

Meeting Minutes DRAFT
Chatham County Environmental Review Advisory Committee (ERAC)
March 14th, 2019 - 6:30 p.m.
Performance Building Conference Room

Present:

Staff: Angela Birchett, Zoning Administrator, Chatham County Planning Department; Chance Mullis, Planner, Chatham County Planning Department; Caroline Silverson, Vice Chair Chatham County Planning Board; Jason Sullivan, Planning Director, Chatham County Planning Department; Rachael Thorn, Watershed Protection Supervisor, Chatham County Planning Department

Members Present: Ray Bode; Elaine Chiosso; Jeanette Ragland, Victor D’Amato, Fran DiGiano; Mary Beth Koza; Farrell V. Moose, Madison Ponder; Sherri Stuewer (remote); Terri Tyson; Terry Schmidt

Guests: Jeannie Ambrose, Chatham County Resident; Glenn Dunn, Poyner Spruill LLP; Sharon Garbutt, Chatham County Resident

Agenda Items:

1. **Approval of meeting minutes from February 13th, 2019** – Approved.
2. **Public Input** – N/A
3. **Special Study Discussion** – Glenn Dunn, Attorney with Poyner and Spruill – see attachment from Rachael
4. **GIS Advanced Parcel Query Tutorial- Chance Mullis, Chatham County Planner I**
<http://chathamncgis.maps.arcgis.com/home/index.html>
5. **Announcements and updates from ERAC members**
 - a. Terri Tyson, Duke Energy utilizing helicopters for installing shielding on the main poles on the big power lines through Briar Chapel.
6. **County Staff Input:** Update from Rachael Thorn re: Duke Energy Corinth Road Coal Ash/Recycling plant/ Moncure, North Carolina. Duke Energy notified the County that Zackery Construction would begin clearing roughly 26 acres of Duke Energy parcel. Adjacent property owner previously agreed to allow access to the site for heavy equipment. Landowner of adjacent site cleared site in advance of receiving proper approvals and is under review with two county departments, therefore, Duke/Zackery Construction does not have access to site and will proceed clearing with chainsaws to adhere to an April 15th, 2019 Songbird migration deadline.
7. **Adjournment:** Fran motioned to adjourn. Victor seconded. Meeting concluded at 8:25 p.m.

Next meeting: April 11th, 2019; 6:30 p.m. at Performance Building Conference Room

STAFF UPDATE FOR ERAC – 3/14/19

1. Coal Ash Beneficiation Plant-

Ongoing communication between staff and Duke Energy resulted in meeting last Friday to discuss several issues across multiple departments. Highlights:

- Adjacent parcel (not owned by Duke) is under NOV for Watershed and Planning violations, which creates challenges to Duke Energy in accessing the parcel of proposed Coal Ash Beneficiation Plant before April 15th deadline for tree removal. Duke is assessing other options. Jurisdictional issues with DEMLR and Chatham for erosion control on two separate parcels were resolved on Tuesday 3/12 meeting.
- Air Quality Permit not yet issued but supposedly forthcoming.
- No Zoning Compliance issued at this time but underway

2. Density Averaging Memo-

NCDEMLR issued a memo in February that coincides with staff opinion that clarity is needed on Density Averaging. Recent discussion of pending project brought up questions that are mirrored in guidance issued by DEMLR. Staff will take point on drafting preliminary language for review by ERAC.

3. NPDES Construction Stormwater Permit (NCG01)-

Changes are pending. More to come once finalized.

4. UDO –

RFP Selection Committee met on Thursday 3/14 to review three submittals. Interviews conducted last week in March.

Special Study for Conditional Use Permits

PART 1



Special Study

- What is it?
 - **Tool used to fill in informational gaps** about impacts of proposed uses identified as worthy of more study
 - Applicable during **Conditional Use Permit** process for “High Impact Land Uses” in Zoning Ordinance
 - Conducted by mutually selected consultant (county and applicant) to supplement the CUP review process
 - Will ERAC be involved in that selection?
- What can it do?
 - Determine that there may be a particular unacceptable impact per CUP standards if the use is located as proposed
 - If so, to provide the technical and legal basis for conditioning or denying the CUP due to such impacts
 - How is it similar to/different from an EIA?

