

## ***IREDELL COUNTY PLANNING BOARD***

The Iredell County Planning Board met on Wednesday, November 3, 2021 at 7:00 p.m. in the Commissioners Meeting Room of the Iredell County Government Center (Old Courthouse) at 200 S. Center Street in Statesville, NC.

### MEMBERS PRESENT

Harry Tsumas, Chairman  
Kristi Pfeufer, Vice-Chair  
Chris Carney  
Raymond Burnette  
Jerry Santoni  
Andy Webster  
Ronda Hoke

### STAFF PRESENT

Leslie Meadows  
Matthew Todd  
Jonny Williams  
Cindy Nicholson  
Jake Lowman  
Lucas Ouimet

### MEMBERS ABSENT

Mark Davis  
Doug Holland  
Tracy Jenkins

*Chairman Tsumas called the meeting to order.*

Leslie Meadows presented the following case:

### **REZONING REQUEST: 2111-1, HOWARD BRYAN, PIEDMONT LANDCO, LLC & CHAD PUCKETT, SUPERIOR PROPERTIES OF IREDELL LTDP (OWNER(S)/APPLICANT(S))**

#### **EXPLANATION OF THE REQUEST**

This is a request to rezone three parcels, totaling approximately 8.42 acres, along Flower House Loop, from Residential Agricultural (RA) to General Business Conditional District (GB-CD). This request is conditional per the submitted application and specific conditions shall be imposed as attached to the request.

#### **OWNER/APPLICANT**

**OWNER(S)/APPLICANT(S):** Howard Bryan, Piedmont Landco, LLC &  
Chad Puckett, Superior Properties of Iredell LTDP

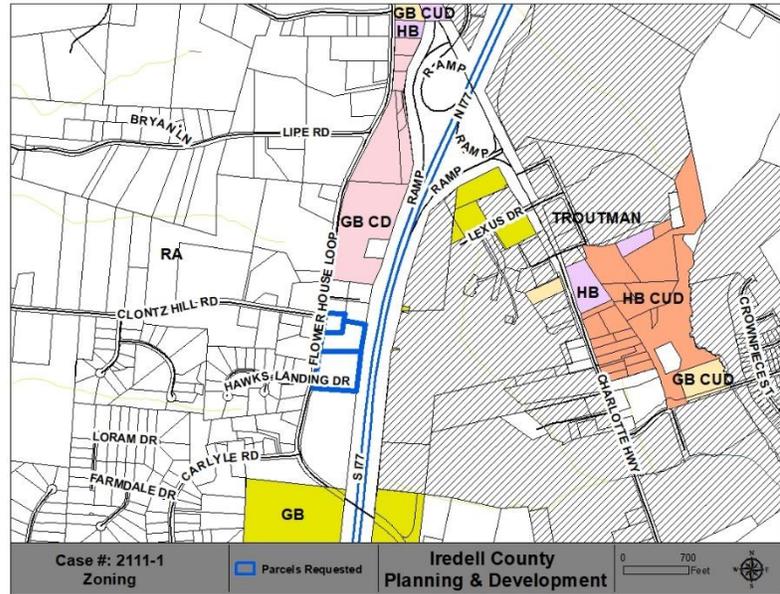
## PROPERTY INFORMATION

**ADDRESS/LOCATION:** 307 Flower House Loop; more specifically identified as PIN#'s: 4740721985.000, 4740723748.000, and 4740722433.000.

### **SURROUNDING LAND USE:**

Interstate-77 borders the eastern side of the property. There are commercial properties to the north, extending to the US21/NC115 intersection. Surrounding properties are still residential in nature, with BMC Building Supplies just a little further south.

**SIZE:** The acreage to be rezoned is approximately 8.42 acres.



**EXISTING LAND USE:** An abandoned single - family residence is currently located on the smallest property. The other two parcels are vacant, heavily wooded.

