



Mayor

M. Andy Moore

Mayor Pro-Tem

Roger A. Wood

Council Members

District 1 (Vacant)

Sloan Stevens

Travis Scott

David Barbour

John A. Dunn

Stephen Rabil

Town Attorney

Robert Spence, Jr.

Town Manager

Michael L. Scott

Finance Director

Andrew Harris

Town Clerk

Elaine Andrews

Town Council

Agenda

Packet

Meeting Date: Tuesday, June 15, 2025

Meeting Time: 7:00 p.m.

Meeting Place: Town Hall Council Chambers

350 East Market Street

Smithfield, NC 27577



**TOWN OF SMITHFIELD
TOWN COUNCIL AGENDA
REGULAR MEETING
JULY 15, 2025
7:00 PM**

Call to Order

Invocation

Pledge of Allegiance

Approval of Agenda

Page:

Presentations:

- 1. Discussion and consideration for the process to fill the District One Councilmember seat vacancy**
(Town Manager – Michael Scott) See attached information.....1

Public Hearings:

- 1. Subdivision Request (S-25-04) – Village on the Neuse, LLC:** Village of the Neuse, LLC is requesting the approval of a preliminary plat for a 117-lot single-family residential development in the R-8 Conditional District. The proposed development is adjacent to Holland Drive to the south and Smithfield Middle School/Everett Lane to the north, fronting Buffalo Road.
(Planning Director – Stephen Wensman) See attached information.....11
- 2. Zoning Amendment Request (ZA-25-02) – Consideration of a request by Brown Investment Properties, Inc. to amend the Town's Unified Development Ordinance:** Brown Investment Properties requests amendment to Article 8, Section 8.91 to increase the maximum height in the B-3 Highway Entranceway Business District from forty feet (40') to fifty (50').
(Planning Director – Stephen Wensman) See attached information.....40

- 3. Rezoning Request (RZ-25-01) – Consideration of a request for Clarius Partners, LLC for a zoning map amendment:** Clarius Partners, LLC is requesting a zoning map amendment to rezone a 75.61 acres parcel, located on US Highway 70 Business W, at the north edge of the Town’s extra-territorial jurisdiction (ETJ).
(Planning Director – Stephen Wensman) See attached information.....52
- 4. Conditional Zoning Request (CZ-25-03) – Consideration of a request for Mallard Smithfield NC, LLC to amend the conditional rezoning master plan:** Mallard Smithfield NC, LLC is requesting approval of an amended R-8 conditional rezoning master plan of 491.2 acres of land which will include 1,327 residential units: 873 single-family detached, 454 single-family attached (townhomes).
(Planning Director – Stephen Wensman) See attached information.....69

Citizens Comments:

Consent Agenda Items:

- 1. Approval of minutes:**
a. May 6, 2025 – Regular Session.....125
b. May 20, 2025 – Regular Session.....143
- 2. Consideration and request for approval to adopt Resolution No. 778 (17-2025) accepting streets in the East River development for public maintenance:** The developer of East River has requested public maintenance of Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street in the East River development. The Town Council accepted Sunfish and Croatan Court in Phases 1 and 2 of the development for public maintenance by Resolution 696 (05-2022) on April 5, 2022.
(Planning Director – Stephen Wensman) See attached information.....155
- 3. Consideration and request for approval for Bulldog Harley-Davidson to hold a Bikini Bike Wash event on July 19, 2025:** The Town Council is being asked to consider approval of a Temporary Use Permit for this event to be held at 1043 Outlet Center Drive. This event will run from 11:00 am to 4:00 pm. Gent’s Bounty BBQ food truck will be on-site selling food. Two beers will be given away to customers age 21 and older.
(Planning Director – Stephen Wensman) See attached information.....161

- 4. Consideration and request for approval for Bulldog Harley-Davidson to hold a Christmas in July event on July 26, 2025:** The Town Council is being asked to consider approval of a Temporary Use Permit for this event to be held at 1043 Outlet Center Drive. This event will run from 11:00 am to 4:00 pm. Daisy Dawgs food truck will be on-site selling food. A live band will perform therefore amplified sound will be used. Two beers will be given away to customers age 21 and older.

(Planning Director – Stephen Wensman) See attached information.....170

Business Items:

- 1. Consideration to accept completed work for AIA Sewer Grant:** Conditions of the awarded Asset & Inventory Assessment grant (AIA), NCDEQ, requires the recipient to present the completed work to the governing municipal board. To close out this grant funding, the governing board must be presented the completed work funded by the AIA Grant and acknowledge the work was in accordance with the grant application.

(Public Utilities Director – Ted Credle) See attached information.....177

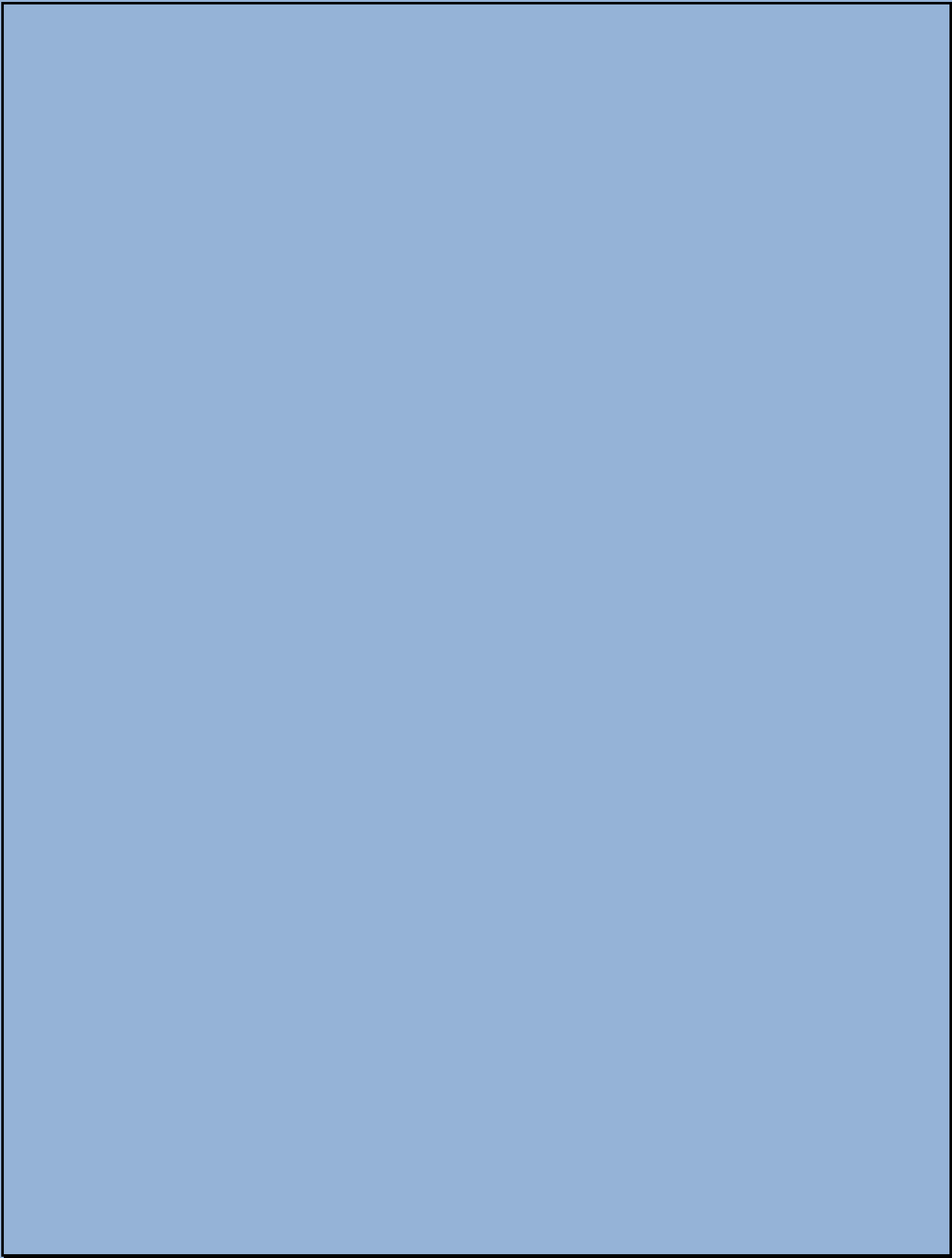
Councilmember's Comments

Town Manager's Report

- Manager's Report

Adjourn

Presentations





Request for Town Council Action

Presentation: Vacant
Council
Seat

Date: 07/15/2025

Subject: Vacant Council Seat

Department: General Government

Presented by: Town Manager - Michael Scott

Presentation: Presentation

Issue Statement

The District One Seat is vacant and must be filled by a process approved by the Town Council. A draft process and timeline has been created by staff and is part of this action form.

Financial Impact

None.

Action Needed

Approve or amend process so as to move forward with filling the vacant council seat.

Recommendation

Approve Process.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Application
3. Summary of Posting and Position Description
4. Explanation of Process to Fill Vacant Seat
5. District One Voting Precinct Map



Staff Report

**Presentation: Vacant
Council
Seat**

The Council must approve and institute a process to fill the vacant, District 1 Council Seat left after the passing of Councilman Marlon Lee. A draft summary, position description, district map and timeline are attached. The Council is asked to review the process and make any needed amendments and institute the approved process to fill the vacant seat.



**APPLICATION FOR SMITHFIELD TOWN COUNCIL
2025 DISTRICT ONE**

NOTE: YOU MUST LIVE IN DISTRICT ONE TO APPLY FOR THE REMAINDER OF THE TERM.