High Impact Land Uses (*if not vested)

Asphalt manufacture or refining

Cement, lime, plaster manufacture

Coal or coke yards

Electric light and power generation

Flammable liquids – bulk plants and storage

Foundries casting nonferrous metals where conducted wholly within an enclosed structure, except for open air storage and having a total furnace capacity of not more than 1,000 aluminum pounds

Foundries producing iron and steel products

Garbage and waste incinerators (except hazardous waste)

Gas and Petroleum Processing

Industrial chemical manufacture

Mining

Natural gas compressor station

Oil and Gas Exploration, Development and Production

Rodenticide, insecticide and pesticide mixing plants


Sanitary landfill excluding the burning of trash out of doors

Tannery and tanning operations

Tar and waterproofing materials manufacture, treatment and storage

Textile manufacture including spinning, dyeing, bleaching and other heavy processes

Possible Action Items for ERAC

- **Action Item 1:** Identify impacts of concern posed by the list of uses
 - **Action Item 2:** Identify existing state and county standards
 - **Action Item 3:** Identify deficiencies in regulations & ordinances
 - **Action Item 4:** Analyze deficiencies to determine any supplemental standards needed for a particular use subject to Special Study
- 

Existing County Ordinances

ORDINANCE

- Flood Damage Prevention
- Watershed Protection
- Erosion and Sedimentation Control
- Zoning- General Environmental Performance Standards 11.3 (triggers EIA)
- Zoning- Setbacks
- Others?

POSSIBLE DEFICIENCIES

- Some activity not addressed
- Earliest version has fewest streams buffered and smallest widths- likely scenario
- Local Program may not have jurisdiction
- EIA's do not apply to sites less than 10 acres
- May be inadequate for a particular use in a particular location

Potential Information Gaps to Consider

- Geology
- Emergency Response
- Chemicals
- Traffic
- Others?

Questions

- Can the study require information on surrounding uses (i.e. possibly impacted)- schools, homes, hospitals, other industries, etc.?
 - Criteria to establish definition of “surrounding”? Potential for underground transport?
- Can we provide Special Study submittals to other agencies for comment?
- Can those comments be incorporated into CUP analysis so the applicant is required to address them?
- Can ERAC review the Special Study submittals and comment?
- Can ERAC participate in the Public Hearing process as an interested party?
- Can the Special Study compel required information earlier in the process?
 - Example: location of chemical storage tanks shown on site plan is an existing requirement but occurs *after* the CUP is approved



