

Minutes of the Yadkin County Board of Adjustment

June 8, 2020

Board Members Present:

Richard Foster- Chair
Scott Pipes
Ricky Roberts

Board Members Absent:

Jeff Smith –Vice chair
Charles Collins
Bud Matthews- Alternate
Benny Myers- Alternate

Staff Present:

Dawn Vallieres, Planner

Guests Present:

Edith Collins
Rich Kirkland
Michelle Gammons

Beth Trahos
Sean Andersen
Alesha Coe

Tommy Cleveland
Kailub Russell
Teresa Swain

Call to Order

Chairman Richard Foster called the June 8, 2020 meeting of the Yadkin County Board of Adjustment to order at approximately 6:02 PM.

Chairman Richard Foster asked who was there to represent Pinegate. Attorney Beth Trahos came forward. Chairman Richard Foster had misgivings about this submission. He expressed these misgivings about this submission in an email to staff. The Board had approved 400 acres for a solar farm which was 10 times the size of any solar farm that the board had approved before. Chairman Richard Foster had sent that as a courtesy so that applicants would know and could decide whether they wanted to present at this time. There were special limitations put upon the approval of the 400 acre farm. And he does not think it is nearly far enough along to determine that those limitations are being abided by. So to put an additional 200 acres on to that would be quite a stretch.

Attorney Beth Trahos said we have a completed application, we have our experts here, and would like to present.

Lack of a quorum due to conflict of interest for the solar farm application was discussed.

Staff had tried to call Board Member Charles Collins. Staff stepped out to call the alternate members.

Chairman Richard Foster swore Kailub Russell in. The Board suspended the regular hearing to go to the public hearing for outdoor recreation.

Public Hearing- Wicker-Russell

Mr. Russell spoke. He has been racing motorcycles for 25 years. He wants to get out of the motorcycle racing business himself and create a training facility to help younger racers currently coming up and to supply the team he currently rides for with training services. This facility will be private.

Chairman Richard Foster asked Mr. Russell to define private; Mr. Russell said not open to the general public. It is a track at a professional level. It is not keyed to general public. It is keyed to professional riders and people that are trying to reach professional level.

Chairman Richard Foster remarked that it is an elaborate track. Mufflers were discussed. Mr. Russell said that these bikes would have mufflers. Sponsorship was discussed. It would be training people at this facility.

Chairman Richard Foster asked if the intent was for competitions at this location? Mr. Russell replied that it was not. It is 33 acres. No starting gate. It is for his use while still racing and while he transitions into training these other riders.

Number of riders was discussed. January through March they will use his facility in Florida. April through June they will mainly use this facility. 10-15 riders, likely not all at once. 4 to 5 riders but to make this financially feasible he will have to recruit some other guys and get more people into the facility.

He plans to provide training at an amateur level creating a Youth Brigade youth team so he would be scouting younger riders who would ride alongside professionals. 3-5 professionals and at certain times amateurs but not full time.

Chairman Richard Foster asked about hours. Mr. Russell said they don't start until about 10 and done by 2 or 3.

Chairman Richard Foster asked about night riding? Lights? Mr. Russell replied no lights, no night time riding.

Mr. Russell said he had a pad cleared for a shop and a wash bay. The team he currently rides for is going to house their semi there.

The need for an erosion control plan was discussed. Will the sediment basins be permanent? Yes. A commercial driveway was discussed. Buffers were discussed.

Chairman Richard Foster asked twice if there was anyone to speak against the project. No one came forward. The Board closed the public hearing and returned to their regular meeting.

Regular Board Meeting

Chairman Richard Foster asked the Board if there was any discussion on the Kailub Russell request. The Board briefly discussed the application. Scott Pipes made a motion to approve the conditional use permit limited to the hours between 9 a.m. and 4 p.m., Ricky Roberts seconded. The vote was 3-0.

Regular Board Meeting

Chairman Richard Foster asked staff if they had reached alternates. Staff had not. The next meeting date was discussed. Chair requested that staff attempt to schedule a called meeting.

Attorney Beth Trahos asked if their case was being continued to the July 13th meeting.

Chairman Richard Foster said yes, but if staff could get a called meeting in the interim he would be agreeable to that. The largest approved prior to this was 40 acres so this was ten times anything they had ever done before. There were restrictions placed on that approval regarding barriers and operations during the construction phase. He doesn't know that those are being adhered to. There is a lot of mud on the road. The fence on it was discussed. The size of this project...it is going to be an ongoing involved construction site.

Attorney Beth Trahos said they are prepared to address these issues.

Chairman Richard Foster said if they don't mind repeating themselves he doesn't mind them doing that.

Attorney Beth Trahos gave a brief overview. After approval in June of last year there were some environmental features and topography that were not fully understood at the time. They could be better stewards if they added land, so that there would be no encroachment on sensitive areas. It didn't increase the output of the solar farm. So that is the reason for the additional acreage. Making better use of the land giving the environmental features and slope. This project was one fortunate enough to be approved by Duke in the first round of reviews. Sean Andersen can give more detail than herself. Duke mandates the date that it will go into service. It is not until next summer. Construction won't begin until fall. They don't want to build a facility and have it sit unused and decay. No actual work on this yet. No Construction.

There was discussion on the project. Apparently, the solar farm under construction is NOT the 400 acre Sugar Solar farm approved in April of 2019. It is a different company who is building/operating a solar farm on Mackie Road in the etj of Yadkinville. There was several minutes' discussion on the difference and that this (Sugar Solar) is a different project from the one approved in Yadkinville's etj.

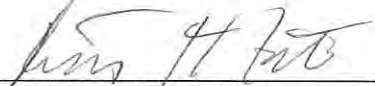
Sean Andersen spoke about the project. The earliest this project can be placed into service is June 21, 2021 due to Duke Powers upgrades. He said that Pinegate would build and operate this project. They are a full suite developer. Decommissioning bonds were discussed. They have the bond set to post on January 1, 2021. Topography challenges were discussed. This additional acreage allows for less grading. The panels can be more spread out.

Beth Trahos asked that Sean Anderson be sworn in...so that everything he just said would not be considered ex parte communication. Chairman Richard Foster swore Sean Anderson in...Attorney Beth Trahos asked Mr. Anderson to confirm that everything he had said was truthful. Mr. Anderson said yes.

Adjournment

With no other business to discuss, a motion to adjourn was made and seconded, the vote passed unanimously 3-0, and the meeting was adjourned at approximately 6:40 p.m.

Respectfully Submitted,
Dawn Vallieres, Secretary to the Board


Richard Foster, Chair

Approved on 7/13/2020