FULL NAME _____

HOME ADDRESS _____ **ZIP** _____

HOW LONG AT THIS ADDRESS _____

HOW LONG HAVE YOU BEEN A RESIDENT OF SMITHFIELD _____

CELL PHONE () _____ **PERSONAL PHONE ()** _____

EMAIL _____

DATE OF BIRTH _____

CURRENT EMPLOYER _____

JOB TITLE _____

YEARS IN CURRENT POSITION _____

JOB DUTIES _____

OTHER EMPLOYMENT HISTORY _____

1. Why are you interested in serving on the Smithfield Town Council? _____

2. Please provide examples of your past service and involvement in Smithfield and/or other communities in which you have lived. How do you feel these experiences would assist you in serving as a Council member?_____

3. What do you think are the two highest priorities for the Smithfield Town Council and how would you work to achieve them?_____

4. What other information would you like the Town Council to consider about your application?_____

ARE YOU A RESIDENT OF DISTRICT ONE?_____

ARE YOU A REGISTERED VOTER? _____

DID YOU VOTE IN THE LAST MUNICIPAL ELECTION? (2023) _____

EDUCATION (Include Degrees Completed)_____

SPOUSE'S NAME _____

SPOUSE'S EMPLOYER _____

SPOUSE'S TITLE _____

AFFIRMATION OF ELIGIBILITY:

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

Yes _____ No _____ If yes, explain complete disposition. _____

Have you ever been convicted of a criminal misdemeanor or felony in any jurisdiction?

Yes _____ No _____ If yes, explain complete disposition. _____

Are there any possible conflicts of interest or other matters that would create problems or prevent you from fairly and impartially discharging your duties as a member of the Town Council?

Yes _____ No _____ If yes, explain conflict. _____

I understand this application is a public record, and I certify that the facts contained in this application are true and correct to the best of my knowledge. I authorize and consent to background checks and to the investigation and verification of all statements contained herein. I further authorize all information concerning my qualifications to be investigated and release all parties from all liability for any damages that may result from this investigation.

Signature: _____

Date: _____

(Invalid if Not Signed)

RETURN COMPLETED FORM TO:

**Smithfield Town Clerk
Attn: Elaine Andrews
350 East Market Street
P.O. Box 761
Smithfield, NC 27577**

or

elaine.andrews@smithfield-nc.com

**DO NOT SUBMIT RESUMES/ATTACHMENTS—YOU MAY ONLY ATTACH ADDITIONAL PAGES TO
ANSWER THE QUESTIONS IF NEEDED.**

**Applications must be received by 5:00 p.m. on August 01, 2025 At Smithfield Town Clerk's
Office, 350 East Market Street, Smithfield NC 27577**

**APPLICATIONS NOT RECEIVED BY THE DEADLINE DATE AND TIME WILL NOT
BE CONSIDERED. NO EXCEPTIONS WILL BE MADE.**

THIS APPLICATION IS A PUBLIC DOCUMENT

Summary

Councilman Marlon Lee has died while in office, as the District 1 Councilman. He was last elected into office effective December 07, 2021. State law and the Town of Smithfield Charter requires that the Town Council appoint a citizen to serve as the District 1 representative until the next municipal election, which takes place on November 4, 2025.

State law also gives the Town Council authority to determine the process by which the appointee is selected. During the July 15, 2025 Council Meeting the Town Council will determine the process to be used to select the replacement for the District 1 council seat (See recommendation). A District Map for District 1 is included in the packet. Applications will open at 8:00 am, July 16, 2025 and remain open until August 01, 2025 at 5:00 pm. Applicant information will be listed on the Town's website, as applications are received and approved by the Town Clerk. Incomplete applications will not be accepted/approved.

During the August 5th Council Meeting the Mayor will announce each applicant for the vacant seat and also announce there will be a meet and greet for the Town with the applicants on August 12th at 7:00 pm in the council chambers. The final appointment will be made during the August 19th Council meeting.

Requirements for the appointee include being a resident of District 1, being at least 21 years old at time of appointment, and being a registered voter in District 1.

Position Description:

A Town Council Member serves as part of the Town Council, which is a legislative body of the Town of Smithfield, NC. By majority vote, the Town Council adopts ordinances and regulations that apply within Town Limits and sets the general policies of the Town of Smithfield to be carried out by Town Staff. Major expenditures, building projects and re-zonings must be voted on by the Town Council. The Council must also approve the annual budget and set the municipal tax rate for the corporate limits of Smithfield, as well as the Downtown Service District.

The Town Council also establishes the utility rates for water, sewer, electricity, garbage collection and yard debris collection for Smithfield Utility Customers. The Council appoints a Town Manager and the Town Attorney, along with appointing all members of the Planning Board, Board of Adjustment, Historic Properties Commission, Appearance Commission and the Downtown Smithfield Development Organization, as well as other boards and commissions.

Smithfield District Council Members must reside within the District he or she represents. The Council meets twice a month on the first and third Tuesday at 7:00 pm. There are also numerous other meetings and events that require the presence of Town Council members. The time commitment involved in representing the citizens of Smithfield is not to be taken lightly. The current Town Council salary is \$7,500 annually.

Applicants must complete the following application and return it to the Town Clerk, Elaine Andrews, by August 01, 2025 at 5:00 pm. The application can be downloaded and emailed to elaine.andrews@smithfield-nc.com or mailed to:

Town of Smithfield
Attn: Elaine Andrews
PO Box 761
Smithfield, NC 27577

or can be hand delivered to Elaine Andrews at 350 East Market Street, Smithfield NC 27577.

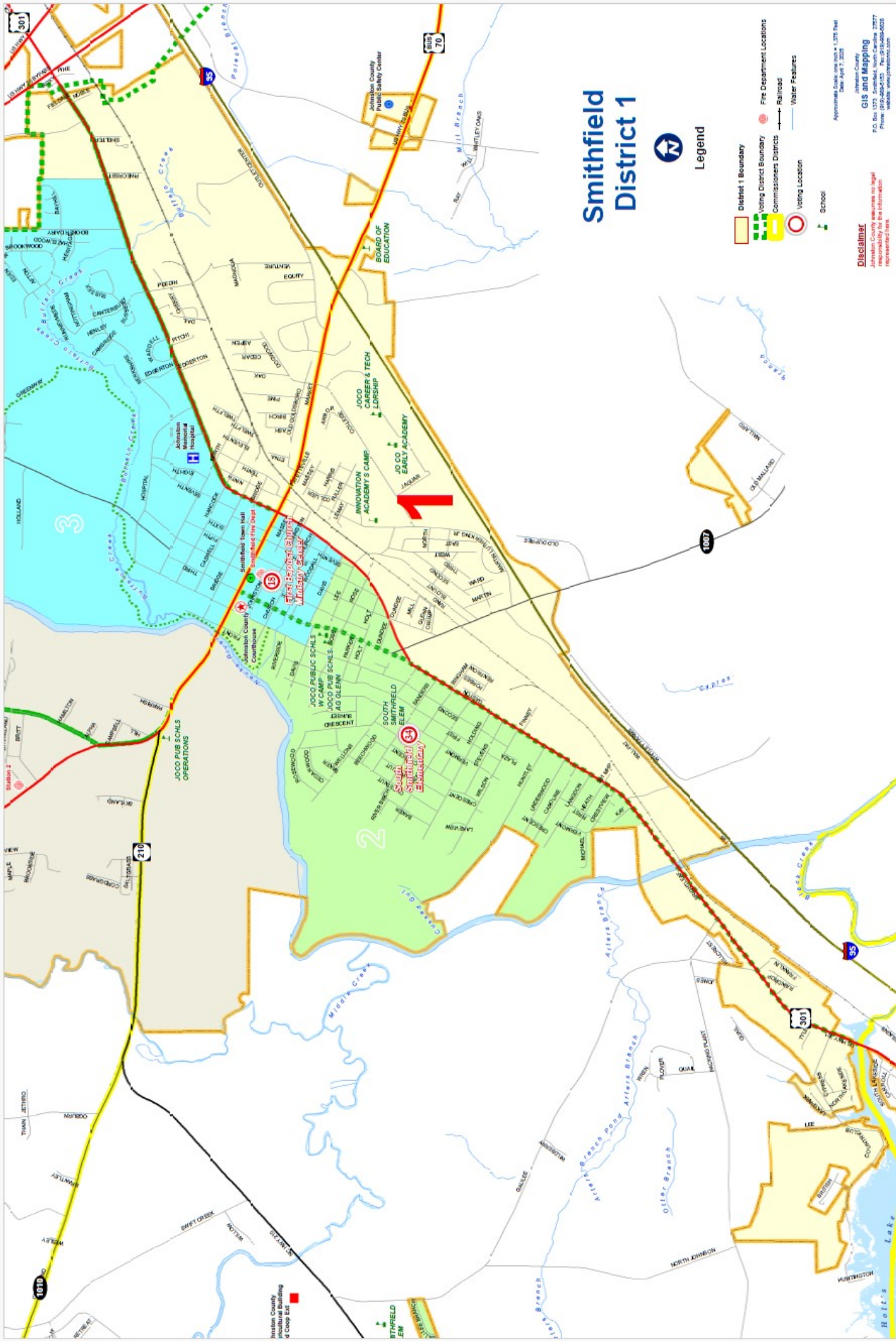
Staff Procedural Recommendations:

During the August 19, 2025 Council Meeting, applicants will be given five minutes to address the Town Council in open session regarding their requirements and their priorities, as a Town Council representative for District 1. Each Councilmember will be afforded the opportunity to ask each applicant one question. The Council will then utilize a ballot process to determine the person appointed to fill the vacancy by a vote(s) of the Council. If necessary, the Mayor has the authority to break a tie vote.