ERAC GIS Tutorial

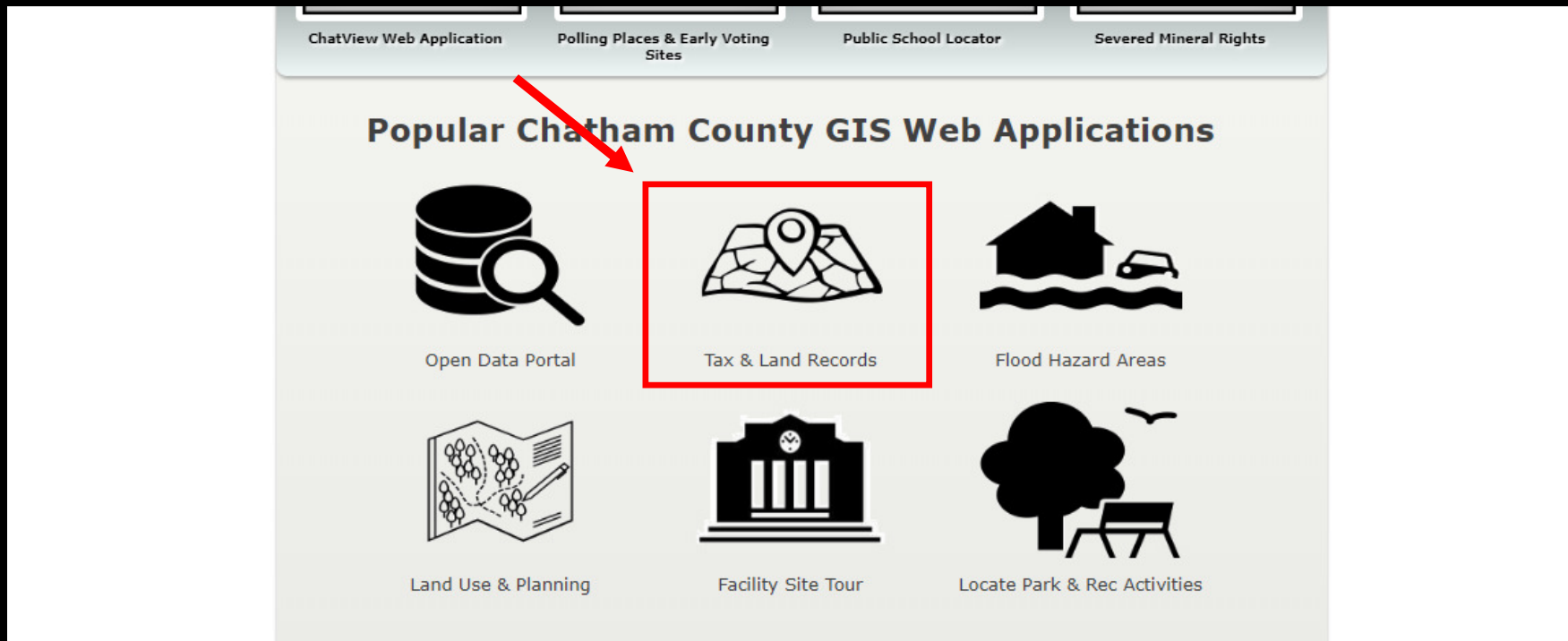
By Chance Mullis
Planner I

GIS Tutorial Overview

- We will be going into the Arc GIS online service provided through our Chatham County website that is ran and monitored by our GIS department.
- Our goal today will be how to effectively use some of the tools to pull