

August 12, 2021 Planning Board Meeting and Public Hearing Minutes

Present:

Earl Rouse, Chairman
Claude Morrisey, Vice Chairman
George Wilson
Ronald Moore
Peggy Doran
Sharon Hilton
Lawrence Padgett

Also Present:

Scotty Summerlin, Town Manager
A.J. Connors, Mayor
Carmen Gonzalez, Deputy Town Clerk

Chairman Rouse called meeting to order.

Rouse asked everyone to rise for the Pledge of Allegiance.

Motion to approve the minutes of April 15, 2021 made by Wilson. Seconded by Morrisey. All in favor.

The first item of new business was:

Earlean Rivers & Betty Smith (102/104 Revelle Rd.). Betty Smith was present to discuss request. Ms. Rivers and Ms. Smith request relief (variance) to minimum lot sizes and setback requirements. They are attempting to record deeds demonstrating what Duplin County Tax Administration currently recognizes for approximately 10 years. Applicants are heirs to property passed to them by their mother, as they are sisters. A hardship exists because the parcels and activities were in place prior to the first adoption of the Warsaw Zoning Ordinance. Approval of a variance will allow for proper recording of the separate deeds. By approval of the variance, the zoning administrator will sign the proposed boundary survey for the applicants. Ms. Earlean Rivers will have ownership of the residence and Ms. Rivers and Ms. Betty Smith will have joint ownership of the DNA Community Youth Center. The recording will demonstrate that which the sisters have previously agreed to. Ms. Smith indicated there is no intent to try to sell the property.

Summerlin advised the Board that the applicant's surveyor had emailed the boundary survey and noted the concerns. After discussing with surveyor, Summerlin agreed that a variance approved by the Planning Board was the best means to have the boundary survey approved and recorded.

George Wilson asked if there were plans to sell the property. Betty responded with no.

Chairman Rouse asked for a motion on the matter. Morrisey made motion to approve variance. Seconded by Padgett. All in favor.

The next item of business was a public hearing for a conditional use permit request for:

Villari Foods (135 Carter Best Rd.) Expansion Proposal and Permitting: Sam Villari, Joe Villari, and Christopher Villar and engineer Gus Simmons were present to discuss the request. Villari requests authorization to construct a land application non-discharge system and accessory activities (extended parking lot for employees and modular office for human resources staff) associated with an expansion of their processing facility. Sam Villari first spoke and introduced his team. Sam thanked the Board and the

Town for being a wonderful partner for more than 20 years. Sam said all required permits, including any necessary permits to address the existing ditch between the existing parking lot and the new parking lot would be attained. Sam then introduced Christopher Villari.

Christopher then read prepared notes as follows:

We would like to thank the Board of Commissioners for taking time to hear our request. It is a pleasure to be part of the Warsaw Community, and we're proud to say we've been a member of this town for more than 20 years. Throughout those 20 years, we've seen significant progress in Warsaw. Much of this progress was driven by the people that sit here in this room today. This includes our town's leadership, local government, small businesses, and citizens. But more importantly, it is this network of groups and individuals that makes us the tight-knit community that we are. And it is this network of groups and individuals that will continue to move Warsaw in the right direction.

Today we ask our fellow members of the community, and the Town of Warsaw, for your support. We ask for your support to help our business grow and create more opportunities throughout Warsaw and our surrounding communities. We've recently purchased 31 acres of property that borders our facility located on Carter Best Rd. At this facility our more than 300 Villari team members produce further processed pork and poultry which we distribute to customers throughout the United States. We do not bring any animals to this location – just USDA inspected meat. With this purchase of the 31 acres, we intend to use this for future growth and expansion, generating more revenue and jobs within the Town of Warsaw. However, we have come across some hurdles we must overcome before moving forward, and we're here to ask the Town of Warsaw – the members of our local community – to consider these three separate requests:

Additional Parking Space: We currently do not have enough parking spaces for our team members now and this will become a larger problem as we continue to grow. We are requesting to add parking to the west and south of the plant.

Additional Office Space Needed: We need to add an HR office to help accommodate our team members. The office will be about 3000 to 4000 square feet. We are looking at two Modular Offices or one traditional office, depending on the lead time for each.

Land Application Non-Discharge Facility.

At this point, engineer with Cavanaugh Solutions was introduced to discuss the **Land Application Non-Discharge Facility**. Simmons then read and discussed prepared comments as follows:

The proposed process water treatment system will be required to obtain a Non-Discharge permit from the North Carolina Department of Environmental Quality, Division of Water Resources. The facility is eligible to apply for a Non-Discharge permit as the process water contains no toxic nor hazardous chemicals, and the composition of the water is simple compounds that can be easily adsorbed and used by the flora and fauna of the land. The process water contains no toxic or hazardous chemicals that will pose risk to nearby homes and businesses, and the permit issued by the state stringently regulates the irrigation of the water to the land. To obtain this permit, we must provide the State DEQ with a complete engineering design, including a thorough examination of the soils in which the treated effluent will be irrigated, a plan for the farming operation to farm and maintain the land to ensure adsorption and use of the irrigated water, and a through model to demonstrate that the amount of water irrigated to the land does not adversely affect the groundwater table. This investigative and design work must be done by North Carolina licensed Professional Engineers, licensed Soil Scientists, agronomists, and hydrogeologists. The

requirements of the State are rigorous and well-established. The permit reviewers working for NC DEQ have been engaged in these types of permit reviews for many years and will perform site visits to confirm the information provided to them.

We must also have an evaluation of the land by professionals credentialed in identifying wetlands so that all wetland impacts will be avoided. This wetland identification work must gain acceptance by the U.S. Army Corps of Engineers. The credentialed professional will submit findings to the Corps, including maps and field descriptions, for review and acceptance.

Prior to construction, we must apply for, and receive, a Sedimentation and Erosion Control Plan approval from the Division of Energy, Mineral, and Land Resources within NCDEQ. This plan must also be prepared by a licensed Professional Engineer.

Our proposed facility requires no other State or Federal Permits. We will need to obtain the applicable local building permits, in addition to zoning approvals, prior to progression of the design and permitting described above.

Simmons addressed questions of the Board. The system will not have a smelly odor. The sprinkler system is a rotating center pivot with sprinklers 6' to 7' above the ground. This is to accommodate spraying of crops to include corn. Duke Energy has been contacted, as a transmission line runs across the property. No improvements are allowed on the utility easement. It was uncertain if the improvements would be protected similarly to an Agricultural District. The processing facility is not deemed an agriculture activity by the State.

Simmons answered question from the public. They are uncertain if the spray irrigation system will decrease neighboring property values.

Simmons thanked the Board and public for their good questions.

With no additional questions or comments, Chairman Rouse asked for motion to close public hearing. Motion made by Wilson. Seconded by Peggy Doran. All in favor.

Rouse asked for motion on the matter. Morrisey made motion to recommend approval of the Villari conditional use permit request, as presented. Seconded by Wilson. Chairman Rouse asked if the activity was permitted in the Highway Business District. Summerlin advised that by approval of the conditional use permit by the Board of Commissioners, the request could be approved as an expansion of the facility's existing activity or as an accessory activity. In short, yes. After discussion, the vote was all in favor.

The next item on the agenda was discussion on setting a timeline and dates on ordinance updates. After discussion the Board agreed to begin meeting regularly on the second Monday of each month at 6:30pm to begin the work.

With no additional business, Chairman Rouse asked for a motion to adjourn. Motion made by Morrisey. Seconded by Hilton. All in favor.

The meeting was adjourned.

Carmen Gonzalez, Clerk to the Board

Earl Rouse, Board Chairman