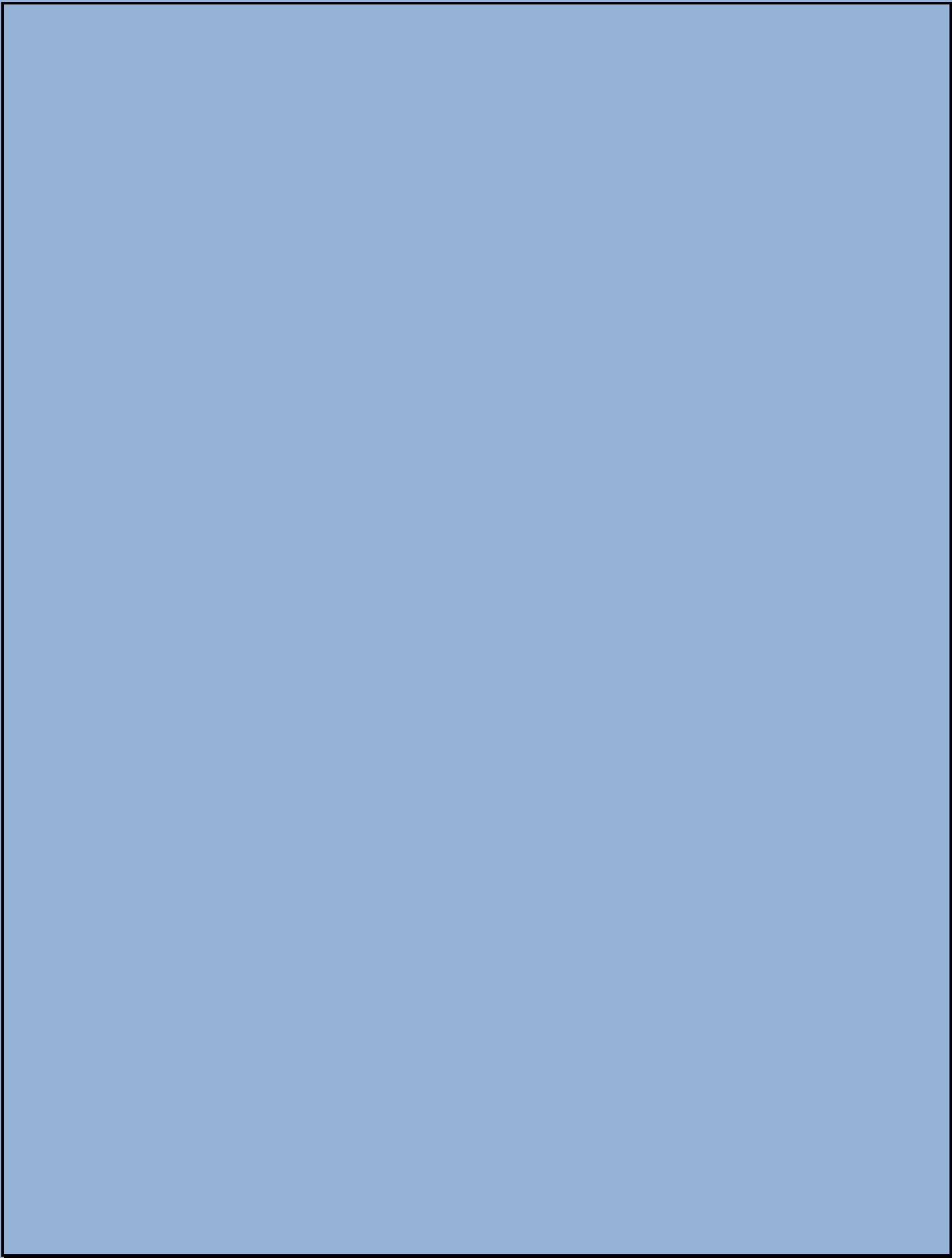
If there are more than two applicants for the position, the Town Council will use the ballot process and the required number of ballot votes to bring the field to two candidates, at which time the candidate with the most ballot votes will be appointed to the vacant seat. A Council motion, second, and final non-ballot vote will complete the appointment. The appointment will be immediate following being sworn in by the Clerk.

Timeline:

June 17, 2025:	Council Approved Application Form for District One Appointment
July 15, 2025	Council identifies procedure to fill vacant seat and opens applications
July 16, 2025:	8:00 am Application Period Opens
August 01, 2025:	5:00 pm Application Period Closes
August 05, 2025:	Mayor Announces Applicants and Meet and Greet Schedule
August 19, 2025	7:00 pm Council Meeting to appoint applicant to vacant District 1 Seat.



Public Hearings





Request for Town Council Action

Public S-25-04
Hearing:
Date: 07/15/2025

Subject: Village on the Neuse Preliminary Plat
Department: Planning Department
Presented by: Planning Director - Stephen Wensman
Presentation: Public Hearing

Issue Statement

Village on the Neuse, LLC is requesting the approval of a preliminary plat of the Village on the Neuse for a 117-lot single-family residential development in the R-8 Conditional District.

Financial Impact

The subdivision will add to the town's tax base.

Action Needed

The Town Council is respectfully requested to hold a public hearing to review the preliminary plat then decide whether to approve, approve with conditions or to deny.

Recommendation

Staff recommends the Town Council approve the Village on the Neuse preliminary plat with 8 conditions based on the finding of fact for preliminary subdivisions.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff report
2. Draft Finding of Fact
3. Application and Narrative
4. Preliminary Plat Maps
5. Property Survey Map
6. Adjacent Property Owners Lists
7. Adjacent Property Owners Notification Certifications
8. Legal Ads



Staff Report

Public S-25-04
Hearing:

REQUEST:

Village on the Neuse, LLC is requesting the approval of a preliminary plat of the Village on the Neuse for a 117-lot single-family residential development in the R-8 Conditional District.

PROPERTY LOCATION:

The proposed development is adjacent to Holland Drive to the south and Smithfield Middle School/Everett Lane to the north, fronting on Buffalo Road.

APPLICATION DATA:

Applicant:	Eric Villeneuve, Village on the Neuse, LLC
Property Owners:	Village on the Neuse, LLC
Subdivision Name:	Village on the Neuse
Tax IDs:	15049017 and 15049014
Acreage:	42.26 acres
Present Zoning:	R-8 Conditional
Existing Use:	Vacant Land, Vacant Residence
Proposed Use:	Single-Family Residential
Fire District:	Town of Smithfield
School Impacts:	Potential students
Parks and Recreation:	Park Dedication Fee in Lieu
Water/Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield
New Streets:	5,796 LF
Proposed Density:	2.82 D.U.A
Proposed Waterline:	4,572 LF
Proposed Sewer:	5,796 LF

ENVIRONMENTAL:

There is 100-year & 500-year flood plain on the west side of the development. A portion of Lots 49-55 are within the 100-year flood plain, requiring flood plain development permits. There is a ditch that crosses the property that drains to the north under Everett Lane to a catch basin on the Smithfield Middle School property.

No wetland data has been provided, but there may be wetlands on the property.

ZONING:

The property is in the WS-IV-PA Watershed Protected Area Overlay and the underlying zoning was amended to R-8 Conditional on December 3, 2024 with a master plan for a for 117-lot detached single-family subdivision with the following conditions:

1. That a traffic impact study be conducted prior to a preliminary plat application.
2. That the architectural standards be incorporated in a homeowners' association (HOA) document and include the standards:

All Lots:

- a. A combination will be required of no less than two (2) materials on the front facade of all homes and no vinyl siding shall be used.
- b. All front facades will include no less than 10% of either one (1) of the following materials: brick, stone, or substantially similar substitute material.

Corner Lots:

- a. All corner lots will be required to have no less than one (1) window on each visible side of the residence.
3. That the primary use of the subdivision lots will be detached single-family homes.

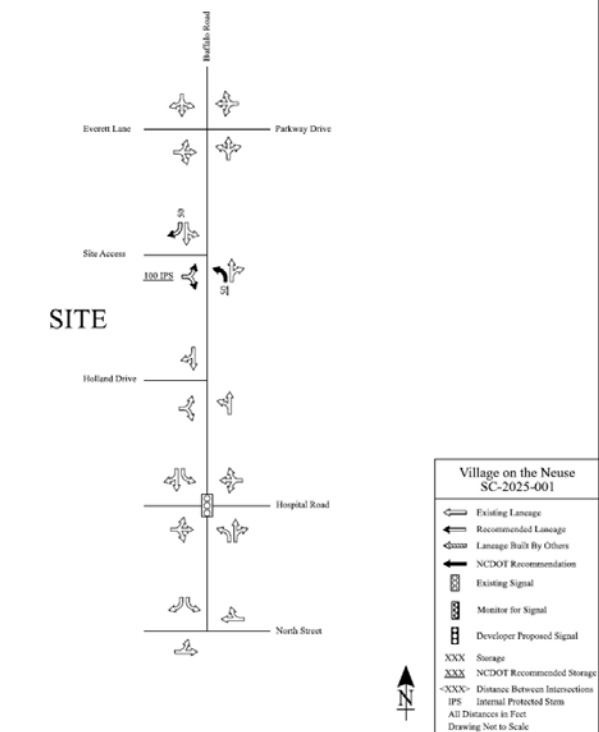
PRELIMINARY PLAT/ANALYSIS:

R-8 District Regulations. The proposed subdivision proposes 117 new 8,000+ sq. ft. single-family lots along an extension of Holland Drive and adjacent proposed streets. All proposed lots meet the minimum R-8 District Regulations.

