our recommendation was for 100' and DOT's review of that also they concurred with 100' of storage.

Commissioner Guignard said I see a lot of open space. I see an amenity area. I'm going to assume that there will eventually be a structure there of some type of nature. Are we requiring all this open space as a matter of record.

Mr. Simoneau said 39 percent. They are providing 44 percent.

Commissioner Guignard said so there's 5 percent that we are not requiring.

Mr. Simoneau said correct.

Commissioner Guignard said is the HOA going to own all 44 percent of that.

Mr. Simoneau said yes.

Commissioner Guignard said just as a matter of information none of that will be taxed and the town will not receive a dime of taxation of the 5 percent that they're not requiring to do. I just want that to be known to my fellow commissioners.

Mr. Simoneau said having spent years in the profession, let me say I've had this discussion many times with the tax assessor's office. When you have subdivisions that back up or front to substantial amount of open space such as the back of a golf course, they are valued at more. So the value of the homes go up where you have more open space. I do understand that. I have had that discussion many times but I will say in my experience in my talking with the tax assessors the values of the home.....Olmstead development just adjacent to this project actually has the same amount, maybe a little bit more, open space – closer to 50 percent and again if you look at those values of the homes, that is taken into consideration.

Commissioner Guignard said I didn't say you couldn't quantify that all night long. I'm just saying that they are not going to pay taxes on the open space. Olmstead got away with murder with one of the places that the owner didn't pay taxes on and evaded about \$6,000-7,000 worth, gave it to the HOA and never did pay that money.

Commissioner Kidwell said this does not connect to Olmstead in any way.

Mr. Simoneau said that is correct. Here's Olmstead and the street system in here and this creek.....when Olmstead was approved these are steep slopes and so they are kind of riding the ridge so when Olmstead was established we determined that connection didn't make sense in that area, so they are not connected.

Commissioner Kidwell said I received an e-mail from a concerned resident out there. I think the speed limit out there is 45 mph. Is there a way to reduce that speed limit to 35 mph. And I'm just asking because it was asked of me. I don't know the answer.

Mr. Trott said there would be a process where the Town could request the DOT to consider reducing that.

Commissioner Kidwell said is that something we could do or does it have to be in the motion for approval.

Mr. Trott said that could be something totally separate.

Commissioner Bales said the Huntersville Town Board finds the application complete. The plan presented is consistent with Huntersville's 2030 Community Plan under Policies H-1, E-1, E-2, E-3, T-6, T-8 and PF-2 as well as the Eastfield Road Small Area Plan. Motion to approve the rezoning with the waiver to allow the developer to utilize two block lengths due to large creek crossings. These block lengths across the creeks are 1,645 and 1,150 linear feet as well as the following minor plan corrections which are: (1) that NCDOT has chosen to agree with and require the road improvements suggested by the Town, therefore the developer will be required to construct two exclusive left-turn lanes on Asbury Chapel Road and the developer has agreed to the recommendations of the length of the lanes; (2) Trees planted along Asbury Chapel Road will need to be 5' from the back of the ditch; (3) Internal site triangles will need to be revised; (4) Proposed storm lines may not have more than 50' of pipe under the pavement; and (5) That these items be noted on the sketch plan including that the easement to the cemetery be documented and included in HOA documentation for who is to cover the maintenance of the easement and that a fence for the corner of the cemetery property intruding into the subdivision be included in the sketch plan and that a meeting with Mr. Poindexter which I believe has occurred to determine the vegetation to be planted in the buffer along his property line be agreed upon with the applicant.

Commissioner Boone seconded motion.

Motion carried 5-0. Commissioner Guignard abstained which was recorded as a vote in favor.

Board of Adjustment Appointment. Commissioner Boone nominated Nick Walsh.

Commissioner Gibbons nominated Jeff Pugliese.

Commissioner Bales nominated Mr. Nixon.

Vote for Nick Walsh: Commissioners Boone and Kidwell.

Vote for Jeff Pugliese: Commissioner Gibbons and Guignard.

Vote for Nixon: Commissioner Bales.

Nick Walsh and Jeff Pugliese were tied with two votes each.

Vote for Walsh: Commissioners Boone and Kidwell.

Vote for Pugliese: Commissioners Gibbons, Guignard and Bales.

Jeff Pugliese appointed to the Board of Adjustment.

Littering Ordinance. Commissioner Kidwell made a motion to adopt an Ordinance to modify regulations to Title IX, General Regulations Chapter 93: Littering.

Commissioner Boone seconded motion.

Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 4.

Solicitation/Panhandling Ordinance. Commissioner Kidwell made a motion to adopt an Ordinance to add regulations to Title IX, General Regulations Chapter 95: Solicitation, Panhandling and Begging.

Commissioner Gibbons seconded motion.

Motion carried 4 to 1, with Commissioner Guignard opposed.

Ordinance attached hereto as Exhibit No. 5.

Solicitation/Pedestrian Solicitation Ordinance. Bob Blythe, Town Attorney, explained the authority for this particular ordinance for state maintained roads comes under the old motor vehicles act and that particular act also defines the authority to local government to adopt it for the city streets for it's very specific as to what has to be included in the ordinance so this one pretty much reflects what the statute is.

Commissioner Guignard said somebody wants to do a lemonade stand, have they got to have a permit for \$25 to do that.

Mr. Blythe said I think that's a different question there as opposed to solicitation.

Commissioner Guignard said you're soliciting somebody to buy your lemonade. If they are standing on a sidewalk in a neighborhood and it's in the right-of-way by somebody's definition, can a child/children on a Saturday morning set up to sell lemonade and not have to have a permit and take three weeks to get an application signed to have a permit to go do that.