information that will help you with cases that are presented to ERAC.
- The tools I will present to you today will allow you to filter some of our data to gather specific data you are looking for in a very quick and efficient process and have the ability to overlay multiple datasets.

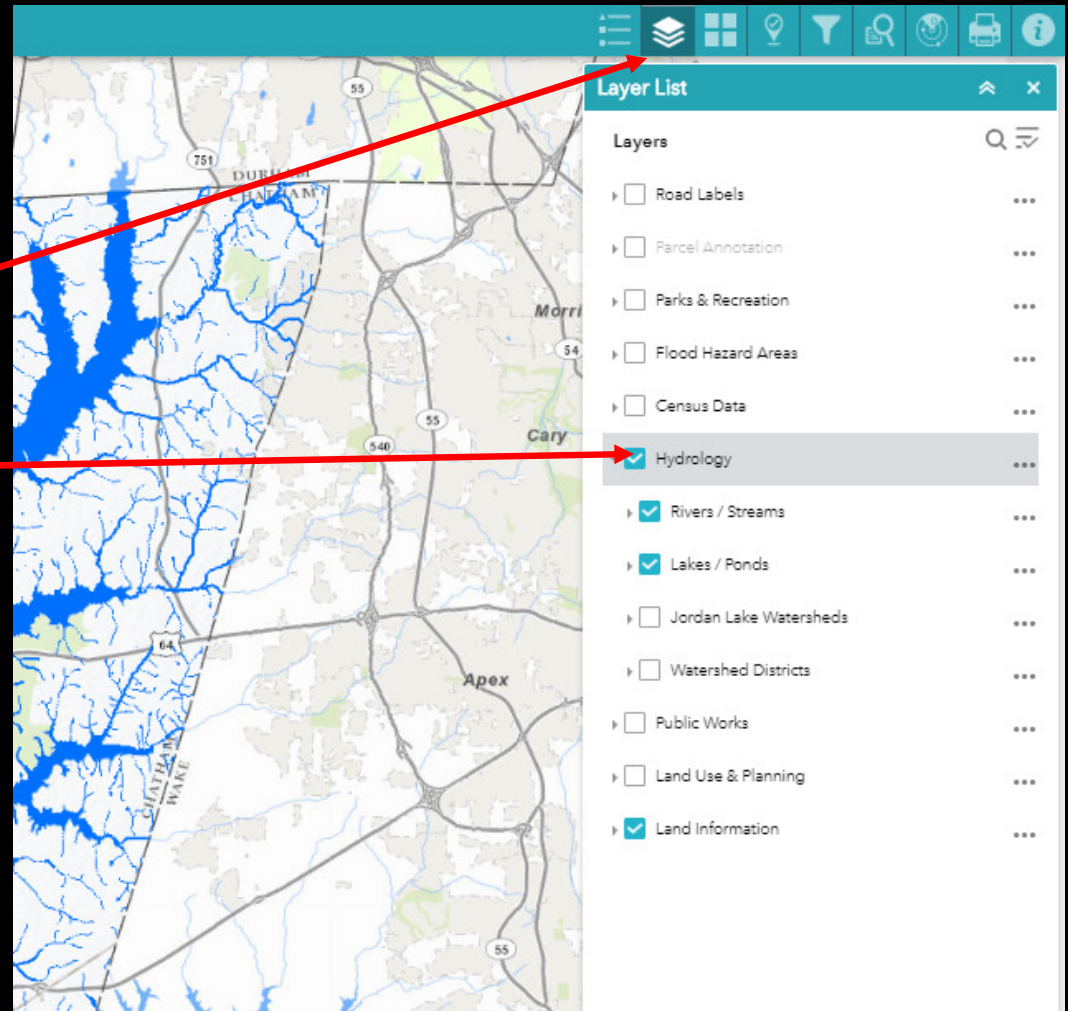
Step 1.

