

## MINUTES FOR THE FRANKLIN COUNTY BOARD OF ADJUSTMENT

April 27, 2009

The Franklin County Board of Adjustment held its regular monthly meeting on April 27, 2009 in the Franklin County Administration Building, 113 Market Street, Louisburg, North Carolina.

**Present:** Stuart May, Shane Brantley, Scott Lerew, Robert Carlson and Cynthia Hayes.

**Absent:** Chuck Griffin and Tammy Ray

**Staff:** Jason Rogers and Tammy Davis

Chairman Shane Brantley called the meeting to order at 7:00 P.M., and welcomed everyone in attendance. Jason Rogers informed the Board that the petitioner for item #2 wished to have the item pulled from the meeting due to the fact he would be out of town. Scott Lerew made a motion, seconded by Stuart May to adopt the agenda as presented with the correction of item #2 being omitted. The motion passed unanimously. Scott Lerew made a motion, seconded by Stuart May to adopt the minutes from the March 23, 2009 meeting as presented. The motion passed unanimously.

### **Agenda Items:**

- #1. Request for a Conditional Use Permit by PSNC Energy for a Public Utility Station located on US Hwy 1 on 1.80 Acres in the Franklinton Township in the Highway Business (HB) District.

Jason Rogers stated the applicant is petitioning the Board in order to construct a natural gas regulator station. He stated the proposed regulator station would need to meet all applicable UDO requirements. He went over additional considerations of approval for the board to consider.

Andrew Moore (representative with PSNC) was sworn in and stated they wish to extend new pipeline that would run just south of Franklinton. He stated they have existing pipeline that provides gas for Louisburg and Rolesville. He stated there hasn't been any pipeline expansion in approximately 40 years and an expansion is needed to meet the needs of customers. Scott Lerew questioned the reason for the pump station. Mr. Moore stated they need the station to keep pressure down with the increase in demand. Robert Carlson questioned if there is an easement for the pipeline. Mr. Moore stated they are in the process of acquiring the easement. Cynthia Hayes questioned the increase caused by the sudden growth over the years. Mr. Moore stated it has quadrupled in the past 15 years. Mr. Lerew questioned the reason for choosing the proposed site. Mr. Moore stated they did a routing study to determine the best route for the pipeline. He stated that north of the site the pipeline reduces from 12-inch to 8-inch pipes. He stated they would have to tie in to a 12-inch pipe section and they narrowed it down to the most feasible area.

Jeff Augustine (representative with Stay-Right Concrete) was sworn in and stated he was representing the property owners that owned the property located across from the proposed site. He stated he is concerned since the proposed easement would be coming through their property. He stated the proposed easement would split their usable land in half. He stated he received a letter in September 2008 regarding the possible easement placement. He stated in March 2009 there was someone on their property staking off where the pipeline would go. He stated in April 2009 he received the notification of the Board of Adjustment meeting. He informed the board that his company paid to move an easement for Wake Electric. He stated they wouldn't object to an easement for PSNC on the northern part of their property where the wetlands are located but he didn't think this would be amicable.

Mr. Moore expressed his wishes to work with Stay-Right. He stated he met with a representative from Stay-Right and they walked the property to find a mutual placement for the easement that both parties could agree on. Mr. Augustine stated the gentleman that Mr. Moore met with doesn't have the authority to make a decision on the placement of an easement. Mr. Augustine presented the Board with a copy of a map showing the proposed easement and he showed the members the preferred area for the easement. Mr. Moore explained the pipeline would be underground and Stay-Right would not know it is even there. He stated the only issue would be if they wanted to put a structure in the area of the easement. Scott Lerew suggested that the two companies meet and come up with a mutual decision on the placement of the easement. He questioned if the two companies had negotiated at this point. Mr. Moore stated that no negotiations had taken place. Robert Carlson questioned if PSNC currently had gaslines on the Moss property. Mr. Moore stated their gaslines run along Hwy US 1.

Mr. Augustine stated he has no problem with the regulator station being placed on the property across the street but there is great concern with the placement of the easement. Mr. Lerew questioned if there would be a concern if the agenda item was tabled until next month to allow time for negotiations to take place between the two companies. Mr. Moore stated if the item was delayed for over a month, then this could cause problems with their timeline. Chairman Brantley questioned if the easement could go across the wetlands. Mr. Moore stated they don't want to have a pipeline located in a wetland. Mr. Augustine expressed he is more than happy to meet with PSNC over the next month to discuss the issue and try to come up with a solution.

Tom Best (adjoining property owner) was sworn in and questioned the possible smell created by the regulator. Mr. Moore stated gas is odorless. Mr. Best expressed his concern regarding evaporating gas at anytime. Mr. Moore stated there is no high volume of gas at anytime. Mr. Best questioned any sound issues. Mr. Moore stated during the winter months when it's real cold, there could be a noise level up to 75 decibels, which is no louder than traffic. He stated when the noise gets high; they do something about it to control any sound issues. He stated the noise comes from the regulator and not the underground pipes. He stated silencers are used to help control the sound. He emphasized that they don't have sound issues at other regulators that are much larger than the proposed regulator.

Scott Lerew made a motion, seconded by Cynthia Hayes to table the agenda item until the next meeting to allow PSNC and Stay-Right sufficient time to discuss the placement of the proposed easement. The motion passed unanimously.

- #2. Other Business/Reports/Discussion
  - A). Departmental Report
  - B). Other Business/Reports/Discussion

With there being no further business before the Board of Adjustment, Chairman Brantley adjourned the meeting at 8:00 P.M.

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Shane Brantley, Chairman  
Franklin County Board of Adjustment

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Tammy Davis, Clerk  
Franklin County Board of Adjustment