**ZONING HISTORY:** The property has been zoned RA since county-wide zoning in 1990. Properties to the north have been rezoned GB-CD, with similar excluded uses, within the past year to 3 years.

**OTHER JURISDICTIONAL INFORMATION:** This property is located in Troutman's Future Urban Service Area. Troutman has been informed of the request, but have not expressed any concerns at this time.

**OTHER SITE CHARACTERISTICS:** These properties are not located within a regulated/restricted watershed area and have no limited built-upon area calculations. The properties are not located in a flood zone.

**UTILITIES:** This site is currently served by well and septic. However, for future options, the property falls within the water service area of the Town of Troutman.

## IMPACTS ON LOCAL INFRASTRUCTURE AND/OR FACILITIES

**TRAFFIC:** The closest and most recent traffic count was on Flower House Loop near the intersection of US21/NC115, having a traffic count of 3,800 vehicles per day in 2016.

According to the Comprehensive Transportation Plan 2008 Study Report for Iredell County, the capacity for this section of Flower House Loop is approximately 14,300 vehicles per day through the year 2030. The speed limit along this section of Flower House Loop is 45 mph.

**SCHOOLS:** This is a commercial rezoning and should have no implications on local schools.

**EMERGENCY SERVICES:** This proposal has been reviewed by the Iredell County Fire Marshal's Office and Iredell County EMS. Neither office addressed any concerns regarding the request.

#### **REQUIRED REVIEWS BY OTHER AGENCIES**

**LOCAL:** The applicant must provide a site plan to the Planning Department for review to develop the property. Zoning requirements such as parking, landscaping, and buffering will be reviewed at such time. Erosion & sedimentation control standards will also be reviewed for compliance.

**STATE:** Other than building code, there should be no formal state agency review at this time.

**FEDERAL:** None at this time.

#### **STAFF AND BOARD COMMENTS**

**STAFF COMMENTS:** The applicant Mr. Howard Bryan is manager of Piedmont Landco, LLC, owner of the two smaller parcels in question, while applicant Chad Puckett is the potential developer of the largest parcel (Superior Properties of Iredell LTDP). Due to encroaching commercial development along Flower House Loop, and proximity to I-77, it was felt that this area is no longer desirable for residential use; and a commercial rezoning would increase the marketability of these lots. Mr. Puckett is considering a gated, mini-warehouse self-storage facility for the largest lot. The properties, however, may or may not be combined. Therefore, it is important to note that while each lot could be developed individually, the agreed upon conditions of the request will still apply to each lot. This is a conditional rezoning and specific conditions imposed as part of the application are as follows:

- 1.) The following GB uses would be excluded, not permitted: truck stops, truck driving schools, truck terminals, go-cart, motorcycle, & similar vehicle tracks, dance halls, nightclubs, adult oriented businesses, bars/taverns, and mobile home parks.
- 2.) No double roll-up or garage doors will be allowed in the front wall facing Flower House Loop of any mini self-storage building on the property.

The 2030 Horizon Plan calls for this area to be Corridor Commercial, which includes existing commercial, office, and/or retail uses that exist along major thoroughfares and highways or areas that will include commercial development in the future. These areas are both within and outside the Iredell County Urban Service Areas. According to the plan, uses within this area generally should include retail, restaurants, entertainment centers, automobile services, personal services, other commercial uses, and office developments. Design standards for Corridor Commercial uses should be developed in collaboration with the municipalities that will serve them in the future to reflect the character of the community.

The Planning staff can support the proposed rezoning request based on the following: The 2030 Horizon Plan calls for this area to be Corridor Commercial, which allows for commercial development along the interior of Flower House Loop. The property is adjacent to I-77 and is between other commercial uses along Flower House Loop. This request is conditional per the submitted application, GB uses will be limited, and traffic impacts should not exceed road capacity.

