

MINUTES
MAINLAND PLANNING COMMISSION
SEPTEMBER 2, 2014 - 6:00 P.M.
Historic Courthouse, 701 G Street

MEMBERS PRESENT: Tim Murphy, Chairman
 Tom Boland, Sr., Vice Chairman
 Bill Brunson
 Larissa Harris
 Buddy Hutchinson
 Gary Nevill
 John Williams

STAFF PRESENT: David Hainley, Community Development Director
 Eric Johnson, Planning Manager
 Cayce Dagenhart, Planner II
 Janet Loving, Admin/Recording Secretary

ALSO PRESENT: Alan Ours, County Administrator

Chairman Murphy called the meeting to order and the invocation was given, followed by the Pledge of Allegiance.

MINUTES

July 1, 2014 - Regular Meeting

A motion was made by Mr. Tom Boland to approve the Minutes of the *July 1st Regular Meeting*. The motion was seconded by Mr. Gary Nevill. Voting Aye: Mr. Tom Boland, Mr. Bill Brunson, Ms. Larissa Harris, Mr. Buddy Hutchinson, Mr. Tim Murphy and Mr. Gary Nevill. Mr. John Williams did not attend the July 1st Meeting and therefore abstained from voting.

At this time, Chairman Murphy gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

SP2885 Dollar General: Consider site plan approval to construct a new commercial building at 7188 New Jesup Highway. PARCEL ID: 03-16911. Peter Schoenauer with Tidewater Engineering, Inc., agent for Southeastern Bank, owner.

Mr. Schoenauer was present for discussion.

According to the staff's report, this site plan proposes a 9,026 sq. ft. single-story Dollar General Store. A retail store is a permitted use in the HC district. Utilities would be provided by a private well and on-site septic system. This type of infrastructure was established on the plat and recorded in 2001.

Under Section 619.4 (a) of the Zoning Ordinance, the Planning Commission's review shall be guided by the following standards and criteria:

- 1) The application, site plan, and other submitted information contain all the items required under this Section. **Staff Comment: This requirement has been met.**
- 2) The proposed uses, buildings and structures are in accordance with the requirements of this ordinance and other ordinances of Glynn County. **Staff Comment: This requirement has been met.**
- 3) Adequate provisions are made for ingress and egress, off-street parking, loading and flow of traffic, which may reasonably be anticipated. **Staff Comment: This requirement has been met. The site plan proposes a point of ingress and egress on New Jesup Highway from an existing access easement shared with the abutting property to the south. A total of 36 off-street parking spaces would be provided, including two handicapped spaces.**
- 4) Adequate provisions are made to control the flow of storm water from and across the site. **Staff Comment: The site plan shows adequate provisions are proposed to control the flow of stormwater.**
- 5) Adequate provisions are made to protect trees that are selected to remain as depicted on the site plan. **Staff Comment: There are no trees on the site.**
- 6) Adequate provisions are made to buffer intensive uses and to screen all service areas from view of the adjacent properties and streets. **Staff Comment: The site plan shows a Type "D" Buffer along the western property line along New Jesup Highway.**
- 7) Adequate provisions are made to control the location, intensity, and direction of all outdoor lighting so that it will not have an adverse effect upon adjoining properties. **Staff Comment: Applicant will be required to meet this provision at all times.**
- 8) Open space, as required, has been provided and appropriate means are proposed to assure maintenance of common areas and facilities. **Staff Comment: Not applicable.**

- 9) Adequate provisions are made for water supply, fire protection, and sewage collection and treatment. **Staff Comment: The building/site would have private systems because the property is located approximately 2,800 ft. from the nearest connections. The Brunswick-Glynn County Joint Water & Sewer Commission (JWSC) does not anticipate extending water and sewer lines near this property for at least a year. The Glynn County Fire Department staff has approved the site plan as submitted.**

Ms. Dagenhart stated that staff recommends approval of site plan application **SP2885** subject to meeting all requirements during the development process.

During a brief presentation, Mr. Schoenauer verified that Southeastern Bank is currently the owner of the property, and on their behalf he is soliciting approval at this time.

At the end of review, a motion was made by Ms. Larissa Harris to approve application **SP2885** subject to meeting all requirements during the development process. The motion was seconded by Mr. Tom Boland and unanimously adopted.

Confirm the opinion of the Director of Community Development that a solar farm can be considered a permitted use pursuant to the Development Text of GC-34-99 PAWS, ODI-2 Tract.

Mr. Hainley explained that the size of this parcel is 268.76 acres. Energiya USA, LLC proposes to use 61 acres for a 17.68MW solar field. He stated that there are a number of tracts in the PAWS rezoning. The portion of the Development Text pertaining to ODI-2 lists "Public Utility Installation" as an allowable use. Solar energy systems are used to gather solar radiant energy and convert it into thermal, mechanical, chemical or electrical energy. The Glynn County Zoning Ordinance does not address all of the various types of utility innovations that have occurred within the last 10 years.

Mr. Hainley stated that it is staff's opinion that the generation and/or distribution of energy can be categorized as public utility. It is also staff's opinion that a Solar Field is a private utility installation. It is therefore consistent with the Development Text and should be considered a permitted use.