- After arriving on our GIS page on the Chatham County website, click on the GIS Maps icon and then go to the [Tax and Land Records Viewer](#).



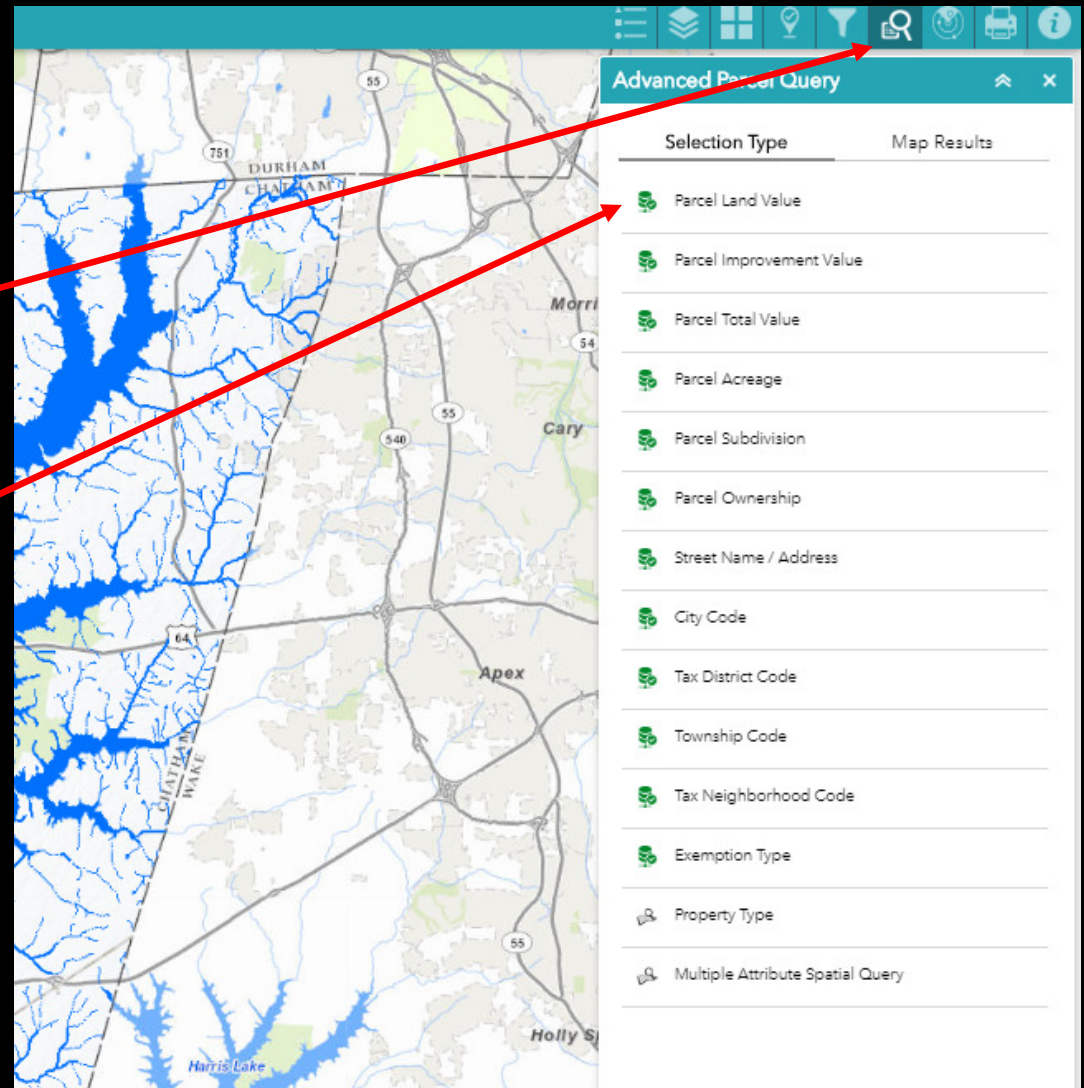
Step 2.