**PUBLIC INPUT MEETING:** A public input meeting was held on Monday, September 27th, 2021 from 5:00pm - 6:00 pm at the site. Six landowners from the area were in attendance to hear the proposal and ask questions about future development. A copy of the applicant's summary of said public input meeting has been included at the end of this report.

**SITE REVIEW COMMITTEE:** Staff performed a site visit on October 15, 2021, to post property and take photo documentation.

### **QUESTIONS FROM BOARD TO STAFF**

Chairman Tsumas asked if there were any questions for staff.

There were no questions for staff.

Chairman Tsumas asked if the applicant would like to come forward to speak on behalf of the request.

### **THOSE SPEAKING ABOUT THE CASE**

Mr. Howard Bryan of Piedmont Landco, LLC, 1420 Mt. Vernon Ave., Statesville said he is also representing Superior Properties of Iredell LTDP. Mr. Bryan said this property has been in the Land Use Plan for Iredell County and Troutman for at least 15 years. It has also been in the Future Land Use Plan as business property/corridor commercial/highway commercial for at least 15 years. He said all the property between Flower House Loop and Interstate 77 is in this same designation, and predicted to be commercial of some type.

Mr. Bryan said GB under the Iredell County Zoning allows for many business/retail stores/offices/medical, along with some heavier truck transportation uses. He said they haven't felt this property should allow heavy truck use. There is a lumber company that has been on the south end of Flower House Loop for quite a few years, that does have some truck traffic.

Mr. Bryan said having been involved in the development of other properties to the north of this property, he asked several years ago, for other property owners to consider restricting the properties by placing a conditional use on all the properties. All the property (5 or 6 parcels) beginning at Highway 21/Flower House Loop, going down to this property, all have the same restricted uses.

Mr. Bryan said they have felt all along if they could find a business for this property that would be lower traffic and smaller vehicles, would be a better use of the property. He feels the business that is planned for this 4.6 acres on the south end meets all requirements; not noisy, no large truck traffic, and would be primarily daytime hours.

Mr. Bryan said they have had numerous people wanting to purchase this property over the past few years, and they have tried to find a business that would fit the neighborhood, and a service that the neighborhood would benefit from. He feels with all the subdivisions being built in close proximity, there is a large need for storage.

At this time, Mr. Bryan gave the Board some photographs of the current property showing the abandon home. The owners live in Catawba County and have recently decided to sell. Mr. Bryan said that is why they have decided to combine the parcels for the rezoning request. Mr. Bryan said the current home, not the land, has an Iredell County tax value of \$101,450.00. He said they have never received any complaints of how the house looks. Mr. Bryan said they do plan on removing the house from the property soon after the rezoning is approved.

Mr. Bryan said Mr. Chad Puckett is here tonight to answer any questions the Board may have. Mr. Puckett and his wife are invested in the 4.6 acres parcel and plan to build a mini storage facility. They have experience in that type of business by owning and operating mini storage facilities in other locations. They understand and recognize the importance regarding upkeep and cleanliness of these facilities, and maintaining the facility to reduce the possibility of problems for the neighborhood.

Mr. Carney had concerns over the tax value given.

Chairman Tsumas asked if there were any questions for Mr. Bryan.

There were no questions for Mr. Bryan.

Chairman Tsumas then asked if anyone else wanted to speak on behalf of the application.

There was none.

Chairman West asked if anyone wanted to speak in opposition of this request.

### **THOSE SPEAKING AGAINST THE REQUEST**

Mr. Paige Connelly, 114 Hawks Landing Drive, Statesville said he understands progress in the area, but would like to refute a couple of things that have been said. He refutes the statement concerning the conditional zoning in the area and not allowing big trucks. He said north of this property, past Clontz Hill Road, there has been an RV location developed to store RV's. This location has all sizes of RV's, motor coaches, and big equipment.