Mr. Bill Brunson wanted to know why this particular item does not require site plan approval. Mr. Hainley stated that there are no structures and no paving. However, Mr. Brunson stated that there is a 12 ft. structure. Mr. Hainley explained that under the definition, solar panels are not considered structures and therefore

would not require site plan approval. As part of rewriting the Subdivision Regulations, he stated that perhaps such uses could be included to require site plan approval in the future. Mr. Brunson stated that it would be prudent to require site plan approval for solar farms. He then asked that if the Planning Commission affirms staff's opinion, what is the next step. Mr. Hainley replied that the next step involves staff working with the developers on processing through the land disturbance application and the notice of intent to disturb the property, as well as working on the site development.

Citing circumstances from a previous request, Mr. Hutchinson wanted assurance that a federal agent won't come in at a later date and say that this cannot be done because of the soil. Mr. Hainley stated that such action would not happen in this case. He stated that the site has received wetland delineations, soil determinations, and it has been approved by the Federal Aviation Administration (FAA). Mr. Hainley stated that in essence, this project has received a "clean bill of health."

Mr. Nevill feels that this proposal is a good use for the site, but he asked if it could fall under the Industrial Use category. Mr. Hainley replied that it could, but it is not typical because there isn't anything being generated at the site other than power. Mr. Nevill stated that since the proposed development involves manufacturing, processing, assembly and/or storage operation, no junk or salvage, no obnoxious fumes or odors, no fire hazards, and no dust, he thought perhaps that it would fall into the industrial category. Again, Mr. Hainley stated that it could, but when he reviewed the application he felt comfortable that it fit within the intent of the proposed district.

Mr. Boland asked if the area would be fenced and would there be any noise intrusion. Mr. Hainley stated that the proposal is required to have a fence as well as buffers. He also stated that there would be no lighting or noise associated with this proposal.

Chairman Murphy noted that a question was raised earlier in the week asking why Mr. Hainley is the person bringing this item to the Planning Commission. Chairman Murphy's response was "who better to bring this to us than the Director of the Department of Community Development." He stressed that they are not doing anything out of the ordinary, which prompted Mr. Hutchinson to proclaim that he is satisfied with Mr. Hainley's interpretation of this item. For the record, Mr. Hainley stated that as Director of the Department, he is authorized to make interpretations as required. Mr. Nevill asked if this item would be forwarded to the County Attorney for review. Mr. Hainley advised that the County Attorney has already addressed this item and he is also comfortable with staff's interpretation.

At this time, Mr. David Herskovits, CEO of Energiya USA, stated that his company has worked diligently with county staff and he is hopeful that the proposed project satisfies all of the requirements. He stated that he is looking forward to an enriching relationship with the community, the local school systems and the technical colleges in the area. Mr. Herskovits also expressed his appreciation to the members of the Planning Commission for their efforts and for their attention.

Mr. Boland wanted to know when the project would commence and how long would it take to get up to speed. Mr. Herskovits stated that he is not at liberty to speak to the exact schedule, but the project won't take over a year.

Mr. Williams asked Mr. Herskovits to elaborate on his comments regarding the local schools. Mr. Herskovits explained that they are trying to develop a grassroots initiative program, including technical engineering, for local students in an effort to encourage careers in the field of solar energy development.

Mr. Brunson asked Mr. Herskovits if he were at liberty to discuss the magnitude of the financial investment, to which he replied no. However, he did state that it would be a substantial investment.

Chairman Murphy opened the floor at this time for public comments beginning with Ms. Lesley Brantley, a local resident. Ms. Brantley stated that for clarity, she would prefer it if the county ordinances could dictate requirements for this proposed use. The fact that this project will not require a building permit or other action by the county essentially leaves the public out of the process. Ms. Brantley stated that the public is probably not fully aware of the facts surrounding this proposal. For instance, the use is being allowed without any rules in place and the public has the right to know. Ms. Brantley feels that the community is being taken advantage of; a simple public hearing would suffice.

Mr. Hainley explained that this proposal meets all of the requirements and regulations set by the county and other agencies. Otherwise, the FAA would not have approved it. This is the first time that it has come before the public at the local level. Chairman Murphy added that this project will not operate ordinance free. Mr. Hainley agreed and stated that the project will operate under the same performance requirements as the utilities substation with buffers, fencing, and items that are already in place. Ms. Brantley stated that it's fine that the FAA is ok with this proposal, but once again she stressed that the public is being left out of the process. She is also concerned about the possibility of setting a precedent relative to future developments. She further stated that she cannot believe that this was ever an intended use for a piece of property that was labeled airport, because it violates the Airport Ordinances of Glynn County. For clarification, Mr. Nevill pointed out that this does not fall on airport property; it is the adjacent Development Authority property.

Mr. Chuck Scragg, Executive Director for the Development Authority, also confirmed that the area in question is not airport property; it is property of the Development Authority as noted by Mr. Nevill. Mr. Scragg further stated that the Development Authority feels that this proposal is the highest and best use of the property mainly because of the wetlands, along with the fact that it is very low density and completely passive. He stated that they have worked in conjunction with the Airport Authority with respect to all safety issues. Mr. Brunson stated that although it is not airport property, the FAA would intervene if there were any problems. Mr. Scragg concurred.

There were no other public comments and no further business to discuss. Therefore, the meeting was adjourned at 6:30 p.m.