Greg Ferguson, Town Manager, said I would just add no permit would be required to sell lemonade.

Commissioner Boone said what if a lady that's from the VFW is going around selling poppies during Veterans Day and saying would you like to buy and proceeds go to veterans how is that going to work out.

Mr. Blythe said I think something like that does come under solicitation if they are doing it in the rights-of-way.

Commissioner Kidwell said so if it's at a park or if it's in the middle of a venue, it's not right-of-way.

Commissioner Gibbons made a motion to approve the ordinance as written.

Commissioner Kidwell seconded motion.

Motion failed 2 to 3 – Commissioners Gibbons and Kidwell in favor; Commissioners Bales, Boone and Guignard opposed.

Commissioner Bales said I think that maybe we need to have a little bit more discussion on this one.

Caboose. Mayor Aneralla said the Town was approached by Mr. Cedrone and had some discussions about moving the caboose to his property as he stated. Subsequent to that there's been some media and we've had some other solicitations for purchasing the caboose. In addition, the Olde Huntersville Historic Society has come up with a nice presentation to the rarity of the caboose and whether we can find another caboose and so forth. There's a few moving parts because we've talked to Mr. Bowman who is developing the Anchor Mill property about potentially finding some place on his property or soon to be his property for the current caboose or another caboose. The question before you is what to do with the caboose.

Commissioner Kidwell said I happened to be looking on the Town site for the Veterans Park and that's placed neatly behind the stage in the front on the backside of the Veterans Memorial. Has that changed.

Michael Jaycocks, Parks & Recreation Director, said the caboose is still located behind the stage between the memorial.

Commissioner Kidwell said do we have a cost on moving it behind the stage.

Greg Ferguson, Town Manager, said I think \$6,000 roughly is the cost of a crane regardless of whether you move it 200' or 2000'.

Mr. Jaycocks pointed out where the caboose would be on the site plan for the park. It would be better to have a decision soon so the plans could be revised if the caboose is sold or taken off-site.

Commissioner Kidwell said I'm sure this is all wrapped up into the entire monies we are spending on the park but repainting or resurfacing a caboose, has that been brought into consideration.

Mr. Jaycocks said about \$8,000 to \$10,000.

Mr. Ferguson said if it remains a part of a park it's going to have to be secured so that the stairway cannot be climbed because we have had an increase in children being up on top of it.

Mayor Aneralla said there have been two e-mails of offers between \$10,000 and \$15,000 including moving the caboose at whoever it is own expense.

Mr. Ferguson said there's really kind of two questions one is there a desire to designate the property as surplus and sell it and the second is if it is not sold should it remain in the current design location or

should staff look for another location on town owned property or common area somewhere where it would be very visible and would have some tie to the railroad or to the downtown.

Commissioner Gibbons said I guess the comment I would make is we could make a decision tonight and based on what goes down in the future with some other development there could be things that would possibly have impacted the way people think tonight but as of right now except for talking about this plan whether the caboose is going to be behind the stage or not I think we have time still to discuss because there is obviously a lot more information that came forward in the last week or 10 days. There's a lot more opinions that are out there and we had another offer too from someone if we did decide to go the route of selling the property. Unless there's a need to push it for tonight, we had this discussion earlier in a meeting today about whether this needed to be decided tonight. I don't think my decision will necessarily change, but I think looking at all the information is definitely worthwhile.

Mr. Jaycocks said for us to submit for permitting, not knowing what we are going to do with these situations, I'm not sure if that holds us up or not.

Mr. Ferguson said one recommendation might be to just go ahead and let them submit as they are drawn today and if there's a change we would have to acknowledge that through a change order and find another location if that was the Board's desire.

Commissioner Boone made a motion to postpone this for 30 days until we have more information from Nate Bowman, the other offers, possible other locations and what the architect says on both of his drawings.

Commissioner Guignard said point of clarification. If we sell this, do we not have to put this on the open market and bid it out.

Mr. Ferguson said our recommendation would be at this point in the process since you have multiple bids that there would need to be some process designed and property would have to be voted by the Board as surplus. Staff has the ability to designate up to \$5,000 but the two offers that are in hand both acknowledge that it's worth at least \$10,000 so the Board would have to vote to declare it surplus and then we would have some type of sell of surplus property. You would probably have a sealed bid process and then you'd also have some stipulations as to when it would be removed and things like that that a bidder would have to comply with.

Commissioner Gibbons seconded motion.

Commissioner Kidwell made a substitute motion that we leave the caboose where it's at.

Commissioner Bales seconded motion.

Commissioner Guignard said I am the only one in this town that can say this – that box out there is my fault. But I'm glad it's there. It didn't cost us anything to get it. It did cost \$2,500 to bring it 6 miles up 115 and I've seen at least a dozen different photo ops where people either do their engagement pictures, their wedding pictures and gosh only knows how many other pictures have been taken there. Sadly, we haven't spent a whole lot of money inside the thing and done much with it. And yes it probably can be construed as a safety issue. It was donated by a company down 115 about 18 years ago and the tracks still sit where it left. I've known the Cedrone family for probably about that same amount of time. Mr. Cedrone's brother was sitting on the Board when we brought that thing here. I really don't

have any problem with somebody else owning it except that there's not any more available and CSX is not the rail company that runs up and down this track. We don't win in this situation because yeah we could make some money off this thing, we could not have to have the upkeep of this thing for the next 130 years. I appreciated the community's involvement with this. I appreciated the Olde Huntersville Historic Society's involvement with this. I'm going to vote in favor of the substitute motion, not to vote against anybody else that might come in here and do something with it and save us a dime and a quarter and fifty cents down the road. Hopefully we can leave it right where it is and before we spend \$6,000, I'll make a phone call.