(A) Minimum Lot Area <ul style="list-style-type: none">• Single-family dwelling• Two-family dwelling• Multi-family dwelling*• Other allowable building	8,000 sq ft 10,000 sq ft 9,000 sq ft 10,000 sq ft
(B) Minimum Lot Frontage	70 lin ft
(C) Front Yard Setback	30 ft
(D) Side Yard Setback	10 ft
(E) Rear Yard Setback	25 ft
(F) Maximum Building Height	35 ft
(G) Accessory Buildings Setback	10 ft (see Note 8.13.2)

Traffic Impact Study. A traffic study was completed with the following recommendations:

- Site Access 1
 - a. Two-lane cross-section; one ingress, one egress
 - b. 100' Internal Protected Stem
- Buffalo Road
 - a. NB Buffalo Road – 50' Left-Turn Lane with appropriate deceleration and taper length.
 - b. SB Buffalo Road – 50' Right-Turn Lane with appropriate deceleration and taper length.



Buffalo Road Trail. An 8' multi-use trail is required along Buffalo Road in accordance with the Town's Pedestrian Plan in lieu of a public sidewalk. The required trails are shown at the back of curb along Buffalo Road. This trail should be extended to the norther limits of the property.

Neuse River Trail. A secondary multi-use trail is shown on the west side of the development extending north out of the Buffalo Ridge development and connecting with Holland Drive, after which sidewalks will connect to Everett Lane, which is a road in an easement on school property. Staff is requesting a trail easement be provided for a future trail on the back side of the development in the event the land to the north redevelops.

Public Utilities. The water, sewer and electric utilities will be provided by the Town of Smithfield. The developer appears to be planning to extend the water and gravity sewer infrastructure to serve the new lots. Some homes are planned to have pumps to pump sewage to a gravity line.

Streets. The Streets are proposed as a 27' wide B/B street with sidewalk located on one side of the street in a sixty-foot-wide public right of way in accordance with the town's standards. A 5' wide public sidewalk is shown on one side of each street as required. Adequate lateral access has been provided including utilization of undeveloped street stubs rights-of-way.

Stormwater Management.

- The plat is suggesting a stormwater management pond in the open space located between the proposed lots and the Neuse River. A stormwater management plan will be required with the construction plans for the development.
- The developer has proposed a 4,000 sq. ft. impervious per lot.
- Although construction plans have not been submitted, the plans do show a storm drain system that takes drainage towards lots 87 and 88, then across Everett Lane to the Middle School property. This drainage will need to be reviewed to ensure there will be no flooding on the school property.

Cluster mailbox and parking. A cluster mailbox and parking area will be owned and maintained by a homeowner's association will be located near the Holland Drive entrance. There is +/- 15' between the Buffalo turn land and the kiosk parking. There is 5' between the Lot 98 property and the kiosk parking lot, 10' is required. There is no landscaping or buffer shown at this time.

Phasing. The developer has not identified any phasing or a timeline for construction.

Construction Drawings. The plat approval will be conditioned on approval of the construction drawings which include:

- Existing Conditions
- Landscaping and buffers
- Lighting
- Streets
- Utilities
- Grading and Erosion Control
- Stormwater Management
- Details

FINDING OF FACT (STAFF OPINION):

To approve a preliminary plat, the Planning Board shall make the following finding (staff's opinion in Bold/Italic):

1. The plat is consistent with the adopted plans and policies of the town; ***The plat is consistent with the adopted comprehensive plan.***
2. The plat complies with all applicable requirements of this ordinance; ***The plan complies with all applicable requirements of this ordinance as conditioned.***

3. There exists adequate infrastructure (transportation and utilities) to support the plat as proposed. *There is adequate infrastructure with conditions.*
4. The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses. *The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses.*

RECOMMENDATION:

Staff recommend approval of the Village on the Neuse preliminary plat, S-25-04, with the following conditions:

1. The preliminary plat shall be contingent on approval of construction plans by staff meeting all applicable regulations/standards.
2. Flood plain development permits shall be obtained for the development of the lots within the 100-year flood plain.
3. A homeowner's association shall maintain all common amenities such as the mailbox kiosk and open space.
4. A stormwater management plan shall be designed to accommodate a minimum of 4,000 sq. ft. per lot.
5. A 30' wide public trail easement shall be provided on the west side of the development in the open space to connect the proposed trail to the northern edge of the plat.
6. The mail kiosk driveway apron shall be in accordance with the Town's Standard Apron Detail.
7. The mail kiosk parking lot shall be setback 10' from the lot line in accordance with UDO Section 10.6.4.6.
8. The homes constructed in the development shall be consistent with the architectural standards approved as part of the conditional zoning.

RECOMMENDED MOTION:

"Move to approve the Village on the Neuse preliminary plat, case# S-25-04, with 8-conditions found in the staff report based on the finding of fact for preliminary subdivisions."

**Town of Smithfield
Preliminary Plat
Finding of Fact / Approval Criteria**

Application Number: S-25-04 **Project Name:** Village on the Neuse

Request: Village on the Neuse, LLC. is requesting approval of a preliminary plat for a 117-lot single family subdivision on 42.26 acres in the R-8 Conditional Zone. The property considered for approval is located on Buffalo Road adjacent to Holland Drive to the south and Smithfield Middle School/Everett Lane to the north in Smithfield, further identified as Johnston County Tax IDs 15049017 and 15049014.

In approving an application for a preliminary plat in accordance with the principles, conditions, safeguards, and procedures specified herein, the Town Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the Town Council. The Town Council shall include in its comments a statement as to the consistency of the application with the Town's currently adopted Comprehensive Plan. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which the below requires.

The Town Council shall issue a preliminary plat if it has evaluated an application through a quasi-judicial process and determined that:

1. The plan is consistent with the adopted plans and policies of the town;
2. The plan complies with all applicable requirements of this ordinance;
3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and
4. The plan will not be detrimental to the use or development of adjacent properties or another neighborhood uses

Once all findings have been decided one of the two following motions must be made:

Motion to Approve: *Based upon satisfactory compliance with the above stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative, I move to approve Preliminary Plat Application # S-25-04 with the following conditions:*

1. The preliminary plat shall be contingent on approval of construction plans by staff meeting all applicable regulations/standards.
2. Flood plain development permits shall be obtained for the development of the lots within the 100-year flood plain.
3. A homeowner's association shall maintain all common amenities such as the mailbox kiosk and open space.
4. A stormwater management plan shall be designed to accommodate a minimum of 4,000 sq. ft. per lot.
5. A 30' wide public trail easement shall be provided on the west side of the development in the open space to connect the proposed trail to the northern edge of the plat.

6. The mail kiosk driveway apron shall be in accordance with the Town's Standard Apron Detail.
7. The mail kiosk parking lot shall be setback 10' from the lot line in accordance with UDO Section 10.6.4.6.
8. The homes constructed in the development shall be consistent with the architectural standards approved as part of the conditional zoning.

Motion to Deny: *Based upon failure to meet all of the above stated findings and for reasons stated therein, I move to deny Preliminary Plat Application # S-25-04 for the following stated reason:*

Record of Decision:

Based on a motion and majority vote of the Town of Smithfield Town Council for the Preliminary Plat Application # S-25-04 is hereby:

_____ **approved upon acceptance and conformity with the following conditions:**

1. The preliminary plat shall be contingent on approval of construction plans by staff meeting all applicable regulations/standards.
2. Flood plain development permits shall be obtained for the development of the lots within the 100-year flood plain.
3. A homeowner's association shall maintain all common amenities such as the mailbox kiosk and open space.
4. A stormwater management plan shall be designed to accommodate a minimum of 4,000 sq. ft. per lot.
5. A 30' wide public trail easement shall be provided on the west side of the development in the open space to connect the proposed trail to the northern edge of the plat.
6. The mail kiosk driveway apron shall be in accordance with the Town's Standard Apron Detail.
7. The mail kiosk parking lot shall be setback 10' from the lot line in accordance with UDO Section 10.6.4.6.
8. The homes constructed in the development shall be consistent with the architectural standards approved as part of the conditional zoning.

_____ **denied for the noted reasons.**

Decision made this 15 day of July, 2025 while in regular session.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk



Town of Smithfield

Planning Department

350 E. Market St Smithfield, NC 27577

P.O. Box 761, Smithfield, NC 27577

Phone 919-934-2116

Fax: 919-934-1134

Preliminary Subdivision Application General Information

Development Name The Village on the Neuse

Proposed Use Single Family Residential

Property Address(es) Buffalo Road

Johnston County Property Identification Number(s) and Tax ID Number (s) for each parcel to which these guidelines will apply:

PIN# 169411-67-2119 & 169407-67-8642 TAX ID# 14001001

Project type? ☒ Single Family ☐ Townhouse ☐ Multi-Family ☐ Non-Residential ☐ Planned Unit Development (PUD)

117 Lot Single Family Residential

OWNER/DEVELOPER INFORMATION

Company Name Village on the Neuse, LLC

Owner/Developer Name Eric Villeneuve

Address 1122 Vick Charles Drive, Raleigh, NC 27606

Phone 919-795-0354

Email Eric.Villeneuve@homevestors.com

Fax

CONSULTANT/CONTACT PERSON FOR PLANS

Company Name McCall Engineering Group, PLLC

Contact Name Jeremy McCall

Address 5867 Groometown Road, High Point, NC 27263

Phone 336-870-0940

Email jeremymccallpe@gmail.com

Fax

DEVELOPMENT TYPE AND SITE DATE TABLE (Applicable to all developments)

ZONING INFORMATION

Zoning District(s) R-8

If more than one district, provide the acreage of each:

Overlay District? ☐ Yes ☒ No

Inside City Limits? ☒ Yes ☐ No



FOR OFFICE USE ONLY

File Number: _____ Date Submitted: _____ Date Received: _____ Amount Paid: _____

Project Narrative

As part of a complete application, a written project narrative that provides detailed information regarding your proposal must be included. On a separate sheet of paper, please address each of the lettered items listed below (answers must be submitted in both hard copy and electronic copy using the Adobe .PDF or MS Word .DOCX file formats):

