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## Gates County Planning & Development Services

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### Minutes of THE PLANNING BOARD Meeting 3:00 PM – December 15, 2015

Members Present: Billy Seiling  
Sherwood Eason  
Phyllis Umphlett – Hobbs – Vice Chairman  
Ronald Taylor, Sr  
Jonathan Jones  
Chris Odom

Members Absent: John Carter

Also Present: Jennifer C Baptiste, County Planner  
Joe Greene

#### Call to Order

The meeting was called to order by Vice – Chairman Phyllis Umphlett – Hobbs at 3:00 p.m. in the Gates County Courthouse Courtroom. Ms. Umphlett - Hobbs asked Mr. Ronald Taylor to offer the prayer and lead the Pledge of Allegiance. Roll call was taken and a quorum established.

#### Approval of Agenda

Mrs. Umphlett – Hobbs asked for approval of the agenda. At such time, Mr. Jones requested that the agenda be accepted with the amendment to conduct the review of the Map Amendment request for Tuck Industries prior to the approval of the minutes. The adjustment and acceptance of the agenda was seconded by Mr. Eason. Motion passed unanimously.

After discussion, an amendment to the motion was offered by Mr. Jones and seconded by Mr. Eason to review minutes and move **New Business** to **Old Business** on the agenda. Motion passed unanimously.

#### Approval of Minutes

Mr. Seiling made a motion to approve the minutes for October 20, 2015; seconded by Mr. Eason. Minutes approved unanimously.

Mr. Jones made a motion to approve the minutes for the November 19, 2015 minutes; seconded by Mr. Seiling. Minutes approved unanimously.

#### New Business

The first item on the agenda under New Business was a review of the proposed Map Amendment submitted by Tuck Industries. Map Amendment case # 201512 – MA – 01 Tuck Industries was presented by Ms. Baptiste. Ms. Baptiste stated the request

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was submitted by Mr. & Mrs. Tuck owners of Tuck Industries. The request is to amend the current zoning of A – 1 & R -1 to the I – 1 zoning district. Ms. Baptiste presented the information regarding the case to the Board per information received via the application process. Ms. Baptiste explained that the property was subdivided out a larger tract of land not shown on the County's current GIS system.

The Board then opened the floor to public comment. As the designated representative of Tuck Industries, the board allowed Mrs. Tuck the opportunity to address the Board. Mrs. Tuck stated that the property being used was critical for the future growth of the existing, adjacent business. Mrs. Tuck state that the existing mill business has been in its current location since the 1970s. In addition, Mrs. Tuck shared some of the history of the mill, information regarding plant operations, and other information the usage of the rezoned properties.

Mrs. Tuck informed the Board that the smaller lot across Carters Road would be used as overflow parking for the business and the larger lot would be used as an Air Drying Site. To which, Mrs. Tuck shared an aerial diagram showing the proposed layout of the Air Drying Site.

The Board then heard from citizen representative, Mr. Mickey Lee. Mr. Lee stated that no one in the area was in favor of the rezoning. Mr. Lee informed the Board the mill has greatly affect the property value in the area, but has not affected the property taxes for properties. In addition, Mr. Lee stated the quality of life in the area has changed substantially. Mr. Lee believes that the noise level has increases and asked that a buffer zone of more planting be done.

Ms. Umphlett – Hobbs asked the applicant the hours of operation for the site. Mrs. Tuck replied that the mill operated from 7:00am until 4:00pm on Monday through Thursday and closed at 3:00pm on Friday. Mrs. Tuck further stated that the hours of operation would not be expanding if the Map Amendment is approved.

The next citizen to speak was Mr. Paul Lilley. Mr. Lilley identified that he owns a property in the area and felt that an expansion of the business and increased operation was not desirable. He further stated that zoning was instituted to protect property owners.

The Board then heard from Mr. William Wright and Mr. John Knight. Both gentlemen, endorsed the previous statements issued by Mr. Lee and Mr. Lilley.

Having no additional commentators, the Board closed the public discussion. Mr. Eason stated that he can see both sides of the argument and that no decision would be pretty no would everyone be happy with the decision.

Mr. Seiling echoed Mr. Eason's comments by stating that he could see both sides, but that the mill had been there for a long time. In addition, he stated that he did not have a problem with the smaller tract across Carters Road.

Mr. Eason made a motion to recommend approval of smaller parcel (parcel # 07 – 00095) from R – 1 to I – 1. Motion seconded by Mr. Seiling. Motion passed unanimously.

Mr. Seiling made a motion to table the recommendation for the larger parcel (parcel # 10 – 003327) from A – 1 to I – 1. Motion seconded by Mr. Eason. Motion to approved to table the Map Amendment by a vote of 4 ascension ( Eason, Seiling, Taylor, Odom) and 2 opposed (Umphlett – Hobbs and Jones).

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Mr. Taylor and Mr. Jones both spoke and agreed to the comments previously stated by Mr. Eason and Mr. Seiling. The main consensus of the discussion was that members felt that additional time and consideration needed to be given to the request.

Ms. Baptiste cautioned Board member against engaging in *ex parti* communication with individuals involved in the case or the general public. Ms. Baptiste further stated that only information discussed during the meeting could be used for consideration. If additional information on the topic is considered, then that information needed to be presented to the full Board for consideration.

#### Old Business

After a brief discussion, Mr. Jones made a motion to table any further discussion of the Solar Farm Amendment to the Ordinance until after the presentation are concluded. Motion seconded by Mr. Taylor. Motion passed unanimously.

Old Business concluded and closed.

#### Comments

Ms. Baptiste informed the Board of the first Solar Farm presentation was scheduled for December 17, 2015 and a second presentation is scheduled for January 12, 2016.

#### Adjournment

Mr. Taylor made a motion to adjourn the meeting; seconded by Mr. Seiling. The motion passed unanimously.

Meeting closed at 4:40pm.

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Phyllis Umphlett - Hobbs Vice - Chair Planning Board

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