Commissioner Gibbons said I appreciate what everybody's done on this as well. Maybe it's because I haven't been here long enough but some of the comments as far as like the town has not looked out for other historical things that went before this i.e. the ice house and the jail.....those are things that were Huntersville forever and I agree that's sad that we didn't have foresight for whatever reason to look at and keep those things that really were a historical thing for the town 20 years ago. With Mr. Guignard's negotiating we got this caboose that has been a part of Huntersville to those that live in Huntersville for that time period and I understand that and I've had the conversation with Commissioner Bales about her kids playing on it as well, but I look at it and say okay I'm a vet and I see this veterans park that I hope turns out to be something very beautiful and I just don't see the bandstand, the caboose in the back of Veterans Park all working together. This was a plan that was made before my time and I don't want to take anything away from those folks either. I'm happy there is a plan. I'm just going to say that I see it differently and I worry tremendously that for some reason whether it's lack of will on the board or lack of what has been said will be done by private people, historical society, etc. that we don't maintain that caboose and it becomes an eyesore as it's not a good looking caboose right now and it needs to be a good looking caboose that's going to be a part of this park in Huntersville. I know there's the determination and I hope that would follow through, but I will have to vote for fiscal reasons and those concerns of mine, I will not be voting for that motion.

Commissioner Boone said I've asked myself the following questions – is the caboose historic and the answer is no. Did the caboose serve Huntersville and the answer is no. Do I think the caboose should go next to the Veterans memorial – no. If I have to choose between the caboose and Veterans the Veterans will win every time. Is the caboose a landmark in Huntersville and the answer to that is yes. An object that is easily seen and recognizable from a distance and enables someone to establish their location. I don't want to see this caboose end up like a rock store, the ice house or the old jail. I'm going to support the motion to save the caboose.

Commissioner Boone withdrew his original motion.

Mayor Aneralla called for the vote on the motion to do nothing and leave the caboose as is and not entertain any offers to move it or buy it.

Commissioner Gibbons said even though I'm not going to be voting for that motion, I think for the record it should be said it's not really a decision to do nothing. It is a decision to move forward with the plan of the Veterans Memorial Park.

Motion carried 4 to 1, with Commissioner Gibbons opposed.

Resolution – Bonds. Commissioner Bales made a motion to recuse Commissioner Guignard.

Commissioner Gibbons seconded motion.

Motion carried 3 to 1, with Commissioner Kidwell opposed.

Commissioner Boone made a motion to adopt Resolution authorizing the issuance of \$865,000 General Obligation Bonds, Series 2016A; not to exceed \$3,750,000 General Obligation Refunding Bonds, Series 2016B and \$7,810,000 General Obligation Bonds, Series 2016C.

Commissioner Bales seconded motion.

Motion carried with four (4) yes votes.

Resolution attached hereto as Exhibit No. 6.

Commissioner Bales made a motion to bring Commissioner Guignard back. Commissioner Gibbons seconded motion. Motion carried 3 to 1, with Commissioner Kidwell opposed.

CONSENT AGENDA

Tax Collector's Settlement. Commissioner Guignard made a motion to receive Tax Collector's Settlement for Fiscal Year 2016. Commissioner Gibbons seconded motion. Motion carried unanimously.

Tax Collector's Settlement attached hereto as Exhibit No. 7.

Ordinance – Veterans Day Parade Road Closure. Commissioner Guignard made a motion to adopt Ordinance to temporarily close certain state-maintained roads for the Huntersville Veterans Day Parade and Event. Commissioner Gibbons seconded motion. Motion carried unanimously.

Ordinance – Huntersville Christmas Road Closure. Commissioner Guignard made a motion to adopt Ordinance to temporarily close certain state-maintained roads for the Huntersville Christmas event. Commissioner Gibbons seconded motion. Motion carried unanimously.

Reschedule Meeting. Commissioner Guignard made a motion to reschedule the Monday, September 5, 2016 Regular Town Board Meeting to Tuesday, September 6, 2016 due to the Labor Day holiday. Commissioner Gibbons seconded motion. Motion carried unanimously.

Call for Public Hearing – Petition #R16-05. Commissioner Guignard made a motion to call a public hearing for Tuesday, September 6, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #R16-05, a request by Crescent Communities to rezone approximately 224 acres located northeast of Ervin Cook Road and Gilead Road from Transitional Residential to Neighborhood Residential – Conditional District. Commissioner Gibbons seconded motion. Motion carried unanimously.

Call for Public Hearing – Petition #TA16-04. Commissioner Guignard made a motion to call a public hearing for Tuesday, September 6, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #TA16-04, a request by Godley Group of Charlotte LLC (Frankie's Fun Park – Bryton) to amend Article 8.26 Site

Lighting as it relates to “outdoor amusement facilities” in the Special Purpose Zoning District. Commissioner Gibbons seconded motion. Motion carried unanimously.

Property Tax Refunds. Commissioner Guignard made a motion to approve SL362 Property Tax Refund Reports Nos. 65, 66 and 67. Commissioner Gibbons seconded motion. Motion carried unanimously.

Property Tax Refund Reports attached hereto as Exhibit No. 8.

CLOSING COMMENTS

None

There being no further business, the meeting was adjourned.

Approved this the _____ day of _____, 2016.

Town of Huntersville
REQUEST FOR BOARD ACTION
9/6/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Janet Pierson, Town Clerk
Subject: Approval of Minutes - August 15

Consider approving the minutes of the August 15, 2016 Regular Town Board Meeting.

ACTION RECOMMENDED:

Approve Minutes

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

Description	Type
□ Draft Minutes	Backup Material

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**August 15, 2016
6:30 p.m. – Huntersville Town Hall**

PRE-MEETING

The Huntersville Board of Commissioners held a pre-meeting at the Huntersville Town Hall at 6:30 p.m. on August 15, 2016.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, Rob Kidwell and Danny Phillips.