- a) A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates;
- b) A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PIN), and current legal description(s);
- c) A listing of general information including: the proposed name of the subdivision, the number of proposed lots, acreage dedicated for open space or public use, acreage dedicated within rights of way;
- d) A narrative explaining the intent of the project and/or your original or revised vision for the finished product;
- e) A statement showing the proposed density of the project with the method of calculating said density shown;
- f) Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc.) necessary to serve the subdivision;
- g) A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed);
- h) A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated;
- i) Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area;
- j) A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;
- k) A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

STORMWATER INFORMATION			
Existing Impervious Surface	0.00	acres/sf	Flood Hazard Area <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proposed Impervious Surface	7.90	acres/sf	Neuse River Buffer <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Watershed protection Area	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Wetlands <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If in a Flood Hazard Area, provide the FEMA Map Panel # and Base Flood Elevation 3720169400K/127.4'			
NUMBER OF LOTS AND DENSITY			
Total # of Single Family Lots 117		Overall Unit(s)/Acre Densities Per Zoning Districts	
Total # of Townhouse Lots		Acreage in active open space 1.00	
Total # of All Lots 117		Acreage in passive open space 6.58	
SIGNATURE BLOCK (Applicable to all developments)			
<p>In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed subdivision plan as approved by the Town.</p> <p>I hereby designate _____ to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.</p> <p>I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.</p>			
Signature _____		Date 4/4/2025	
Signature _____		Date _____	
REVIEW FEES			
<input checked="" type="checkbox"/> Major Subdivision (Submit 7 paper copies & 1 Digital copy on CD) \$500.00 + \$5.00 a lot			
FOR OFFICE USE ONLY			
File Number: _____ Date Submitted: _____ Date Received: _____ Amount Paid: _____			

INFORMATION TO BE PROVIDED ON PRELIMINARY AND FINAL PLATS.

The preliminary plats shall depict or contain the information indicated in the following table. An "X" indicates that the information is required.

Information	Preliminary Plat
Vicinity map (6" W x 4" H) showing location of subdivision in relation to neighboring tracts, subdivision, roads, and waterways (to include streets and lots of adjacent developed or platted properties). Also include corporate limits, Town boundaries, county lines if on or near subdivision tract.	X
Boundaries of tract and portion to be subdivided, including total acreage to be subdivided, distinctly and accurately represented with all bearings and distances shown.	X
Proposed street layout and right-of-way width, lot layout and size of each lot. Number lots consecutively throughout the subdivision.	X
Name of proposed subdivision.	X
Statement from the Johnston County Health Department that a copy of the sketch plan has been submitted to them, if septic tanks or other onsite water or wastewater systems are to be used in the subdivision, AND/OR statement from the County Public Utilities that application has been made for public water and/or sewer permits.	X
Graphic scale.	X
North arrow and orientation.	X
Concurrent with submission of the Preliminary Plat to the Town, the subdivider or planner shall submit copies of the Preliminary Plat and any accompanying material to any other applicable agencies concerned with new development, including, but not limited to: District Highway Engineer, County Board of Education, U.S. Army Corps of Engineers, State Department of Natural Resources and Community Development, for review and recommendation.	X
List the proposed construction sequence.	X
Storm water plan – see Article 10, Part VI.	X
Show existing contour lines with no larger than five-foot contour intervals.	X
New contour lines resulting from earth movement (shown as solid lines) with no larger than five-foot contour intervals (existing lines should be shown as dotted lines).	X
Survey plat, date(s) survey was conducted and plat prepared, the name, address, phone number, registration number and seal of the Registered Land Surveyor.	X
Names, addresses, and telephone numbers of all owners, mortgagees, land planners, architects, landscape architects and professional engineers responsible for the subdivision (include registration numbers and seals, where applicable).	X
Date of the drawing(s) and latest revision date(s).	X

<i>Information</i>	<i>Preliminary Plat</i>
The owner's name(s) of adjoining properties and Zoning District of each parcel within 100' of the proposed site.	X
State on plans any variance request(s).	X
Show existing buildings or other structures, water courses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining. Show wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or stream beds and any other natural features affecting the site.	X
The exact location of the flood hazard, floodway and floodway fringe areas from the community's FHBM or FIRM maps (FEMA). State the base flood elevation data for subdivision.	X
Show the minimum building setback lines for each lot.	X
Provide grading and landscape plans. Proposed plantings or construction of other devices to comply with the screening requirements of Article 10, Part II.	X
Show location of all proposed entrance or subdivision signage (see Section 10.23.1).	X
Show pump station detail including any tower, if applicable.	X
Show area which will not be disturbed of natural vegetation (percentage of total site).	X
Label all buffer areas, if any, and provide percentage of total site.	X
Show all riparian buffer areas.	X
Show all watershed protection and management areas per Article 10, Part VI.	X
Soil erosion plan.	X
Show temporary construction access pad.	X
Outdoor illumination with lighting fixtures and name of electricity provider.	X
The following data concerning proposed streets:	
Streets, labeled by classification (see Town of Smithfield construction standards) and street name showing linear feet, whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths, approximate grades and typical street cross-sections. Private roads in subdivisions shall also be shown and clearly labeled as such.	X
Traffic signage location and detail.	X
Design engineering data for all corners and curves.	X
For office review; a complete site layout, including any future expansion anticipated; horizontal alignment indicating general curve data on site layout plan; vertical alignment indicated by percent grade, PI station and vertical curve length on site plan layout; the District Engineer may require the plotting of the ground profile and grade line for roads where special conditions or problems exist; typical section indicating the pavement design and width and the slopes, widths and details for either the curb and gutter or the shoulder and ditch proposed; drainage facilities and drainage.	X

Information	Preliminary Plat
Type of street dedication; all streets must be designated public. (Where public streets are involved which will be dedicated to the Town, the subdivider must submit all street plans to the UDO Administrator for approval prior to preliminary plat approval).	X
When streets have been accepted into the municipal or the state system before lots are sold, a statement explaining the status of the street in accordance with the Town of Smithfield construction standards.	X
If any street is proposed to intersect with a state maintained road, a copy of the application for driveway approval as required by the Department of Transportation, Division of Highways Manual on Driveway Regulations. (1) Evidence that the subdivider has applied for such approval. (2) Evidence that the subdivider has obtained such approval.	X X X
The location and dimensions of all:	
Utility and other easements.	X
Pedestrian and bicycle paths.	X
Areas to be dedicated to or reserved for public use.	X
The future ownership (dedication or reservation for public use to governmental body or for owners to duly constituted homeowners' association) of recreation and open space lands.	X
Required riparian and stream buffer per Article 10, Part VI.	X
The site/civil plans for utility layouts including:	
Sanitary sewers, invert elevations at manhole (include profiles).	X
Storm sewers, invert elevations at manhole (include profiles).	X
Best management practices (BMPs)	X
Stormwater control structures	X
Other drainage facilities, if any.	X
Impervious surface ratios	X
Water distribution lines, including line sizes, the location of fire hydrants, blow offs, manholes, force mains, and gate valves.	X
Gas lines.	X
Telephone lines.	X
Electric lines.	X
Plans for individual water supply and sewage disposal systems, if any.	X
Provide site calculations including:	
Acreage in buffering/recreation/open space requirements.	X
Linear feet in streets and acreage.	X
The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is located on the US Department of Interior's National Register of Historic Places.	X

Information	Preliminary Plat
Sufficient engineering data to determine readily and reproduce on the ground every straight or curved line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles and tangent distance for the center line of curved property lines that is not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.	X
The accurate locations and descriptions of all monuments, markers, and control points.	X
Proposed deed restrictions or covenants to be imposed upon newly created lots. Such restrictions are mandatory when private recreation areas are established. Must include statement of compliance with state, local, and federal regulations.	X
A copy of the erosion control plan submitted to the Regional Office of NC- DNRCD, when land disturbing activity amounts to one acre or more.	X
All certifications required in Section 10.117.	X
Any other information considered by either the subdivider, UDO Administrator, Planning Board, or Town Council to be pertinent to the review of the plat.	X
Improvements guarantees (see Section 5.8.2.6).	

FOR OFFICE USE ONLY			
File Number: _____	Date Submitted: _____	Date Received: _____	Amount Paid: _____

REQUIRED FINDING OF FACT

Article 4 of the Town of Smithfield Unified Development Ordinance requires applications for a preliminary subdivision plat approval to address the following findings. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which this section requires. The Town Council shall grant preliminary subdivision approval if it has evaluated an application through a quasi-judicial process and determined that:

- 1) The plan is consistent with the adopted plans and policies of the town;

- 2) The plan complies with all applicable requirements of this ordinance;

- 3) There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; and

- 4) The plan will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

Village on the Neuse
Preliminary Subdivision Application
Project Narrative

- a) A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates;

Eric Villeneuve (Developer)-1122 Vick Charles Drive Raleigh, NC 27606, 919-795-0354

Jeremy McCall (Engineer)-5867 Groometown Road, High Point, NC 27263, 336-870-0940

- b) A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PIN), and current legal description(s);

Buffalo Road just north of Holland Drive. 32.998 Acres, PIN 169411-67-2119 and 169407-67-8642. See attached deed for legal descriptions.

- c) A listing of general information including: the proposed name of the subdivision, the number of proposed lots, acreage dedicated for open space or public use, acreage dedicated within rights of way;

The Village on the Neuse, 117 Single Family Lots with 7.58 Acres of open space. +/-8 acres of dedicated right of way.

- d) A narrative explaining the intent of the project and/or your original or revised vision for the finished product;

The project will develop the existing vacant land into a 117 lot single family residential subdivision.

- e) A statement showing the proposed density of the project with the method of calculating said density shown;

The proposed density will be 4.296 acres of buildings and 3.606 acres of roads and driveways. A total of 7.902 acres of impervious area or 23.95%.
 $7.902/32.998=23.94\%$.