Mr. Connelly said to the south, adjacent to this proposed property, there is a residential area. He also said those in Hawks Landing, right across the street, have concerns with what it will look like once completed and how it will impact he and his neighborhood and property values. Mr. Connelly said the reason the owner hasn't had any complaints about what the abandoned house looks like, is because it can't be seen. He said he has concerns about the tax value that Mr. Bryan stated regarding the abandoned house.

Mr. Connelly said one of his big concerns is traffic entering/exiting this location. There are already many concerns regarding Flower House Loop and Highway 21. He questions how much this proposed site will add to the traffic issues.

At this time, Mr. Todd Merner, 120 Hawks Landing Drive, spoke about the RV storage that has been recently built. He said they did not leave a 20' buffer of trees at the highway, no 15' of landscaping at the front. He questions how this will be any different than the RV storage that hasn't been made to do what was told.

Mr. Merner said Mr. Bryan stated they wanted to build something that would not have traffic during night. He questions if this mini storage location will have 24-hour access.

Mr. Merner also spoke about the traffic from Flower House Loop/Highway 21. He said it is hard to make a left onto Highway 21 due to traffic being so bad.

Mr. Merner states when Hawks Landing residents come out of their street, they will have to look at this proposed site and they don't want anything there, and noted he is opposed to this request.

Ms. Beth Cifelli-Merner, 120 Hawks Landing Drive. She wants to clarify there is opposition to this request, six people showed up to the public input meeting. She also took offense that only a certain number of homes were notified of the public input meeting (Lots 1 – 4). Ms. Cifelli-Merner said she specifically asked Mr. Bryan why more of the neighbors weren't notified, and he stated those were the only names he received from the taxpayers. She said the other neighbors in the neighborhood took offense to what was said regarding not being taxpayers.

Ms. Cifelli-Merner said several homeowners are so upset about this request, they have put their homes on the market for sale.

Ms. Cifelli-Merner said they were told the entrance would be placed right across from their neighborhood entrance, and she disagrees with this location.

Ms. Cifelli-Merner also spoke regarding the RV storage that was recently completed. She said it is an eyesore. The landscaping has not been done, and she feels Iredell County has not checked to make sure things were completed as they were told.

Ms. Cifelli-Merner said as far as the abandoned house goes, you couldn't see it until this request was made, and now they came and mowed and you can see the house.

Ms. Cifelli-Merner wants to make note there is opposition in the neighborhood and she herself is opposed to this request.

Next, Mr. Nathan Korinchak, 136 Hawks Landing Drive, said his home is about 100 yards from this proposed site. He wanted to make note for the record that he is opposed to this rezoning and opposed to the intended use.

Mr. Korinchak said there were several attendees at the public input meeting held in September that were opposed, and wanted that noted in the record.

Mr. Korinchak spoke concerning the application itself, specifically to page 2, and the applicants rationale as to why these tracts of land are no longer suitable for residential use. He quoted what was written on #2, page 2 of the application "this property has very little economic value for single-family home use". He contends that is not a true claim. Mr. Korinchak said another nearby subdivision, three miles south, is Atwater Landing. He said based on recent data from Carolina MLS, 97 homes have been sold in that subdivision in the past six months. There is incredible demand for new construction of residential property in this vicinity. He said the median value of those homes were \$470,000.00. He also spoke of a second phase just to the east on Hornbeam Lane where 27 homes are under contract. Mr. Korinchak said there are many people coming to this area because of Iredell County's attractive tax policy, convenience to the interstates, etc., and this is a hotspot for residential real estate. He said there was a house listed this week in Hawks Landing partly due to this proposed request, which was placed on the market for \$675,000.00. Therefore, Mr. Korinchak said he disagrees with the applicants rationale as to the property having very little economic value for single-family residential use, and believes that is false.

Mr. Korinchak also spoke about the proposed use. The property to the north of this site is a storage facility. It was clear-cut and graded, and surrounded by a very utilitarian chain-link fence. He said frankly, it looks like a junk yard, and an absolute abject eyesore. Mr. Korinchak said he isn't sure that it is keeping up with Iredell County standards for appearance. He said he shudders to think what another storage facility might look like.