Meg Fencil updated the Board on Sustain Charlotte. *Refer to PowerPoint Presentation attached hereto as Exhibit No. 1.*

There being no further business, the pre-meeting was adjourned.

**REGULAR MEETING
TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall at 6:30 p.m. on August 15, 2016.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Charles Guignard, Rob Kidwell and Danny Phillips.

Mayor Aneralla called the meeting to order.

Mayor Aneralla called for a moment of silence.

Mayor Aneralla led the Pledge of Allegiance.

MAYOR AND COMMISSIONER REPORTS/STAFF QUESTIONS

Mayor Aneralla

- The next Metropolitan Transit Commission is August 24.
- The next meeting of the Commerce Station Management Team is August 24.
- The Towns of Davidson, Cornelius and Huntersville met last week to discuss forming transportation committee.
- Congratulated swimmers who medaled at the summer Olympics that train at Huntersville Family Fitness & Aquatics.

Commissioner Bales

- From the Lake Norman EDC, Huntersville currently has 13 active projects and a total 29 active projects for our region.
- From the Lake Norman Education Collaborative, school is starting back up so be aware there will be more traffic and watch out for the buses.

Commissioner Boone

- Proud of all the Olympians in Rio and especially proud of the swimmers who trained at Huntersville Family Fitness & Aquatics.
- Two different car accidents claimed the lives of two young people in our area this week.
- On August 5 I visited the MEDIC complex and their dispatch center.
- This week the Huntersville Fire Department had two working fires both caused from improperly discarded charcoal.
- The Huntersville Police Department will have an operation called Operation Safe School Zone that will go into effect the week before CMS schools start.
- Larcenies from autos continues to be a problem.

Commissioner Gibbons

- The next meeting of the NC 73 Council of Planning will be held this fall.
- The next Veterans Council meeting is September 6.
- Asked everyone to remember not only the victims and their families of the two fatal accidents, but also the emergency services personnel who responded to them.
- Reminded everyone to not throw ashes in their trash cans.
- Attended the Community Forum last Wednesday down at CPCC Merancas Campus.

Commissioner Guignard

- Appreciative that Commissioner Phillips is back.
- Echoing what the Mayor and several others have said I can't help but note that there are several folks that have received medals at Rio and regardless of what some media to our south think, they are from here, they are not from that city down south.
- Centralina Council of Governments met last week.
- Thoughts are with the victims' families of the two fatal car accidents and the emergency services personnel that responded to them.
- Requested Commissioner Gibbons clarify remarks he made at the June 6, 2016 Regular Town Board Meeting. Commissioner Gibbons explained I made a substitute motion concerning the budget on June 6 and that substitute motion was eventually not passed. We passed the budget that was agreed upon in the budget meetings. As I went through the budget motion and I had passed out to all my fellow commissioners and I also gave Janet Pierson a copy of this. Where it comes down to the market rate adjustment and the market rate adjustment in the budget is the pay raise for employees and there's two things here, one is all these numbers are what they differ from the budgeted amount and market rate adjustment for that was going to differ by zero. In other words what was originally put forward is what we were going to adopt which moved that from what was in the meeting, the 2.25 percent raise that was approved and this motion was going to bring that back up to a 3 percent raise, with a zero deficit to the market rate adjustment. I guess Mr. Guignard had heard and then I heard that there were some people that thought we put in that we wanted to make the raise zero. And we just wanted to make sure that was not the case.

Commissioner Kidwell

- Attended the regional transportation meeting and thought it went well.
- The next meeting of the Charlotte Regional Transportation Planning Organization meeting is this Wednesday. Commissioner Gibbons will be filling in for me.
- Encouraged people to come to the Olde Huntersville Historic Society meetings.

Commissioner Phillips

- The Lake Norman Chamber of Commerce Diversity Council had a community forum at CPCC on community policing.
- Announced upcoming Lake Norman Chamber events.
- Announced upcoming Visit Lake Norman events.
- Expressed appreciation to everyone for the well wishes and prayers for his family.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Jacob Hunt, 12838 Levins Hall Road, said I would like to speak about the ordinance that was passed at the last Town Hall meeting regarding the panhandling. This is a wholly unimaginative solution to this issue and I do use the word solution loosely here. Not only does it increase the burden on the police department by adding a victimless misdemeanor to the books, but at best by incarcerating the homeless it may actually incentivize that they return to panhandle in the city by providing them a meal and lodging, which they do desperately need and I will return to that. But at worst by slapping a fine on those who have such a financial burden on them that they have to beg in order to eat will only deepen the financial pit that they are in. And let me be clear, Mr. Mayor, in order to dig that pit deeper for them you will have to join them at the bottom. And that's not a financial pit for you however, it's a moral one. There are no net positives for the Town with this solution, but only negatives. It would be one thing for me to sit here and criticize the work that you have done without providing any solutions, so let me do that at this time. The Mayor of Albuquerque who was a Republican like yourself actually found a very innovative solution to this issue that they dealing with at a much larger scale. Instead of punishing them for their financial burdens, they actually employ them for the day to pick up litter around town, which as I've seen our town desperately needs and maintain lawn care on public property. They pay them an hourly wage. They give them lunch and they accommodate them for the night if they need that. It gets them back on the grid and helps them become a productive member of society again. It reaches out to them on the human level and I think that is something that our town should pursue.