- f) Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc.) necessary to serve the subdivision;

The subdivision will be constructed in one phase and include gravity sewer, public water, 5' sidewalk on one side of the street and 20' wide paved road.

- g) A narrative addressing concerns/issues raised by neighboring properties (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed);

At the rezoning meeting concerns of the management of the stormwater that crosses the property was mentioned. The Engineer will be sure that that the stormwater that crosses the property will be properly conveyed and that the discharge will be in a manner to not harm downstream properties.

- h) A description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated;

There are 7.58 acres being dedicated as open space along the Neuse River to provide areas for a walking trail. This area is being dedicated as open space to protect the existing floodplain and stream buffers.

- i) Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area;

A traffic study was developed and roadway improvements required by NCDOT will be addressed. The City's Utilities are adequate for the additional 117 lots.

- j) A description of proposed parks and/or open space. Please include a brief statement on the proposed ownership and maintenance of said areas;


The Open Space area will include an access easement for a future Greenway along the Neuse River.

- k) A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

Construction is scheduled to start in August of 2025 and the roads, utilities and open space will be constructed in one phase with an anticipated completion date of December 2027.

SITE SIZE AND COVERAGES

TOTAL ACREAGE:	40.82± ACRES
SITE COVERAGES:	
BUILDING TO LAND	28.31 %
PAVEMENT TO LAND	11.52 %
OPEN SPACE	60.16 %
TOTAL	(100%)
BUILDING SQUARE FOOTAGE: 4600 SQ. FT. (APPROX PER LOT, INCLUDES DRIVES, WALKS, & PATIOS)	
BUILDING HEIGHT: 35 FT. MAXIMUM	
DENSITY: 117 LOTS/40.82± AC. = 2.87± LOTS/AC.	

[illegible]

VICINITY MAP

SCALE: 1" = 2000'

GENERAL SITE PLAN NOTES:

1. IDENTIFICATION AND LOCATION OF ALL EXISTING UTILITIES IN AND NEAR THE AREAS OF PROPOSED WORK IS THE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UTILITIES, WHETHER KNOWN OR NOT SHOWN ON THIS PLAN IS THE CONTRACTOR'S RESPONSIBILITY.
2. CONTRACTOR MUST CONTACT NC ONE-CALL, PUBLIC WORKS DEPARTMENT, AND OTHER SERVICE PROVIDERS TO OBTAIN LOCATION AND DEPTH INFORMATION FOR ALL UTILITIES.
3. MOSSY AND TOPOGRAPHIC INFORMATION PROVIDED BY CANTHORNE BOUNDARY AND PROFESSIONAL LAND SURVEYORS.
4. BOUNDARY INVESTIGATION WAS PROVIDED BY MCCALL ENGINEERING, PLLC.
5. CONTRACTOR TO SEED AND STABILIZE DISTURBED AREAS IN ACCORDANCE WITH THE NC DEPARTMENT OF TRANSPORTATION COUNTY, ALL UTILITY & ROADWAY CONSTRUCTIONS SHALL COMPLY WITH STANDARDS AND SPECIFICATIONS OF NDOT.
6. WORKING WITHIN PUBLIC CONTROL REQUIREMENTS, A SAFE CONSTRUCTION SHALL BE PROVIDED AT ALL TIMES.
7. CONTRACTOR IS RESPONSIBLE FOR ANY REQUIRED UTILITY RELOCATION. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY SERVICES WITH THE APPROPRIATE UTILITY PROVIDERS.
8. EXISTING AND NEW CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED PER THE LATEST STANDARDS OF THE LAND QUALITY SECTION OF NCDEQ AND JOHNSON COUNTY.
9. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ANY EXISTING AND NEW CONTROL MEASURES.
10. THAT WORKERS AND THE PUBLIC ARE PROTECTED FROM INJURY.
11. WETLANDS WERE NOT FOUND ON SITE.
12. WATER AND SEWER PERMITS WILL BE OBTAINED.

VILLAGE OF THE NEUSE
PRELIMINARY PLAT EAST
JOHNSTON COUNTY
NORTH CAROLINA

0 30' 60' 120'

SCALE 1" = 60' — HORZ.

[illegible]

Village on the Neuse

File Number:

S-25-04

Project Name:

Village on the Neuse

Location:

Frontage on Buffalo Rd
Adj. to Everett Lane
& Holland Dr

Tax ID#:

14001001
14075011A

Existing Zoning:

R-8
CZ

Owner/Applicant:

Village on the
Neuse, LLC



1 in = 423 ft

Map created by Chloee Allen
Planner | on 9/16/2024



I, L. JORDAN PARKER, JR. CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION FROM REFERENCES AS NOTED HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION SHOWN IN THE REFERENCES; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS GREATER THAN 1:10000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL

THIS 10TH DAY OF JULY A.D. 2024.

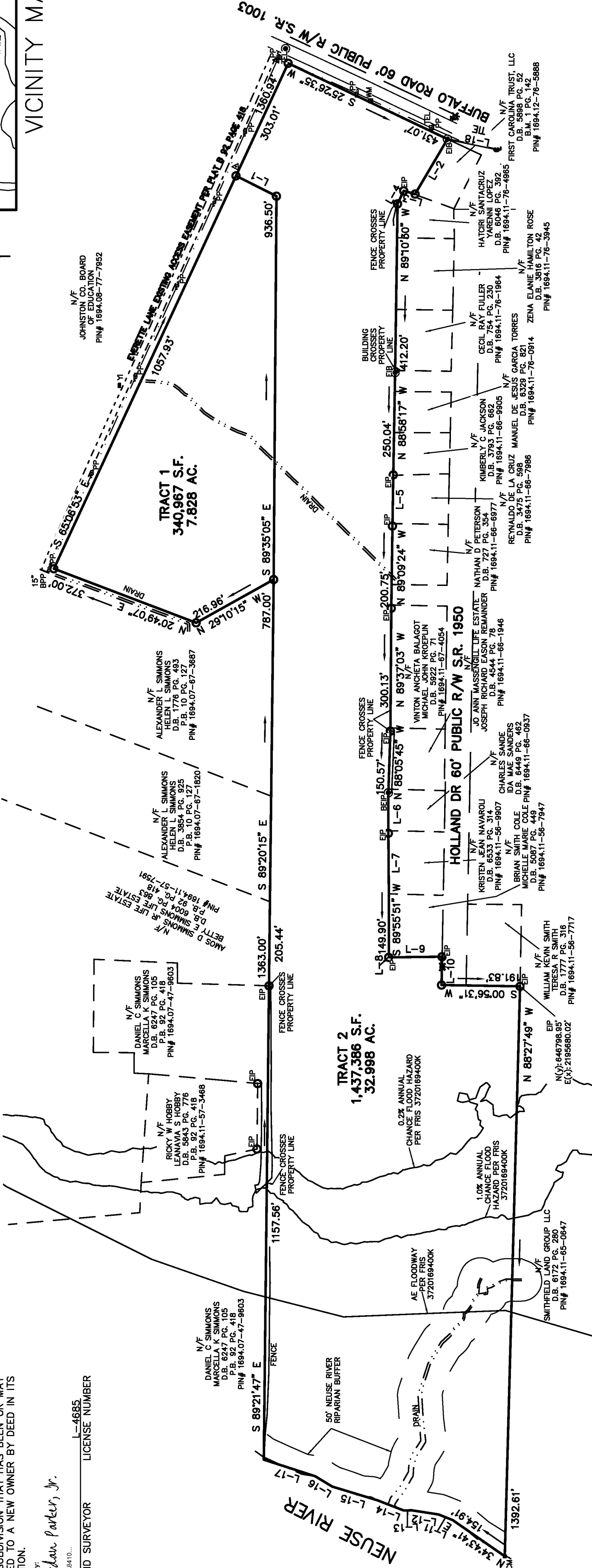
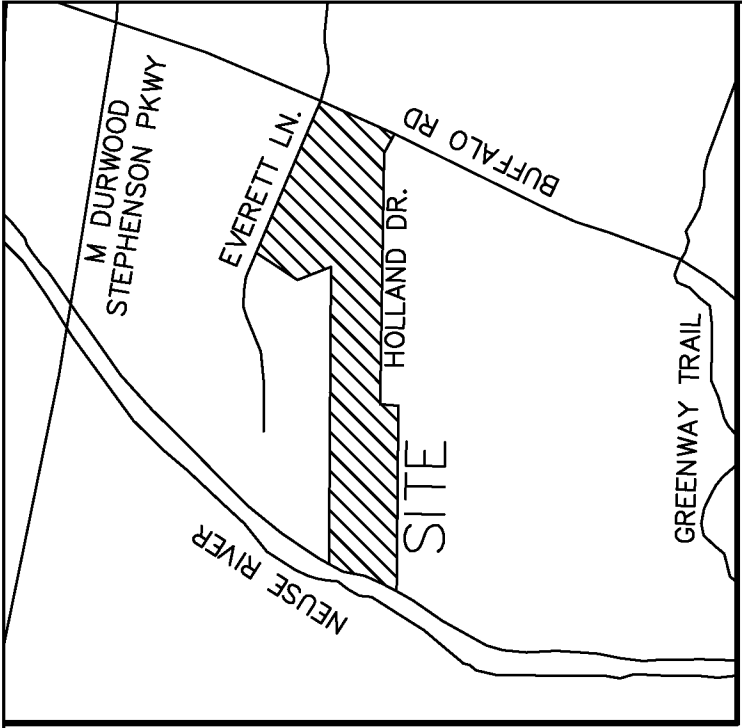
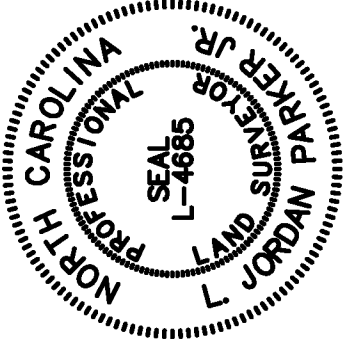
DocuSigned by:
Larry Jordan Parker, Jr.
AF5DC1951AA8410...

