

Minutes of the Town of Huntersville Planning Board

The Town of Huntersville Planning Board met at 6:30 p.m. on Tuesday, January 28, 2025.

Call to Order/Roll Call

Chairman Sny called the meeting to order at 6:30 pm.

Present: J. Sny, C. Boyd, J. Henson, S. Hensley, L. Hallman, G. Baber, M. Pollard, T. Loomis & J. Wright

Absent: None

Approval of Minutes

Item 2A. Consider approval of the November 20, 2024, Regular Meeting Minutes

Motion: J. Wright made a Motion to Approve the November 20, 2024, minutes. T. Loomis seconded the motion.

Vote: The motion passed unanimously (9-0).

Public Comments:

None

Motion: J. Sny made a motion to amend the agenda to hear Item 4B as Item 4A, and vice versa. J. Henson seconded the motion.

Vote: The motion passed unanimously (9-0).

Action Items

Item 4A: Consider a recommendation on Petition #SUP24-02 Merancas Fire Training Facility for a Special Use Permit at 11700 Old Verhoeff Drive for a fire training facility with a burn building.

J. James, Principal Planner entered his staff report into the record, a copy of which is attached hereto as Exhibit A and incorporated herein by reference. Staff reviewed the proposed special use permit and staff findings that the application does not currently meet the requirements based on the findings of fact presented and lack of expert testimony that the proposed use will not endanger public health or negatively affect abutting property values.

M. Pollard asked if there has been any discussion regarding the noise and sound that would be associated with the proposed facility, utilizing natural gas for burns, or smoke rooms to remove or reduce the smoke particulates and potential impact on the environment and population.

G. Baber asked if there are any alternate locations that have been identified that may be suitable for this use if the Planning Board determines that this site is not suitable. Staff stated that with expert witnesses this site may be suitable for this use. If not, then possibly a site with a greater land mass and more distance between itself and adjacent parcels could accommodate this use.

L. Hallman asked if Staff had an opportunity to review the report that was provided to the Board. Staff responded that they received it today and there was not an opportunity to digest the information yet.

J. Sny asked which agency monitors air quality. Staff confirmed that a permit would be issued by Mecklenburg County and EPA would be the agency.

A. Dominov, Senior Architect with Clark Nexsen presented for the applicant.

C. Boyd asked the applicant stated that the building was being placed closer to the currently adjacent daycare. The applicant responded that the building is proposed to be 200' to the curb of the adjacent daycare and is designed for proximity to the classroom which is also a decontamination center for the trainees with cleaning facilities for gear, showers, etc.

C. Boyd asked, based on the report provided, if the applicant had taken into consideration any further distances to see what exposure there may be at 200'. The applicant confirmed that the report provided is not site specific, it is a peer reviewed scientific calculation on similar sites.

C. Boyd asked how weather is factored in to determining if a burn should occur and how that could potentially affect the particulates and dissipation. L. McSwain, CPCC Director of Fire and Emergency Services stated that Mecklenburg County has specific rules regarding the weather conditions permitted for burn days and those must be adhered to.

J. Sny asked if there is a training facility in Charlotte. L. McSwain confirmed that the facility in Charlotte is for Charlotte Fire only. Trainees must currently go to Gaston or Cabarrus County to complete the fire portion of the training. Each fire fighter has a requirement for fire training twice a year, and a requirement to backfill their positions while training is being conducted if they are not local during the training and still able to respond.

J. Sny asked how the coordination or cooperation would occur between the school and the municipalities and the total allowed burn days. The applicant responded that the proposed 70-75 total burn days for this facility is based on the total days needed by the school and the number of days requested by the three local municipalities.

S. Hensley asked if anyone attended the community meeting. Staff confirmed that the community meeting requirement is for the rezoning only, not the special use permit, and no one attended.

J. Wright asked if they expect the number of burn days will increase as demand increases. The applicant responded that the estimate of 70-75 is the maximum number of possible burn days that they foresee as possible based on the number of classes they can conduct with the time requirements and the maximum number of days requested by the municipalities.

M. Pollard commented that he visited the daycare, and they were unaware of the specifics of what is being proposed. He applauded staff's specific concerns related to allowing time for the health agencies to have time to respond to this specific request given its proximity to the daycare and potential health implications.

G. Baber asked the applicant if they had considered any other possible locations within CPCC. The applicant responded that they are unaware of any additional site locations being considered or within their portfolio that would be suitable for the proximity needed for the classroom to the burn tower.