- The next step will be to turn on the layers you are looking for.
- Proceed to just expand each layer category and click the layer that you would like to see turned on in the check box.



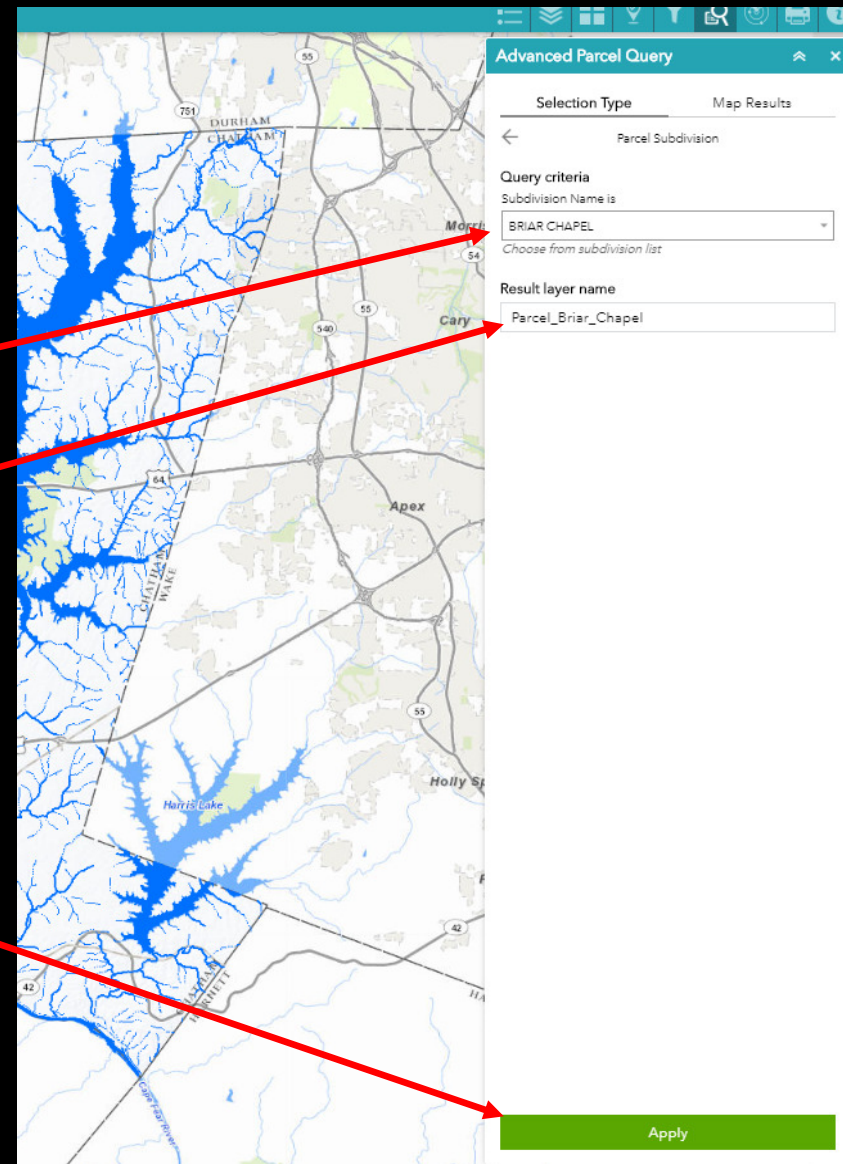
Step 3.