PROFESSIONAL LAND SURVEYOR
L-4685
LICENSE NUMBER

THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. FOR THE PURPOSES OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE, LEGAL DESCRIPTION OR LEGALLY RECORDED SUBDIVISION THAT HAS BEEN OR MAY BE LEGALLY CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

DocuSigned by:
Larry Jordan Parker, Jr.
AF5DC1951AA8410...

PROFESSIONAL LAND SURVEYOR
L-4685
LICENSE NUMBER

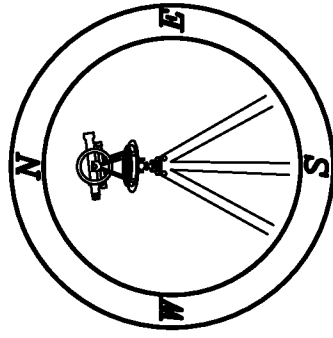


LINE TYPE LEGEND

---	PROPERTY LINE - LINE SURVEYED
---	ADJOINING LINE - LINE NOT SURVEYED
---	OVERHEAD LINE
---	BUILDING SETBACK
---	EXISTENT
---	FLOOD HAZARD SOILS

NOTES:

- 1) AREA COMPUTED BY COORDINATE METHOD.
- 2) THERE IS NO NCGS MONUMENT WITHIN 2000' OF THIS PROPERTY.
- 3) THIS PROPERTY MAY BE SUBJECT TO NEUSE RIVER RIPARIAN BUFFER RULES, CALL N.C. DIVISION OF WATER QUALITY TO VERIFY (919-791-4200).
- 4) THERE SHALL BE NO FILLING OR THE ERECTION OF PERMANENT STRUCTURES IN THE AREAS OF JOHNSTON COUNTY FLOOD HAZARD SOILS OR FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) 100 YEAR FLOOD ZONES UNTIL A FLOOD STUDY IS APPROVED BY WAKE COUNTY OR FEMA.



PROFESSIONAL LAND SURVEYORS, C-1525, 333 S. WHITE STREET, P.O. BOX 1253, WAKE FOREST N.C., 27588, (919) 556-3148

SURVEY FOR
NEW VILLAGE, LLC

OWNER: WILLIAM M HOLLAND JR

REF: D.B. 3456 PAGE 594

REF: D.B. 755 PAGE 461

REF: LAND BOOK 6 PAGE 425

TOWN OF SMITHFIELD

JOHNSTON COUNTY, NORTH CAROLINA



JUNE 26, 2024

ZONED -20A

PIN# 1694.11-67-2119

PIN# 1694.07-67-8642

LEGEND:

- EIP - EXISTING IRON PIPE
- EIB - EXISTING IRON BAR
- BEIP - BENT IRON PIPE
- BEIB - BENT IRON BAR
- CM - CONCRETE MONUMENT
- SPK - EXISTING SPK NAIL
- R/W - RIGHT OF WAY
- NIP - NEW IRON PIPE SET
- CATV - CABLE TV BOX
- EB - ELECTRIC BOX
- TEL - TELEPHONE PEDESTAL
- PH - POWER POLE
- LP - LIGHT POLE
- WM - WATER METER
- WV - WATER VALVE
- CC - SEWER CLEAN-OUT
- CC - CONCRETE
- WM - WOOD
- FH - FIRE HYDRANT

LINE TABLE

LINE	BEARING	DISTANCE
L-1	S 26°42'31" W	110.56'
L-2	N 59°28'00" W	155.79'
L-3	S 15°28'30" W	28.60'
L-4	N 60°52'15" W	37.66'
L-5	N 89°03'09" W	125.00'
L-6	S 89°59'53" W	99.02'
L-7	S 89°36'07" W	150.29'
L-8	N 81°30'09" W	3.07'
L-9	S 00°39'45" E	130.49'
L-10	N 88°55'15" W	69.10'
L-11	N 21°44'47" E	36.85'
L-12	N 08°51'56" E	67.50'
L-13	N 02°17'24" W	18.52'
L-14	N 21°12'32" E	69.04'
L-15	N 16°53'28" E	115.48'
L-16	N 31°17'07" E	48.55'
L-17	N 17°51'48" E	132.33'
L-18	N 11°44'05" E	126.07'

VILLAGE ON THE NEUSE LLC
1122 VICK CHARLES DR
RALEIGH, NC 27606-3338

SIMMONS, ALEXANDER L.
110 EVERETTE LN
SMITHFIELD, NC 27577-5570

SIMMONS, ALEXANDER L.
110 EVERETTE LN
SMITHFIELD, NC 27577-5570

SIMMONS, ALEXANDER L.
110 EVERETTE LN
SMITHFIELD, NC 27577-5570

WHITEGATE INVESTMENT PROPERTIES
PO BOX 1203
SMITHFIELD, NC 27577-0000

SIMMONS, ALEXANDER L
SIMMONS, HELEN L
110 EVERETT LANE
SMITHFIELD, NC 27577-5570

VILLAGE ON THE NEUSE LLC
1122 VICK CHARLES DR
RALEIGH, NC 27606-3338

BALAGOT, VINTON ANCHETA
KROEPLIN, MICHAEL JOHN
260 HOLLAND DR
SMITHFIELD, NC 27577-7217

FULLER, CECIL RAY
100 HOLLAND DR
SMITHFIELD, NC 27577-7257

JOHNSTON CO BOARD OF EDUCATION
2320 BUS US 70 E
PO BOX 1336
SMITHFIELD, NC 27577-0000

FIRST CAROLINA TRUST, LLC
2200 SHADY BIRCH LN
GARNER, NC 27529-5049

TORRES, MANUEL DE JESUS GARCIA
120 HOLLAND DR
SMITHFIELD, NC 27577-7257

JACKSON, KIMBERLY C
140 HOLLAND DR
SMITHFIELD, NC 27577-0000

DE LA CRUZ, REYNALDO
180 HOLLAND DRIVE
SMITHFIELD, NC 27577-7257

ROSE, ZENA ELANIE HAMILTON
PO BOX 2054
SMITHFIELD, NC 27577-0000

SANTACRUZ, HATCIRI YARENNI LOPEZ
42 HOLLAND DR
SMITHFIELD, NC 27577-7216

NOTE: Turn off 'Fit to Page' in print dialog before printing.

