

**MINUTES OF THE BOARD OF ADJUSTMENT
ONSLow COUNTY
JACKSONVILLE, NORTH CAROLINA
January 22, 2019**

I. CALL TO ORDER: Chairman Jerome Shaw called the Onslow County Board of Adjustment meeting to order at 6:30 pm.

II. INVOCATION: Jerome Shaw pronounced the invocation.

III. PLEDGE OF ALLEGIANCE: John Smith led all present in the Pledge of Allegiance.

IV. ROLL CALL:

Chairman Jerome Shaw
Jeff Brown
Amy Buchanan
John Smith
Marilyn Bunce
Roger Brown
Christina Asbury

Staff Members Present:

Jennifer Ansell, Chief Zoning and Environmental Officer
Angie Manning, Land Use Administrator
Benjamin Warren, Assistant County Manager
Kourtney Powell, Administrative Assistant
Justin Smith, Zoning and Environmental Officer

V. APPROVAL OF THE MINUTES:

Mr. Smith made the motion to approve the November 27, 2018 minutes. Mr. Brown seconded the motion. All members were in favor and the motion passed.

Ms. Asbury made the motion to approved the December 11, 2018 minutes. Ms. Bunce seconded the motion. All members were in favor and the motion passed.

Ms. Asbury made the motion to approve the Board Decision: SUP-2018-00015. Mr. Brown seconded the motion. All members were in favor and the motion passed.

Ms. Buchanan made the motion to approve the Board Decision: SUP-2018-00018. Ms. Asbury seconded the motion. All members were in favor and the motion passed.

VI. NEW BUSINESS:

A. SUP-2018-00020 – Pluris Webb Creek, LLC Requesting a Special Use Permit to install a Public Utility Facility at 250 Zachary Lane in Hubert, NC, Parcel ID 1308-2.12:

Ms. Ansell provided an overview of the application SUP-2018-00020.

Applicant: Pluris Webb Creek, LLC

Summary of proposal: Mr. Randy Hoffer, on behalf of Pluris, is requesting a Special Use Permit to construct a Public Utility Facility at 250 Zachary Lane in Hubert. The property is located in the Residential 10 (R-10) Zoning District. The property consists of approximately 8.27 acres and is surrounded by properties zoned and developed for medium-density residential use. A portion of the property is in the AE special flood hazard area; however, the proposed plant is showed to be constructed outside of that flood hazard area. There are regulated wetlands on the site but they will not be impacted by the construction of this plant.

Staff Recommended Conditions: A TRC was held on December 11, 2018 and staff is recommending the following conditions if the application is approved:

- 1) A buffer must be installed along all property lines abutting the residential structures along Zachary Lane which meets the standards of Article 16, Section 1603;
- 2) Due to the property's location within the Flight Path Overlay District, coordination with Tim McCurry, Marine Corps Liaison, is recommended; and
- 3) A 20' wide all-weather access capable of supporting 75,000 pounds is requested with a turn-around capable of meeting the requirements of Appendix D of the Fire Code. Gate access details will also need to be provided as required in Chapter 5 of the Fire Code.

Additional Information: The property is located within the Flight Path Overlay District.

Zoning District Summary: The property is in the Residential 10 (R-10) Zoning District.

Access/Traffic: The 2017 NCDOT Annual Average Daily Traffic (AADT) counts show 7,100 vehicle trips per day along Sand Ridge Road (SR 1501) within the vicinity of the site.

Comprehensive Plan (CAMA Core Land Use Plan): The Comprehensive Plan, Future Land Use Map, designates this property as Medium Density Residential (MDR).

Michael C. Gallant, 756 Cockle Street, Surf City, NC 28475.

Mr. Gallant stated that this site is the site of an existing wastewater plant that his client purchased out of foreclosure. A new plant is being built to replace the old plant. The previous owner did not maintain the plant and had multiple violations with NCDEQ. The old plant had tanks and blowers outside of the ground, the blowers in the new plant will be located in a one-story metal

building which should not be as noisy. The new plant will need to be built before the old plant is demolished because they are still treating sewage at this site.