- The next step will be to click on the next tool to begin filtering certain data you would like to see.
- That tool is called the **Advanced Parcel Query tool**. You will use this tool to select certain data falling under one of the listed categories.



Step 4.

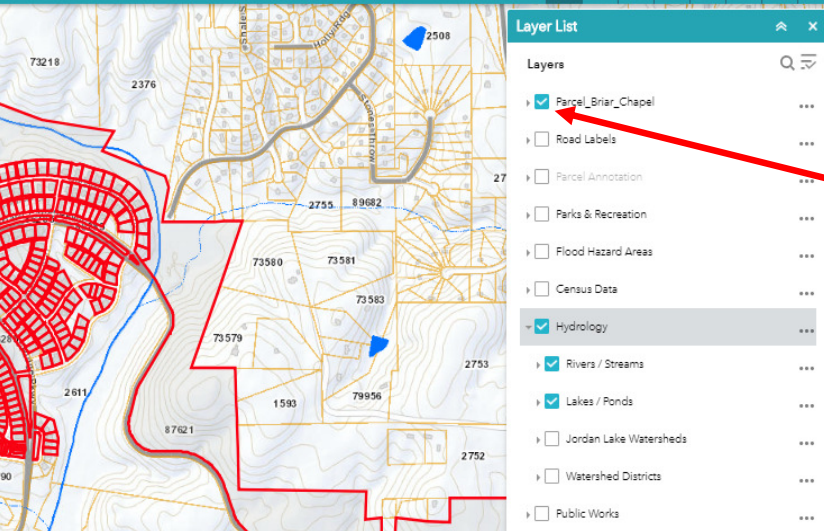
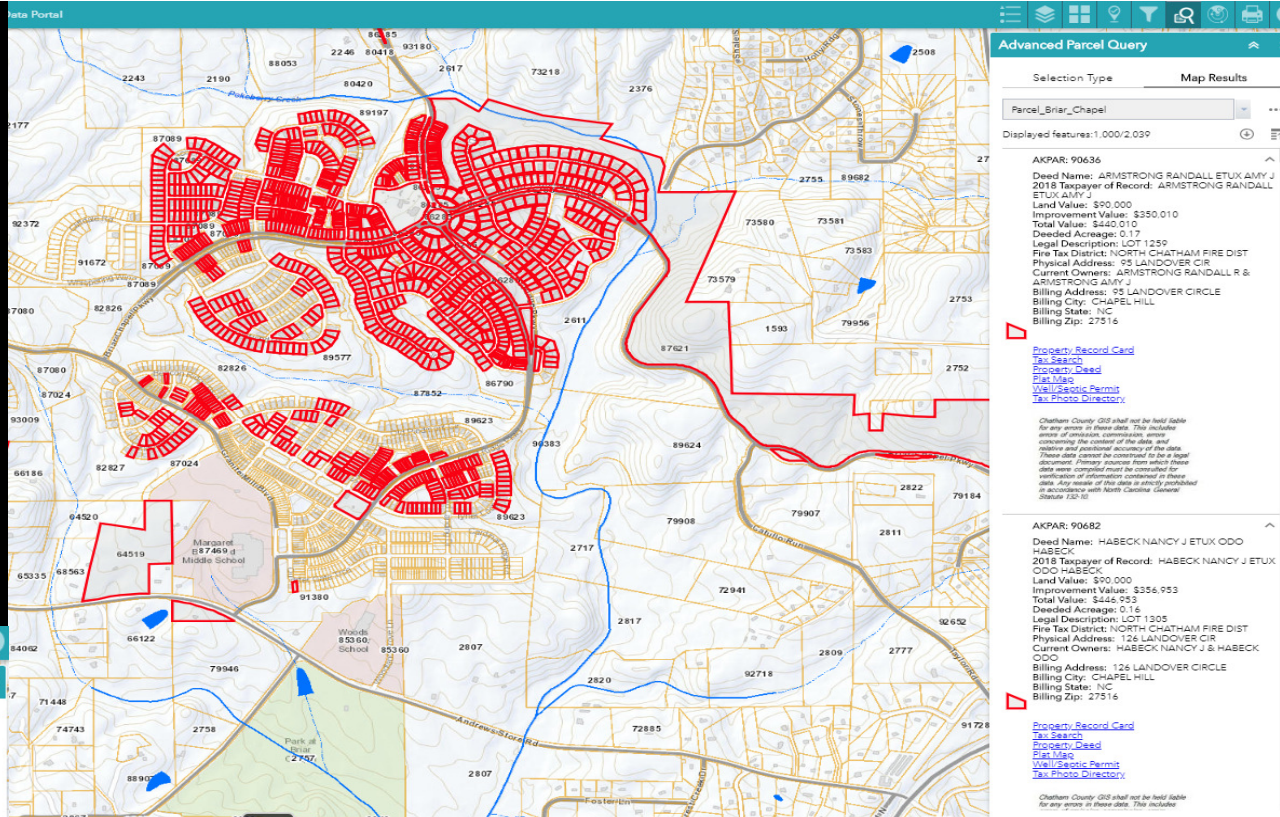
- Once you have selected one of the categories, you may then begin filtering some data. For my example, I chose to use Subdivision Type as my category and picked Briar Chapel.
- You can also name this layer you are about to create by typing in the Result Layer Name box.
- You may then click “Apply” to run this Parcel Query.