BeeJay Caldwell, 14521 New Haven Drive, said I'd just like to keep on the minds of the commissioners about the landfill. I know the board is not here that usually works with that, but to consider checking with the EPA to be sure that everything that is in that landfill and will go into it will be the proper things because 40 years from now is a long time to discover that something was there that length of time and it's not right. And instead of the owner using all the available space height for the debris maybe in sealing the area over maybe a better solution would be to plant trees to replace some of the trees that have been taken down so that he could have a landfill and wondered if he could test the well water of those on Holbrooks Road and in New Haven Park who have well water. We don't want anyone to have that situation like they have over in wherever that place is and the lifespan of the landfill should end before the 40 year extension is granted. I know there are other landfills that the owners have. There's one in Huntersville, Harrisburg, Apex, Kershaw SC, Mullins SC, and a recycling center in Harrisburg. He spoke of it being a hardship. With these other landfills I really don't see that it's going to be the hardship that he indicated.

AGENDA CHANGES

Commissioner Gibbons made a motion to add Item C under Other Business – Discussion on the direct connects along I-77, to continue the conversation that we had in the regional meeting last Wednesday.

Commissioner Guignard seconded motion.

Motion carried unanimously.

Commissioner Guignard made a motion to adopt the agenda as amended.

Commissioner Phillips seconded motion.

Motion carried unanimously.

PUBLIC HEARINGS

None

OTHER BUSINESS

Special Appropriation Agreement. Commissioner Kidwell made a motion to approve agreement between the State of North Carolina, Department of Health and Human Services, Division of Public Health and the Town of Huntersville for Special Appropriation to address the ocular melanoma cluster.

Commissioner Phillips seconded motion.

Commissioner Guignard said I would just personally like to thank Commissioner Kidwell for his continuous efforts on this issue.

Commissioner Kidwell said I would like to express my gratitude to Senator Tarte who took it upon himself to work this into the budget and did not say anything to us until after it was passed. This is a lot of money coming to us and it's going to be put to good use. It's going to be using the data recommended by professionals who look for different things in OM. And OM is a very difficult disease to pinpoint. There's not just one single thing that drives ocular melanoma. There are many factors. They are continuing to narrow down those factors through constant study across the United States. Using the data recommended by doctors from Thomas Jefferson University Pennsylvania, which this is one of their primary focuses, we are going to be able to work with scientists using this grant money to do some study around the area and help try to knock out some things. We may not find a cause. And there's a high probability we won't find a cause. But what we will do is gather more information and more data for those individuals that are working this problem as a whole to take in, study and say okay we've got this going on here and this going on here. I'd like to thank Senator Tarte, the Mayor and I'd like to thank the Town of Huntersville staff for beginning the process and doing all this.

Commissioner Gibbons said I guess the grant is Huntersville's money to use and we will be able to use the professionals as you say without getting pushback from other entities that don't want us to do certain things. Is CMS and the county working with us. Are they okay with whatever tests these professionals recommend and not going to get in the way of us doing that.

Mayor Aneralla said I spoke with Ann Clark about a month ago and she would welcome additional testing in the surrounding area of the school in addition to on school campus of Hopewell. However, she was encouraging us to look at other places as well, which we certainly will.

Greg Ferguson, Town Manager, said there will be a couple of other steps in the process once the grant funds are sent to the Town. You will have to recognize those in the form of a budget amendment. When that occurs there will be an opportunity to describe at that point what kind of work is being looked at and so between now and then there needs to be some conversations between Town staff, Town commissioners and Health Department officials, professionals before we go out and just start testing for stuff that we don't know about. We're working through that process trying to figure out who needs to be part of that discussion team and then get that down on paper because really we would like to have printed recommendations from the professional about how to go about doing this and there may be some disagreement and the Town ultimately might have to decide what you want to do as a Board, but we are going to try to design a process that's not just haphazard.

Motion carried unanimously.

Agreement attached hereto as Exhibit No. 2.

Traffic Signal at NC 73/Norman View. Commissioner Gibbons made a motion that Huntersville will contribute up to \$40,000 for a traffic light at Norman View, assuming that the Cornelius Planning & Engineering will plan and install the light and that when Babe Stillwell connector is completed the light could or would be moved by what's warranted by traffic.

Commissioner Phillips seconded motion.

Commissioner Bales said I would like to make a substitute motion.

Mayor Aneralla said actually we don't have substitute motions in our rules, so Commissioner Phillips did you second the motion.

Commissioner Phillips said yes.

Commissioner Bales said after some discussion with Town staff and other commissioners I think that we need to postpone a decision for the signal at NC 73 and Norman View and direct staff to work with NCDOT on a traffic signal warrant for Babe Stillwell and 73 as well as working with the county to realign Blythe Landing entrance with Babe Stillwell so that we go ahead and put the light where I believe we all know it needs to be ultimately since Babe Stillwell and Birkdale Commons Parkway should be connected by October, I think that gives us plenty of time to do the traffic signal warrant and have those discussions with NCDOT and the county.

Commissioner Guignard said I'm going to speak for the motion but with concern. Many of the numbers that we were given and of course numbers can tell us anything that the person creates those numbers wants us to hear, but many of the numbers that we were given about this intersection tell us that the incidents that have occurred there a traffic light would not have solved this. I think there's only one or two of the dozen or so situations where they say a traffic light might have solved that situation, but I must admit that I'm more in the situation at this particular moment of where Commissioner Gibbons was when we talked about this a month or so ago that part of me says don't do this, part of me says don't do this, however, sometimes we need to do what we feel in our gut needs to be done. If there's

one life that is spared because of this traffic light or one incident or one back or one foot that's not affected forever then maybe we need to put the traffic light there. I have to state that I don't see that there's any numbers that were given that make this warrantable, but sometimes we just need to do what maybe needs to be done. I do want to ask for clarification in the motion it was not mentioned. Do I remember that Cornelius was going to not only be part of the planning, but are they not contributing funds.