Tim Smith, 215 Glenwood Drive, Hubert, NC 28539.

Mr. Smith stated that he is concerned about drainage in this area. He is concerned that because there are only two drainage pipes in this area that his house is going to flood or become a part of the flood hazard area.

Mr. Gallant asked Mr. Smith to show him on the map where his house is located.

Mr. Gallant explained that they plan on putting a swale between the plant and the property line all the way around that goes downhill to low ground into the creek. This will prevent any drainage issues.

Maurice Gallarda, 2100 McKinney Avenue, Dallas, TX 75201.

Mr. Gallarda stated that he is the managing member of Pluris Holdings. They have been appointed by the State to come in as an emergency operator. He stated that this plant will be an advanced wastewater treatment plant called a membrane bioreactor. He explained that it is critical to get the structural steel tanks replaced before they rupture. He stated that they will not produce any extra flow from this site.

Mr. Smith asked what type of membrane plant this is.

Mr. Gallarda explained that this plant filters down to .04 microns. This not only takes out all bacteria, but viruses and pharmaceuticals as well.

Stephen Gurba, 603 Sunrise Lane, Swansboro, NC.

Mr. Gurba explained that he and his wife purchased 12 acres in 1988 near this site. Their intentions are to possibly develop it one day. Mr. Gurba questioned if they develop this property, will they be able to tie into this plant.

Mr. Gallarda answered that he would be able to tie into the plant. He stated that they are looking to add more customers.

Phillip Whitehead, 111 North Ivy Drive, Hubert, NC, 28539.

Mr. Whitehead asked what is the capacity of the new proposed facility.

Mr. Gallarda explained that the existing permit that they have filed for with NCDEQ is 300,000 GPD. He stated that he does not believe that they will be over that number, but if they are, they will expand.

First General Conclusion: That the special use, if approved, will not materially endanger the public health or safety, if located where proposed according to the plan submitted and approved. Ms. Asbury made the motion to approve the finding per the ordinance requirements. Mr. Smith seconded the motion. Ms. Asbury stated that the use of this site to be a wastewater treatment plant is going to alleviate environmental impacts from the existing failing system. It will be cleaner, filtered more, and a better operating facility. The motion passed by unanimous vote.

Second General Conclusion: That the use meets all special uses and specifications. Mr. Smith made the motion to approve. Mr. Roger Brown seconded the motion. Mr. Smith stated that it appears that they have gone through NCDEQ, other authorities and proper procedures to meet the requirements. The motion passed by unanimous vote.

Third General Conclusion: That the use would not substantially injure the value of the adjoining or abutting property, or that the use is a public necessity. Mr. Jeff Brown made the motion to approve the finding. Ms. Asbury seconded the motion. Mr. Jeff Brown stated that it cannot injure the value because it is already a sewage treatment plant. Ms. Asbury added that it is a public necessity. The motion passed by unanimous vote.

Fourth General Conclusion: That the location and character of the use, if developed according with the plan as submitted and approved, will be in harmony with the area in which it was to be located and in general conformity with the Onslow County Comprehensive Plan and other Onslow County Ordinances. Ms. Asbury made the motion to approve. Mr. Jeff Brown seconded the motion. Ms. Asbury stated that the site is already the location of a wastewater treatment plant.

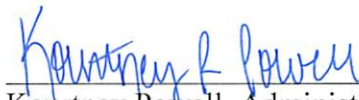
Mr. Shaw announced to the applicant that the Special Use request had been approved.

VII. COMMENTS:

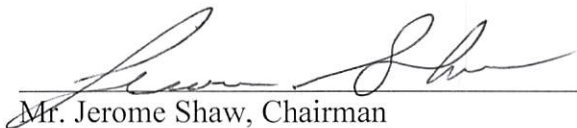
None.

VIII. ADJOURNMENT:

There being no further discussion, the meeting was adjourned at 7:02 PM.



Kourtney Powell, Administrative Assistant



Mr. Jerome Shaw, Chairman