Mr. Korinchak said he would like to build on the traffic situation. The intersection at Flower House Loop/Highway 21 is unsafe and getting worse monthly. He said it is very difficult to make a left turn off Flower House onto Highway 21. It is becoming more dangerous, and a member of his own family was in an accident at that intersection. He feels bringing a

commercial business that would have trucks, trailers, and moving vehicles to this area is a very poor idea.

Ms. Danielle Imm, 140 Hawks Landing Drive, said she was at the public input meeting and did oppose it as well. She noted that the summary of the public input meeting from the applicant stated they were not going to have moving trucks, but was told in person they would have U-Haul vehicles. They were told at least three rental trucks on site.

Ms. Imm states she is also concerned about traffic capacity. She feels if the area keeps allowing commercial, the area will be unbearable and unsafe for driving.

Mr. Bruce Lawther, 128 Hawks Landing Drive, states he does oppose the entire process. He said when he moved to the area, he used an 18-wheeler truck to move his belongings into a storage facility in the area. He feels to say there will be no truck traffic is not correct.

Mr. Lawther also spoke regarding the RV storage right up the street. He said it looks terrible. Mr. Lawther said he wasn't sure what the landscaping plan is for this request, but if it is anything like the RV storage area plan (which he said has not been implemented, or monitored for landscaping completion), it would not be good. He also wanted to get access to what the RV storage plan was supposed to be since it hasn't been done, and wants to know who is supposed to be in charge of making sure that it gets completed. Mr. Lawther wanted to be on record stating he feels this request is a bad idea and is opposed to the request.

Chairman Tsumas informed Mr. Lawther to speak with staff regarding the RV storage facility plan submittal that was agreed to.

Chairman Tsumas asked Mr. Bryan if he has a rebuttal to any concerns brought forth.

Mr. Bryan came forward and said NCDOT has approved the plans to build a new intersection at Flower House Loop/Highway 21 to make a direct crossover with Houston Road. He said the project has been funded and start date is Fall 2022, and NCDOT is in the process of acquiring remaining right-of-ways. He said it will provide turn lanes in all directions and be signalized.

Mr. Carney said he is familiar with NCDOT, and asked Mr. Bryan to verify what he is saying about the project being funded, and starting next budget year.

Mr. Bryan said it is in the budget year starting Oct 1<sup>st</sup> this year, the NCDOT funding year of October 1, 2021 through September 30, 2022.

Mr. Carney said it is his understanding NCDOT is \$1.8 billion in deficit and all projects are on hold indefinitely. He asked Mr. Bryan if he feels that is misinformation on his part. Mr. Bryan said no, that is not misinformation at all. This project was delayed, but now back on plan to be constructed.

Mr. Carney then asked Mr. Bryan to make the distinction that there will be trucks since he does not have the manner to prevent a truck from coming into the facility. He understands Mr. Bryan was most likely referring to the site not being a truckstop. He wants to be clear this group cannot place a rule that says a truck cannot enter. Mr. Carney asked Mr. Bryan if that is a fair statement.

Mr. Bryan said yes, that is an absolutely fair statement. As long as it is a public highway, you can't restrict trucks. They have waited to find a business that would not create large truck traffic.

Mr. Carney then asked Mr. Bryan if they have a general idea of what they have planned for the site, why not bring forward a site plan to show what the property will look like. It may have made the neighbors/Board more comfortable to see proposed drawings. Mr. Carney asked if Mr. Bryan presented anything at the public input meeting to those in attendance. Mr. Carney said he understands that it is not required at time of application, but was wondering if he has done that yet.