Commissioner Gibbons said that is my understanding. I spoke with the Assistant Town Manager and three of the five commissioners on Wednesday night at the regional meeting and they all said yes they had approved up to \$40,000 as well. When we look at this as warrantable, we have a couple of hurdles that we need to get through. I do not disagree that we need to study this traffic and what's going to happen when Babe Stillwell gets connected and the sooner we start that study I think the better. And then we have the county. The county has been working with us on certain projects but whether or not the county is going to put in that other side of the road on the west side of the road into the park or not it seems to make sense to all of us, but we don't get to make that. There are several decisions that are out of the hands of this Board, so that's why in the motion I did put that this light would be, could be moved and the timeframe of Cornelius getting on this may allow for at least the study to be done prior to its even being started on any construction.

Commissioner Boone said did your motion state that Cornelius would be in charge of all of the design and installation and the work.

Commissioner Gibbons said planning, engineering and install.

Commissioner Boone said we get a packet every time we have a meeting and there's several e-mails that came down two and three years ago and I read through them and it basically comes down to one e-mail and I am quoting from this e-mail that "While at this time we do not feel like a traffic signal is needed for a safe and efficient operation of this intersection, further analysis did indicate that one would be needed for the safe and efficient operation of this intersection in the near future." One sentence. That e-mail was written 29 months ago and I think it's time we start moving forward on this. As far as Babe Stillwell, that could happen, that could not happen, but we have to wait for the county to get involved in it, so I'm going to go ahead and support this motion for the light at Norman View.

Commissioner Guignard said if you drive out east 73 and go towards Odell School that's had a traffic light there for some years and if you come back probably less than ¼ mile you'll see where there's actually a traffic light being installed there. Some of us have lived in this town long enough to remember when Independence Boulevard had a traffic light every sometime we felt like it was every ¼ yard not every ¼ mile and we are going to end up with that same thing on 73, but so be it because I think we are just at that point, most of the commissioners at the table have spoke to that, but it will get to the point that 73 might be better for Danny's store than he realizes because it's just going to be stop and go and maybe they'll have a place to go and stop.

Motion carried 5 to 1, with Commissioner Bales opposed.

Direct Connects Discussion. Commissioner Gibbons said we have Interstate 77 being expanded as we speak with HOT lanes or express lanes as they are called and whether you were for those or against those that probably pretty much doesn't matter at this point, but going forward there is bonus allocation money. There's about \$77 million between two direct connect interchanges, one at Hambright Road and one at Lakeview. Lakeview is in the Charlotte jurisdiction and at the regional

meeting last week it was talked about but it wasn't the first time it has been talked about. It's been talked about for a while. Commissioner Kidwell at CRTPO has had an ongoing conversation and what it entails is that the bonus allocation funds are for the towns that are affected or enhanced by the express lanes to use for other projects along that corridor and we feel like there was a map drawn with projects on it. There's dollar amounts for those projects. They are projects that are on the current TIP just not in the money and if we were to take those bonus allocation dollars and put them towards those projects and alleviate some congestion along 21 and 115, I think that would have a much bigger impact to the citizenry of Huntersville and those in the future. Trucks can't use the HOT lanes so the direct connects and they are really not a factor. Only the people that have chosen to use the HOT lanes will be able to use them and when they do get off they are going to dump into 21, 115. That's a proposal that we talked about. I think it's open for discussion. We had some discussion earlier today about just the value of the bridge itself that's being built for the HOT lanes, but the future of what that bridge connects to is a long way down the road. So whether that's something that we need to have in place now or not, again that should be part of this discussion as well.

Commissioner Kidwell said Commissioner Gibbons spoke about we had some communications at CRTPO with Vi Lyles. She is the Vice Chair down there. She's also the City of Charlotte representative. I spoke with Vi today and she just got back from D.C. She's going back to D.C. this week to speak with some ranking members of the Federal Highway Administration and some members under the Secretary of Transportation to discuss finding more funds for this region for those arterial roads 115 and 21. I spoke with her about 30 minutes today and told her that we have had this discussion on direct connects and that the majority of the Board on the Town of Huntersville feel that bonus allocation money could be used elsewhere. We would appreciate her support. But she is doing her due diligence as well to help us find other funds in case we're unable to use those bonus allocation dollars.

Commissioner Boone said can we get Bill Coxe to get into this conversation. Can you tell me why the direct connect at Hambright Road is a key part of this. You've supported this Hambright Road direct connect. Can you tell me why you are supporting it?

Bill Coxe, Transportation Planner, said this would be a lengthy explanation that might be appropriate to have in a work session with the Board.

Commissioner Boone said can you just give me three or four highlights.

Mr. Coxe said the only way to avoid working your way across general purpose lanes is to have direct connections to and from the managed lanes. When those were initially discussed about four years ago, the state agreed to put it in as an option, so that would drive up the cost of the project and obviously no one included that option in their proposal. Then the bonus allocation dollars materialized and CRTPO was looking to the technical staff to recommend how to use those monies and it became evident that if you were to ever get connections at Lakeview and at Hambright you should do those as part of the current project, because in order to create those connections you have to spread apart the interstate. Can you do that now or else in the future it will be prohibitively expensive to do. In fact when we started this process the concept was to put one at Stumptown Road and that was where CRTPO was going to put it and the contractor convinced us that could be done at a later time and if you ever wanted to do Hambright and Lakeview, you do them now. There are other ways that you can fund improvements to 115 and 21, but for the people that are going to use these lanes over the next 15 years now is the time to put them in and so CRTPO made the judgment that they would put them in now with the bonus allocation dollars.

Commissioner Boone said so the bridge at Hambright would be a four lane bridge.