Step 5.

Results!

- You may now see the results of the Advanced Parcel Query that you ran on GIS.
- On the side it gives you a list of all the properties in Briar Chapel Subdivision because that is what you outlined for it find in your query.
- This is good because you can turn on other layers at the same time to be able to see overlays with your selection.



• This is also good because you are now able to turn on and off this layer you created back under the layers tab where we visited in the beginning.

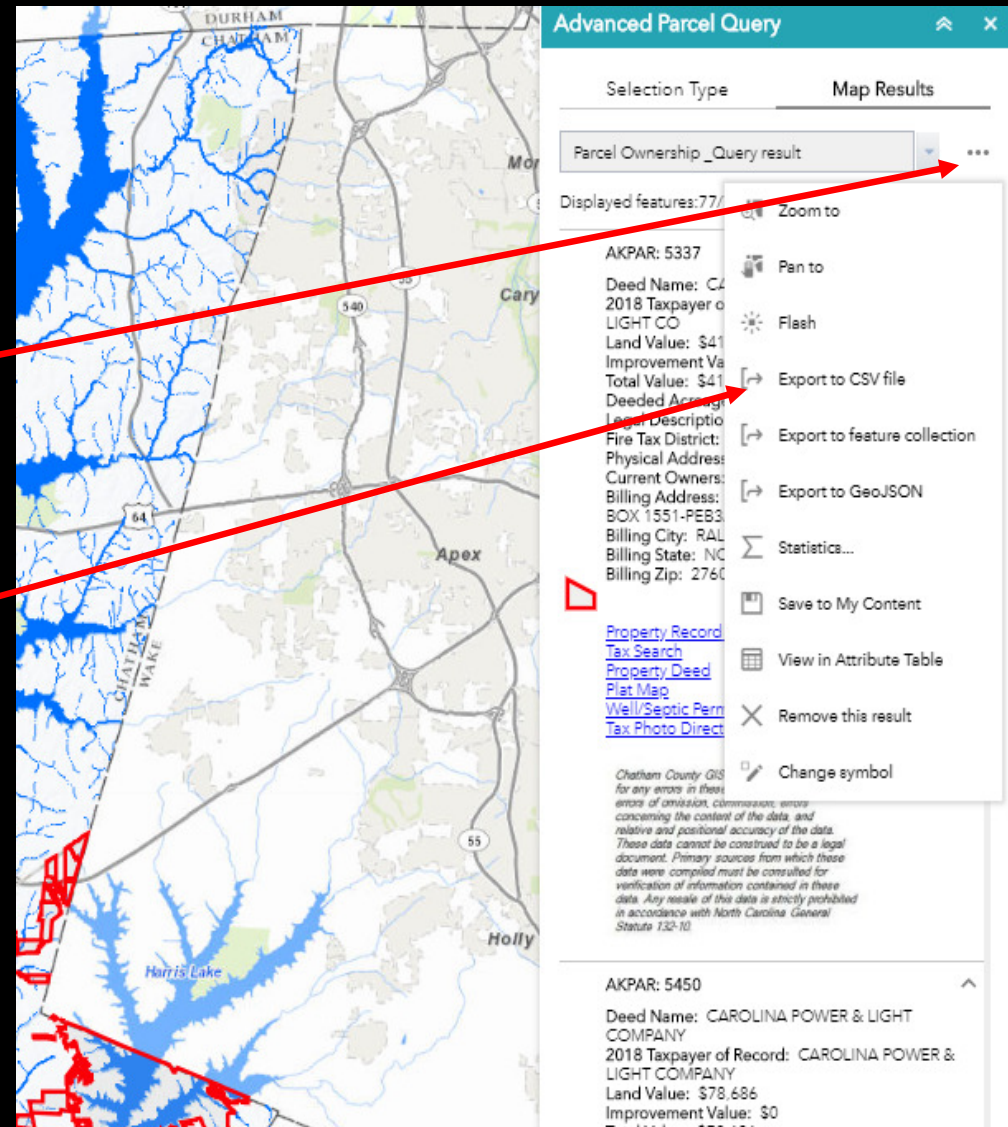


• If you close this webpage down, it will not save. You would have to redo it again.



Step 6.

- Another option you are able to do is after you get your results you can click the 3 dots beside your result and export as a CSV to then open all these results in an EXCEL file.
- This is a really good tool to enable you to examine the results for certain things you may be looking for or to run analysis on them.



Advanced Parcel Query

Selection Type: Parcel Ownership_Query result

Map Results

Displayed features: 77/...

AKPAR: 5337

Deed Name: CAROLINA POWER & LIGHT COMPANY

2018 Taxpayer of Record: CAROLINA POWER & LIGHT COMPANY

Land Value: \$41,686

Improvement Value: \$41,686

Total Value: \$41,686

Deeded Through: 12/31/2018

Legal Description: ...

Fire Tax District: ...

Physical Address: ...

Current Owners: ...

Billing Address: ...

BOX 1551-PEB3

Billing City: RALEIGH

Billing State: NC

Billing Zip: 27601

[Property Record](#)

[Tax Search](#)

[Property Deed](#)

[Plat Map](#)

[Well/Septic Perm](#)

[Tax Photo Direct](#)

Chatham County GIS
for any errors in these
errors of omission, commission, errors
concerning the content of the data and
relative and positional accuracy of the data.
These data cannot be construed to be a legal
document. Primary sources from which these
data were compiled must be consulted for
verification of information contained in these
data. Any resale of this data is strictly prohibited
in accordance with North Carolina General
Statute 132-10.

AKPAR: 5450

Deed Name: CAROLINA POWER & LIGHT COMPANY

2018 Taxpayer of Record: CAROLINA POWER & LIGHT COMPANY

Land Value: \$78,686

Improvement Value: \$0

Total Value: \$78,686

Export to CSV file

Post Query Completion

- Once doing the prior steps, you are able to then do the same exercise you just did by including parcel ownership, township, land value, acreage, and many other layers that you may want to see at the same time and review the results.
- This tool can be used to compare land ownership quantities, relation of land to environmental features, and various other topics.

If you have any questions about this matter, please feel free to reach out to me Chance Mullis with the Planning Department.

- Phone: (919)-545-8366 Email: Chance.Mullis@chathamnc.org