Mr. Bryan said they had photographs of another mini storage facility that the proposed purchaser currently operates, which showed what the typical building would look like. He hopes by the Board of Commissioners meeting date, they would have a site plan showing what the proposed plan will look like. Mr. Bryan said some of those in attendance, at the public input meeting, had questions about large garage doors on street side and prefer no large doors on the front of the building. Therefore, that was placed in the application.

Mr. Bryan states concerning trucks, no one can restrict a truck. When people move, they typically get a truck large enough to handle their belongings. He said typically, you don't see a tractor trailer deliver to a mini storage facility. Normally, the units are 400 or 800 square feet used for a temporary period. Mr. Bryan said as far as a truck rental location, they may have a few small trailers, but not a business to rent trucks/moving equipment.

Mr. Bryan clarified his statement regarding the site not being suitable for residential homes. He said there is no public water or sewer on this property.

Mr. Burnette asked if there would be any outside storage.

Mr. Bryan said this site is not planned for outside storage. The plan is for entirely inside, with some climate controlled units.

Chairman Tsumas notated to the Board they were not voting on a mini storage facility, they are voting on an application regarding the zoning requested.

Chairman Tsumas clarified with Mr. Bryan he is saying there will not be any outside storage for parking boats/RV's.

Mr. Bryan said he would let Mr. Puckett speak regarding that question.

Mr. Chad Puckett, 8257 Paytons Pointe Lane, Denver, NC said he is not against not having outside storage. What he will possibly propose will be under shed, although he is not sure currently.

Chairman Tsumas clarified there will be no truck rentals, like Ryder/U-Haul.

Mr. Puckett said he does not want to limit himself to that and may have truck rentals.

Chairman Tsumas asked staff about size of the plantings required on the perimeter.

Mr. Matthew Todd, Planning & Development Director, said that code requires a roadway yard along Flower House Loop that requires a certain amount of shrubs/trees per so many feet, which can be grouped. It does not say it has to be a solid line of plantings, that is why there may be confusion when people say there is none at the RV storage site. There is no size requirement for plantings.

Chairman Tsumas asked Mr. Puckett if the Board chooses to add a condition regarding size of plantings, would he be willing to accept that as a condition possibly.

Mr. Puckett said absolutely.

Mr. Todd said the roadway yard is the minimum the code would require. The requirement is one tree and ten shrubs per 50'. If the Board chooses to add additional conditions, and the applicant agrees to those additional conditions, those can be included. Code does not have anything regarding size or diameter. There is a potential mixture of canopy trees and shrubs, with options in the code.

Chairman Tsumas said he feels a minimum of a three-gallon size would be acceptable.

Chairman Tsumas also asked Mr. Puckett about adding a condition regarding demoing the abandon house within six months of approval of the rezoning request.

Mr. Puckett said yes.

Chairman Tsumas then asked Mr. Puckett about what type of fence he is proposing.

Mr. Puckett said he plans on an ornamental black aluminum fence on the front (Flower House Loop side) at least, similar to what he has on his previous properties. He said he plans using brick or stone façade's on the end of the units where there are no doors.

Mr. Carney wanted to note that there will potentially be two issues. One being aesthetics and the other being noise. Based on the use of this property, trees will be cleared and there will be noise from the interstate. He asked is there is something that could be added to possibly help with noise. He feels if the Board is going to add additional conditions, possibly the use of a berm may be helpful, if there is enough land. He said he feels Mr. Bryan saying there wouldn't be interstate noise is not correct.

Chairman Tsumas said by right, they can timber it tomorrow. He feels there isn't much that can be done about the potential interstate noise, there will be an affect either way.

Mr. Todd said there is a possibility of leaving some of the existing vegetation along the interstate, but may not be a permanent solution for the future since someone could come in later on and clear it.

Chairman Tsumas asked Mr. Puckett about some of the additional conditions that were being discussed as follows:

- Install aluminum ornamental fencing along Flower House Loop
- Demo the house within six months of rezoning
- Plantings would be a minimum of three-gallon plant size

Vice-Chair Pfeufer clarified the area that the conditions would apply would be the whole section where the storage facility would be.