Mr. Coxe said actually it would be a five lane bridge.

Commissioner Boone said it would be a five lane bridge and if you were going east on that five lane bridge towards 115 that will dump into 115 at a T turn, what's on the other side of that road in the future.

Mr. Coxe said the goal long-term is for Hambright Road to be a multi-lane roadway all the way from the 485 interchange at Prosperity Church Road crossing Eastfield Road through Bryton where it's already been constructed as a four-lane median divided all the way across 115, 21, 77 and all the way to Huntersville-Mt. Holly Road. At that point it would probably transition to being a two lane road, so you would have the economic development centers at the south end of The Park and at what the Town has been working with to create on Huntersville-Mt. Holly Road and Bryton to be able to be served by that multi-lane roadway and that bridge.

Commissioner Boone said so we are developing all this area around Hambright Road but trucks cannot get in and out of 77 at all.

Mr. Coxe said at that point they could not. You would not be able to build a general purpose interchange at that location with the ramps on the outside because of the proximity to the 485 interchange, so if we are to have an interchange at Hambright it has to be a direct connection interchange.

Mayor Aneralla said I think where we are as a Board in talking last week, we know there's this process that's been going on for a couple of years now. And most of us were not necessarily happy with toll lanes and we're trying to make the best of the situation that we are in. We know there are two big hurdles if any bonus allocation money would be re-directed, you have to go to the CRTPO to change their mind, which is really Charlotte, and legislatively there's some time constraint put on bonus allocation money of 5 years. Now I think what we are looking to do if I can paraphrase what Commissioner Gibbons said is to at least be open to a discussion should there be a possibility of those two things changing and allocating that money towards a 21 widening say south of Gilead and I don't know what that cost is off the top of my head. So I think that's really what our discussion is about tonight and I just wanted to make sure we are clarified.

Commissioner Guignard said the 5 years.....is that money to be spent in 5 years. Does anybody understand, when does that 5 years stop and am I correct that probably the first 18 months of that 5 years has already come and gone.

Mr. Coxe said 5 years stops on June 30, 2020.

Commissioner Guignard said so that's a little over 3 years from now.

Mr. Coxe said the term in the legislation is that the money must be appropriated to the use by that point in time. Appropriation has a very distinct definition under federal rules and essentially to appropriate money to construction which is I think what the Board is describing, you first have to have had a planning document performed for the project on which you want the money appropriated. That document has to be performed and signed. Then you have to go through design. Then you have to go through right-of-way acquisition if whatever right-of-way acquisition is necessary, that right-of-way

acquisition must be certified as having been done properly and completed. You have to then have documents prepared with an engineer's estimate and final plans. Those have to be then approved by the Federal Highway Administration for construction. That's the point at which the dollars are authorized for construction. Those other two steps are crucial to that final phase.

Commissioner Guignard said I've been talking about Highway 21 and four lanes since 1972 when I came home from college and found my father was not using 120' of land out in his front yard and that's that right-of-way down there. That's probably four decades ago. It doesn't sound to me like against all my wishes that what you just described if we had the authority to do it could be done in the next 3 years. All those things that you just talked about I'll bet you take 3 or 4 years to do and then you've got to get a signature. I didn't say that I didn't won't Highway 21 four laned. I would not even elude to the fact that I wouldn't want Highway 21 four laned. But from what you just described it sounds like the slow moving COG.

Mr. Coxe said it would be an extraordinary rate of speed for it to be accomplished in that period of time.

Commissioner Phillips said how much of that has already been designed for widening. I know that we have it out here at the Gilead Road interchange and how far down does that go.

Mr. Coxe said basically to Huntersville Ford.

Commissioner Phillips said I was thinking it was further on down that had already been designed.

Mr. Coxe said there were plans drawn in 1956 for the construction of US 21 all the way from Charlotte to maybe Elkin at that point and the two lanes that are constructed under those plans are built on one side of the right-of-way. But to use the bonus allocation money that you all are talking about using, the work done has to basically start anew. What was done in 1956 is no longer valid.

Commissioner Phillips said what other projects do we have in Huntersville that would be shovel ready to use those funds under bonus allocation.

Mr. Coxe said none.

Commissioner Phillips said why don't we.

Mr. Coxe said because the Charlotte Regional Transportation Planning Organization selected a group of projects and directed staff to move forward with that group of projects and that's what we've been doing.

Commissioner Phillips said so you've been our Town Planner for how many years now and we continuously never have shovel ready projects ready for design other than a line on the map.

Mr. Coxe said we are moving forward as fast as we can with the list of projects that CRTPO recommended for the use of these dollars.

CONSENT AGENDA

Approval of Minutes. Commissioner Guignard made a motion to approve the minutes of the July 18, 2016 Regular Town Board Meeting. Commissioner Bales seconded motion. Motion carried unanimously.

Budget Amendment – Police. Commissioner Guignard made a motion to approve budget amendment recognizing insurance revenue in the amount of \$811.81 and appropriate to the Police Department's insurance account. Commissioner Bales seconded motion. Motion carried unanimously.

Call for Public Hearing. Commissioner Guignard made a motion to call a public hearing for Monday, September 19, 2016 at 6:30 p.m. at Huntersville Town Hall on Petition #ANNEX16-02, a request by NVR Asbury Chapel to annex 76.139 acres (non-contiguous) into the Town of Huntersville. Commissioner Bales seconded motion. Motion carried unanimously.

CLOSING COMMENTS

Mayor Aneralla reminded everyone of the Mayor's lunch tomorrow.

There being no further business, the meeting was adjourned.

Approved this the _____ day of _____, 2016.