Motion: J. Sny made the motion, "In considering the special use permit, SUP 24-02, we, the Planning Board, find that the request does not meet all required conditions and specifications. These include whether the proposed special use will not materially endanger the public health or safety, and whether the proposed special use will not substantially injure the value of abutting property, or whether it constitutes a public necessity. It is not reasonable, as there could be negative effects on health, safety, and general welfare of the surrounding area. This decision is supported by the following findings, that data was missing that would allow the environmental impact of the project to be examined and data was also missing that would allow the financial impact of the abutting properties be examined, or the ability to determine whether the project is a public necessity." T. Loomis seconded the motion.

J. Sny commented that this process is like a trial run to their quasijudicial proposal that will go before the Town Board. He shared that in his opinion the applicant was close on meeting the burden and that the report provided today could be included and will be useful. The applicant appeared to share additional information that was useful and when it comes to special use permits and the burden of proof, he thought additional specific data may be helpful that it appears could be available to further support their statements.

T. Loomis commented that she could see the value for the public necessity but then read from the report distributed, "training fires may account for a large portion of the fire fighters and instructors' total occupational exposure to airborne contaminants particularly for instructors who may see 3-5 live fires a day over a period of several weeks or even months. These exposures may increase their risk of cancer, cardiovascular disease, and other chronic diseases." Those risks in combination with the proximity to the adjacent day care and putting children at risk with no solid 'no' this will not affect kids leads her to vote to deny.

J. Henson commented that he echoes the comments stated. He thinks this is a good project and needed but the special use permit is the difficult part of the process, and the rules of the SUP require the expert witness to substantiate the information provided and the data is necessary to back that up.

G. Baber suggested that correlation data to fire pits in backyards may be helpful.

L. Hallman commented that he will not support the motion, the environmental issue should have come off at the public hearing but what is here is no worse than a fire pit. This is better than a wood burning stove and the particulate matter from the recycled dump. He thinks it is a good compliment and design to CPCC.

Vote: The motion passed (7-2) with L. Hallman and G. Baber opposed.

Item 4B: Consider a recommendation on Petition #R24-10 Merancas Fire Training Facility, a request by Central Piedmont Community College to rezone approximately 5.28 acres located at 11700 Old Verhoeff Drive from Neighborhood Residential and Campus Institutional to Special Purpose-Conditional District.

J. James, Principal Planner entered his staff report into the record, a copy of which is attached hereto as Exhibit B and incorporated herein by reference. Staff reviewed the proposed rezoning, proposed uses, and stated that staff is in support of the rezoning request.

M. Pollard asked if there were any special requirements or considerations to the water runoff from this facility since it may be contaminated. J. Smith, Civil Engineer with Smith & Hutton responded that the facility is designed with a floor drain that the water flows through prior to release that is then periodically cleaned and due to the site constraints underwater storm water management is being proposed.

M. Pollard asked if there has been any confirmation that the water pressure in the area can support the demand. The applicant stated that there is a Charlotte Willingness to Serve letter for the site that has been submitted but the applicant has not yet reached the level of design required to confirm the water pressure requirements.

Motion: J. Wright made the motion, "In considering the proposed rezoning application, R24-10, Merancas Fire Training Facility, the Planning Board recommends approval for the special purpose conditional district if the following recommendations are implemented into the plan. The special use permit is obtained by providing proof that the adjacent properties or those in proximity to the site are not negatively impacted by smoke from this use. Minor staff comments remaining are revised, including updates to the buffers. The Planning Board believes that by implementing these recommended revisions, the plan will be consistent with the land use policies EV-4 and PS-3 and would be reasonable and in the public interest to approve the proposal." C. Boyd seconded the motion.

J. Wright commented that the location makes sense and would benefit North Mecklenburg.

C. Boyd commented that the location, design and buffers look good, and it appears to be a good project for the area.

T. Loomis commented that she sees the public necessity but continues to have concerns over the health implications.

S. Hensley commented that he will support the rezoning and that the applicant should really prepare for a quasijudicial court case with specific evidence to address the specific environmental concerns related to the burn tower.

Vote: The motion passed unanimously (9-0).

Item 5A: Consider approval of the 2025 Planning Board meeting schedule.

Motion: G. Baber made a motion to adopt the 2025 Planning Board with the alternate dates of third Wednesday for November and December due to the holiday schedule. L. Hallman seconded the motion.

Vote: The motion passed unanimously (9-0).

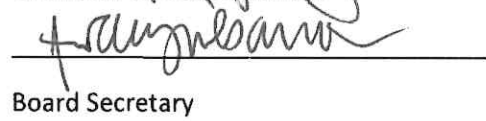
Adjourn

Motion: J. Wright made a Motion to Adjourn. C. Boyd seconded the motion.

Vote: The motion passed unanimously (9-0).

Approved this 25 day of FEBRUARY 2025.


Chairman or Vice Chairman


Board Secretary