Mr. Puckett said yes, certain conditions will only apply to where the storage facility will be.

There was numerous discussions concerning planting types, sizes, etc. that would potentially be used. Also, wording that would be included for the additional conditions that would be agreed upon.

Mr. Carney wanted to clarify for all those in attendance, the Board would be approving the rezoning request of these parcels, not the intended use, even though there has been much discussion regarding a storage facility. Mr. Carney said it needs to be stated if there will be outside storage, or if only inside storage is allowed if developed as a storage facility.

Chairman Tsumas reiterated the Board only approves zoning, not the intended use.

At this time, 8:14 p.m., Chairman Tsumas called for a recess.

Chairman Tsumas called the meeting back to order at 8:23 p.m.

Chairman Tsumas states this is a very unusual request with there being three parcels in question, one use for one parcel and the other two parcels unknown. This request is a Conditional Use, but does not apply to all three parcels.

Mr. Todd said the Board can place conditions specifically on the parcel to the south. It does appear the applicant would agree to a restrictive condition stating mini storage only on the southern parcel.

Mr. Todd feels the applicant can also be specific if he wants outside storage. He can state covered outside storage on asphalt rather than open outside storage.

Mr. Santoni asked what would happen if the applicant in the future wanted to expand to the other two parcels.

Mr. Todd said the Board can still have a condition if those were to be used for mini storage, the same conditions would apply.

Mr. Bryan said he would be glad to agree to that as long as he could see what the conditions are in writing. He said he wouldn't want to agree to a fence along the northern two parcels due to them possibly being a daycare center, real estate office, or an engineering office as examples.

Chairman Tsumas asked Mr. Bryan if he would agree to a fence if those two parcels ended up having mini storage.

Mr. Bryan said yes.

Mr. Todd said the State Statutes have changed and went into effect this year. In the end, legally, the applicant has to sign an agreement to any conditions, not only verbally stating conditions.

Mr. Carney requested this request be tabled until the December Planning Board meeting. He feels this would give the Board and the applicant a chance to have all conditions in writing and agreed upon.

Mr. Santoni feels that would be fair due to potential ramifications in cost for the applicant prior to researching prices, etc.

Mr. Santoni said he would like to reiterate the 2030 Horizon Plan designated this area as Corridor Commercial. He said Hawks Landing was built afterward, and trying to find a balance is the concern.

Mr. Carney made a Motion to table this request until December 1, 2021 and was seconded by Mr. Santoni, all were in favor.

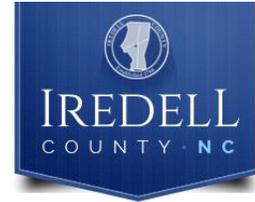
**VOTE: 7-0**

**CONSIDERATION OF TEXT AMENDMENTS – APPENDIX H SOIL EROSION & SEDIMENTATION CONTROL ORDINANCE**

**IREDELL COUNTY PLANNING & DEVELOPMENT**

PLANNING STAFF REPORT

***Proposed Text Amendments: Amend the current Soil Erosion and Sediment Control Ordinance to include updates from the 2020 NC Soil Erosion and Sediment Control Model Ordinance.***



**EXPLANATION OF THE REQUEST**

Staff is proposing amending the Iredell County Soil Erosion and Sediment Control Ordinance to reflect changes found in the 2020 NC Soil Erosion and Sediment Control Model Ordinance, in order to provide consistency with the model ordinance and for clarity.

Existing text that is ~~bold and with strike through~~ is text to be removed. Text in red is new text to be added was reviewed at the October 6<sup>th</sup> Planning Board meeting. Text in blue is revised since the last meeting.