Town of Huntersville
REQUEST FOR BOARD ACTION
9/6/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Jackie Huffman/Max Buchanan
Subject: Budget Amendment

Recognize insurance revenue (103813.9999) in the amount of \$1,555.21 and appropriate to the Public Works Department's insurance account (105700.0452).

ACTION RECOMMENDED:

Approve Budget Amendment.

FINANCIAL IMPLICATIONS:

Additional revenue in the amount of \$1,555.21.

Town of Huntersville
REQUEST FOR BOARD ACTION
9/6/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Jackie Huffman/Chief Spruill
Subject: Budget Amendment

Recognize insurance revenue (103820.9999) in the amount of \$691.58 and appropriate to the Police Department's insurance account (105100.0452).

ACTION RECOMMENDED:

Approve Budget Amendment.

FINANCIAL IMPLICATIONS:

Additional revenue in the amount of \$691.58.

Town of Huntersville
REQUEST FOR BOARD ACTION
9/6/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Jackie Huffman / Greg Ferguson
Subject: SL 362 Property Tax Refunds

Attached is Report #68 from Mecklenburg County of SL 362 refunds. The report contains 19 refunds for a total of \$229.25 including \$38.15 interest. To date the Town of Huntersville has processed 10,519 refunds totaling \$479,324.02 which includes \$48,051.78 interest.

ACTION RECOMMENDED:

Approve SL 362 property tax refund report.

FINANCIAL IMPLICATIONS:

Decrease revenue

ATTACHMENTS:

Description	Type
▣ Report #68	Cover Memo

Parcel #	Refund Recipient Name	Address Line 1	City	State	Zip Code	Total Refund	Total Interest
00535435	ROVITO, RACHEL A	17747 TROLLEY CROSSING WAY	CORNELIUS	NC	28031	0.28	0.06
00535484	REED, JONATHAN BRADBURY	10661 TROLLEY RUN DR	CORNELIUS	NC	28031	0.28	0.06
00544624	CHRISTIAN TRUST DIVISION OF .	1610 E SAINT ANDREW PLACE #B-150	SANTA ANA	CA	92705	12.27	1.52
00544624	LOMBARD, JEREMY M	17443 CALDWELL TRACK DR	CORNELIUS	NC	28031	11.30	2.53
00916153	YAM, CHUNG T	16527 AMBASSADOR PARK DR	HUNTERSVILLE	NC	28078	1.13	0.25
00923413	FEDERAL NATIONAL MORTGAGE ASSOC	PO BOX 650043	DALLAS	TX	75265	27.40	4.76
00925113	BACCUS, DEBORAH JAMES	13423 HARVEST POINT DR D	HUNTERSVILLE	NC	28078	1.97	0.44
00925127	STEVENS, SCOTT W	16022 FARMALL DR	HUNTERSVILLE	NC	28078	1.41	0.32
00925209	RICHARDS, MICHAEL S	16127 FARMALL DR	HUNTERSVILLE	NC	28078	0.56	0.13
00934408	CANON, MONETTE R	13538 COPLEY SQUARE DR	CHARLOTTE	NC	28203	15.54	3.48
01301219	WILLIAMS, LILLIAN G	1455 PLUMSTEAD RD	CHARLOTTE	NC	28216	30.15	4.55
01301220	WILLIAMS, LILLIAN G	1455 PLUMSTEAD RD	CHARLOTTE	NC	28216	28.53	4.30
01301302	TOWNS, WILLIE G	2211 CELIA AVE	CHARLOTTE	NC	28216-4551	28.15	4.46
01301720	TOWNS, W G & M B FAULKNER	2211 CELIA AVE	CHARLOTTE	NC	28216	26.91	4.06
01301721	TOWNS, W G & M B FAULKNER	2211 CELIA AVE	CHARLOTTE	NC	28216	26.91	4.06
01525420	SUMMERVILLE, WILLIAM C &W	9117 WEDGEWOOD DR	HUNTERSVILLE	NC	28078	1.41	0.32
01526204	KISSER, DEBORAH L	9001 WESTMINISTER DR	HUNTERSVILLE	NC	28078	4.03	0.89
01715605	GLASS, DAVID	8727 SAVANNAH PL	HARRISBURG	NC	28075	10.17	1.77
01746472	MCNEIL, JACQUELINE	12708 CRSSDALE DR	HUNTERSVILLE	NC	28078	0.85	0.19
						229.25	38.15

Town of Huntersville
REQUEST FOR BOARD ACTION
9/6/2016

REVIEWED:

To: The Honorable Mayor and Board of Commissioners
From: Jackie Huffman / Greg Ferguson
Subject: SL 362 Property Tax Refunds

Attached is Report #69 from Mecklenburg County of SL 362 refunds. The report contains 3 refunds for a total of \$28.30 including \$1.96 interest. To date the Town of Huntersville has processed 10,522 refunds totaling \$479,352.32 which includes \$48,053.74 interest.

ACTION RECOMMENDED:

Approve SL 362 property tax refund report.

FINANCIAL IMPLICATIONS:

Decrease revenue

ATTACHMENTS:

Description	Type
□ Report Number 69	Cover Memo

BILL PAYMENT								
Parcel #	Refund Recipient Name	Address Line 1	City	State	Zip Code	DATE	Total Refund	Total Interest
01320103	KIDD, WILLIAM P	5730 JIM KIDD RD	HUNTERSVILLE	NC	28078	1/6/2012	1.13	0.13
01708106	KERR, HELEN JEAN	500 MT HOLLY HUNTERSVILLE RD	HUNTERSVILLE	NC	28078	1/6/2012	1.13	0.13
01724506	RORRER, HOWARD	9408 LINWOOD R	HUNTERSVILLE	NC	28078	1/8/2013	26.04	1.70
							28.30	1.96