**STAFF COMMENTS**

The last time we updated was in 2019 to match the 2018 Model Ordinance and to pull all relevant sections into one Appendix to make it easier for the end user to read. The 2020 NC Soil Erosion and Sediment Control Model Ordinance has been revised to meet the requirements of Sedimentation Pollution Control Act of 1973 as amended through the year 2020 (North Carolina General Statutes 113A-50 et. Seq.) by the General Assembly.

Most of these changes are additions to definitions and section clarifications.

Mr. Todd said the Model Ordinance and General Statutes around Erosion & Sedimentation Control have changed over the years. Back in 2018, there were also some changes brought before the Board regarding this topic. The state periodically audits local programs, and with the most recent audit back in the spring, there were some things noted in our Ordinance that needed changing. Mr. Todd said statutes are constantly changing, and those being brought before the Board are somewhat minor.

Mr. Todd said after last month's meeting, there were some questions regarding temporary stabilization and timeframes. He said staff has tried to cross-reference the table on ground cover.

Mr. Todd said that Mr. Jonny Williams, Erosion Control Inspector, has contacted the State office regarding some concerns voiced at the last meeting and received some clarifications. The county's section on self-inspections had more detail, and the State wants it to match more closely the template they have for self-inspections that meets the requirement.

Mr. Santoni said the current code template was very detailed. He feels a lot of the details were removed with these changes making it more vague, therefore, causing issues.

Mr. Williams said he contacted the head of Erosion Control and the Assistant State Engineer, and their response was to not stray too far from their Model Ordinance template regarding self-inspections. Mr. Williams said staff feels confident with what the State Ordinance requires to do the job effectively. It will revert back to the approved plan of what developers have to inspect after every phase of grading and after every one-inch rainfall.

Mr. Santoni asked Mr. Williams if he was confident about the way it is stated.

Mr. Williams said yes, he is confident with what the State has provided concerning self-inspection reports.

Mr. Santoni noted on page H-26 number 3, corrections are needed regarding the format sequencing.

Mr. Williams made the corrections.

Mr. Santoni said basically the county has to do what the State says even if not in agreement.

Mr. Williams made a statement that the county program needs to operate by the State requirements in order to be in compliance of the General Statutes.

Mr. Todd said content wise, there is nothing really changing. Erosion Control staff will still be performing the same task, it is only making it more concise.

Mr. Santoni stated he liked having the checklist that complimented the plan.

Mr. Williams said it does require the specific forms the State requires.

Mr. Santoni asked if staff keeps a list of phone calls regarding erosion control complaints on a monthly basis that could be shared with the Board. He feels it will be interesting to see how things change going forward after these updates.

Mr. Williams said yes. The department keeps a spreadsheet that is updated as complaints are received.

Chairman Tsumas asked if there were any further questions/concerns for Mr. Williams.

There were no further questions/concerns.

After no further discussion, Mr. Webster made a Motion to recommend approval of Text Amendments to Appendix H, to the Iredell County Soil Erosion and Sediment Control Ordinance. Mr. Hoke seconded said motion and all were in favor.

**VOTE: 7-0**

**OTHER BUSINESS:** Mr. Todd informed the Board there were minimal changes that came out of the survey from last month regarding the County Transportation Plan. The plan will be presented to the Commissioners on November 16, 2021 for adoption. Mr. Todd also states there has been money budgeted to update the Horizon Plan, and hopefully, by the end of this year, they will send out requests for proposals to be submitted from consultants.

**UNFINISHED BUSINESS:** None

**MINUTES:** Mr. Santoni made a motion to approve the October 6, 2021 meeting minutes, seconded by Vice-Chair Pfeufer, all were in favor.

**MONTHLY COMMITTEE ASSIGNMENTS:** Site Visit: Friday, November 12, 2021

**ADJOURNMENT:** There being no further business, Chairman Tsumas declared the meeting adjourned at 8:53 p.m.

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*Cindy Nicholson*  
*Administrative Assistant*

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*Date Read and/or Approved*