**Label Type: AV5160
16 label(s) printed**

VILLAGE ON THE NEUSE LLC
1122 VICK CHARLES DR
RALEIGH, NC 27606-3338

DAUGHTRY, BARRY CLIFTON
ATKINSON, AMY DAUGHTRY
600 WILSONS MILLS RD
SMITHFIELD, NC 27577-3254

SIMMONS, AMOS D. JR. LIFE ESTATE
SIMMONS, BETTY E. LIFE ESTATE
125 EVERETTE LN
SMITHFIELD, NC 27577-5570

SIMMONS, JASON BLAIR
250 EVERETTE LN
SMITHFIELD, NC 27577-5571

HOBBY, RICKY W.
HOBBY, LEANAVIA S.
302 EVERETTE LN
SMITHFIELD, NC 27577-5574

SMITH, WILLIAM FREDERICK
SMITH, DEBRA CORE
301 HOLLAND DRIVE
SMITHFIELD, NC 27577-7258

SMITHFIELD LAND GROUP, LLC
2075 JUNIPER LAKE RD
WEST END, NC 27376-8919

HOBBY, LEANAVIA S.
HOBBY, RICKY W.
302 EVERETTE LN
SMITHFIELD, NC 27577-5574

SIMMONS, ALEXANDER L.
110 EVERETTE LN
SMITHFIELD, NC 27577-5570

VILLAGE ON THE NEUSE LLC
1122 VICK CHARLES DR
RALEIGH, NC 27606-3338

KINSLEY GROUP, LLC
9220 FAIRBANKS DR STE 220
RALEIGH, NC 27613-1406

VELA, JACINTO ARCEO
AGUSTIN, MARIA D
327 HOLLAND DRIVE
SMITHFIELD, NC 27577-0000

WHITEGATE INVESTMENT PROPERTIES
PO BOX 1203
SMITHFIELD, NC 27577-0000

MASSENGILL, JO ANN LIFE ESTATE
EASON, JOSEPH RICHARD REMAINDER
306 HOLLAND DR
SMITHFIELD, NC 27577-7258

ZAMARRIPA, KARLA ESTEFANI GAMEZ
189 HOLLAND DR
SMITHFIELD, NC 27577-7257

DEVERS, DARRELL
243 HOLLAND DR
SMITHFIELD, NC 27577-7217

NAVAROLI, KRISTEN JEAN
356 HOLLAND DR
SMITHFIELD, NC 27577-7258

SIMMONS, ALEXANDER L
SIMMONS, HELEN L
110 EVERETT LANE
SMITHFIELD, NC 27577-5570

SANDERS, CHARLES
SANDERS, IDA MAE
334 HOLLAND DR
SMITHFIELD, NC 27577-7258

SMITH, WILLIAM KEVIN
SMITH, TERESA R
389 HOLLAND DR
SMITHFIELD, NC 27577-0000

YANELLO, ROBERT W. JOINT TENANTS (WROS)
YANELLO, JOHN E. JOINT TENANTS (WROS)
388 HOLLAND DR
SMITHFIELD, NC 27577-7258

BRYAN, KATHY M.
905 OCEAN PINES CT
N MYRTLE BCH, SC 29582-4498

BALAGOT, VINTON ANCHETA
KROEPLIN, MICHAEL JOHN
260 HOLLAND DR
SMITHFIELD, NC 27577-7217

PIPKIN, JOAN GODWIN
239 HOLLAND DR
SMITHFIELD, NC 27577-0000

AE&E PROPERTIES, LLC
5529 NC HIGHWAY 39
SELMA, NC 27576-8529

SIMMONS, DANIEL C.
SIMMONS, MARCELLA K.
1325 FOUR WINDS DR
RALEIGH, NC 27615-4424

FULLER, CECIL RAY
100 HOLLAND DR
SMITHFIELD, NC 27577-7257

PALESTINA, EDUARDO PEREZ
GARCIA, LAURA AGUILAR
169 HOLLAND DR
SMITHFIELD, NC 27577-7257

JAMS PROPERTIES LLC
849 PARKRIDGE DR
CLAYTON, NC 27527-5309

STEPHENSON, DOROTHY W
STEPHENSON, MICHAEL PAUL
67 HOLLAND DR
SMITHFIELD, NC 27577-7216

GATES GROUP OF JOHNSTON COUNTY, LLC
300 CITATION LN
SMITHFIELD, NC 27577-8738

ROW OF SELMA
SELMA, NC 27576-0000

Label Type: AV5160
61 label(s) printed

CREECH, MERLEON G
ARTHUR, MERLEON TERESA CREECH
PO BOX 39
PINE LEVEL, NC 27568

SIEGEL, STEPHANIE LEIGH JOINT TENANTS
(WROS)
KIP, CHAD CHRISTOPHER JOINT TENANTS
(WROS)
205 LAKESHORE DR
PLEASANT VLY, NY 12569-5603

JOHNSTON CO BOARD OF EDUCATION
2320 BUS US 70 E
PO BOX 1336
SMITHFIELD, NC 27577-0000

ANDINO, JHONNY VENTURA JOINT TENANTS
(WROS)
ZAVALA, RITA ANDINO JOINT TENANTS (WROS)
3 WOODSDALE DR
SMITHFIELD, NC 27577-8369

CAREY, JORDAN
CAREY, ASHLEY
105 PARKWAY DR
SMITHFIELD, NC 27577-8332

CRESCENT INVESTMENTS, llc
PO BOX 1457
SMITHFIELD, NC 27577-1457

L M R RENTAL
201 S BRIGHTLEAF BLVD SUITE 1
SMITHFIELD, NC 27577-0000

CAREY, JORDAN
CAREY, ASHLEY
105 PARKWAY DR
SMITHFIELD, NC 27577-8332

BRYAN, KATHY M.
905 OCEAN PINES CT
N MYRTLE BCH, SC 29582-4498

CAREY, JORDAN
CAREY, ASHLEY
105 PARKWAY DR
SMITHFIELD, NC 27577-8332

LAMPE, GUY L.
LAMPE, ROSS W.
PO BOX 608
SMITHFIELD, NC 27577-0608

TERCHERIA, JOHN C. JR.
TERCHERIA, FARZANEH M.
108 BEXLEY WAY
CLAYTON, NC 27527-3345

HART, STEPHEN J
HART, REBECCA A
1374 BUFFALO RD
SMITHFIELD, NC 27577-0000

TERCHERIA, JOHN C. JR.
TERCHERIA, FARZANEH M.
108 BEXLEY WAY
CLAYTON, NC 27527-3345

FIRST CAROLINA TRUST, LLC
2200 SHADY BIRCH LN
GARNER, NC 27529-5049

TORRES, MANUEL DE JESUS GARCIA
120 HOLLAND DR
SMITHFIELD, NC 27577-7257

JACKSON, KIMBERLY C
140 HOLLAND DR
SMITHFIELD, NC 27577-0000

DE LA CRUZ, REYNALDO
180 HOLLAND DRIVE
SMITHFIELD, NC 27577-7257

TART, MARTHA LYNN LIFE ESTATE
CARTAGENA, YANETT REMAINDER
131 HOLLAND DR
SMITHFIELD, NC 27577-7257

COX, LARRY E. DBA
C & S PROPERTIES
110 WILSONS MILLS RD
SMITHFIELD, NC 27577-3244

ROSE, ZENA ELANIE HAMILTON
PO BOX 2054
SMITHFIELD, NC 27577-0000

VEYMA PROPERTIES, LLC
2121 SOARING EAGLE CT
WENDELL, NC 27591-7669

BARBOUR, B LINCOLN
1222 BUFFALO RD
SMITHFIELD, NC 27577-7443

SANTACRUZ, HATCIRI YARENNI LOPEZ
42 HOLLAND DR
SMITHFIELD, NC 27577-7216

ULLOA, ROBERTO
DE JOYA, CARMEN M
1247 BUFFALO RD
SMITHFIELD, NC 27577

TERCHERIA, JOHN C. JR.
TERCHERIA, FARZANEH M.
108 BEXLEY WAY
CLAYTON, NC 27527-3345

STEVEN, JOSE JR.
GORILLA BROADCASTING NC LLC
1270 BUFFALO RD
SMITHFIELD, NC 27577-7443

BRYAN, MICHAEL D
905 OCEAN PINES CT
N MYRTLE BCH, SC 29582-4498



PLANNING DEPARTMENT

Micah Woodard, Planner I

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Micah Woodard, hereby certify that the property owner and adjacent property owners of the following petition, S-25-04, ZA-25-02, RZ-25-01, and CZ-25-03 were notified by First Class Mail on 7/3/25 of the Public Hearing on July 15th, 2025.

Signature

Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Micah Woodard personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

3rd day of July, 2025

Notary Public Signature

Notary Public Name



Commission expires on 1-15-2028

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S-25-04 Village on the Neuse Preliminary Plat: Public hearing to review a request by Village on the Neuse, LLC for a preliminary plat of 32.9 acres of land in the R-8 CZ (Single, Two, and Multi-family Residential) Conditional Zone, located on Buffalo Road near Holland Drive and Everitt Lane. Also identified by the Johnston County Tax ID 14075011A, and 14001001 into 117 single family lots.

ZA-25-02 B-3 Maximum Building Height Text Amendment: Unified Development Ordinance (UDO) text amendment request by Brown Investment Properties, Inc to amend UDO Article 8, Section 8.91. to increase the maximum height in the B-3 Highway Entranceway Business District from forty feet (40') to fifty (50').

RZ-25-01 Clarius Industrial Park: Clarius Partners, LLC is requesting a general rezoning of the ±74.26 acre tract identified by Johnston County Tax ID 17J07032 from the existing B-3 (Highway Business) / R-20A (Residential Agricultural) Zoning Districts to LI (Light Industrial).

CZ-25-03 Mallard Crossing: Mallard Smithfield NC, LLC is requesting approval of an amended R-8 conditional rezoning master plan of 468.9-acres of land which will include 1,327 residential units: 873 single-family detached, 454 single-family attached (townhomes). The proposed plan is nine tracts located along Mallard Road.

All interested people are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the office if you need assistance. Further inquiries regarding this matter may be directed to the Town of Smithfield at (919) 934-2116 ext. 1109 or online at www.smithfield-nc.com.

The Johnstonian
June 25, 2025

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The Johnstonian
July 2, 2025



Request for Town Council Action

Public Hearing: ZA-25-02

Date: 07/15/2025

Subject: Zoning Text Amendment

Department: Planning Department

Presented by: Planning Director - Stephen Wensman

Presentation: Public Hearing

Issue Statement

Request by Brown Investment Properties, Inc to amend the Unified Development Ordinance Article 8, Section 8.91 to increase the maximum height in the B-3 Highway Entranceway Business District from forty feet (40') to fifty (50').

Financial Impact

None.

Action Needed

The Town Council is respectfully requested to review the zoning text amendment and to decide whether to approve, approve with changes, or deny the request.

Recommendation

Planning Staff recommend approval of the zoning text amendment ZA-25-02 with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff report
2. Draft Zoning Text Amendment
2. Consistency Statement
3. **Request for Amendment**
4. Application
5. Adjacent Property Owners Notice Certifications
6. Legal Ads



Staff Report

Public ZA-25-02
Hearing:

OVERVIEW:

The maximum height in the B-3 Highway Entranceway Business District is currently 40 feet. The definition of building height in the UDO is:

The vertical distance from the average finished grade (prior to the addition of any fill) of the building lot to the highest point of the building. The average grade will be based on the condition of the lot prior to the date of adoption of this ordinance.

The applicant would like to increase the maximum building height in the B-3 District from 40' to 50'. The applicant received a special use permit for the Stadler Station apartments and found the existing maximum height regulation to be too restrictive for their project. The applicant is planning to utilize fill soil to raise the site and plans on utilizing a 4:12 or 5:12 pitched roof for the apartment buildings which will result in a building height that exceeds current town standards. Without the increase in building height, the planned three-story apartment would not be feasible.

Currently within the B-3 District, the building height can exceed 40'; up to 100' when the site is within 660' of I-95.

The Town's definition of building height differs from the 2018 NC State Building Code's definition; rather than measuring to the peak of the roof, NC State Building Code measures to the midpoint of the roof. The town's definition is consistent with those of several other towns in Johnston County.

As the applicant noted, the comprehensive plan anticipated the need for an increase in building height to support economic development. There are no Fire Safety issues with the maximum building height increase. There have several recent residential projects associated with conditional zoning that have requested a 50' maximum height, including the recent Local 70 project.

DRAFT AMENDMENT:

8.9.1. - Dimensional Requirements.

(A) Minimum Lot Area <ul style="list-style-type: none">• Major shopping center• Minor shopping center• Other building or use	12,000 sq ft 12,000 sq ft 12,000 sq ft
(B) Minimum Lot Frontage <ul style="list-style-type: none">• Major shopping center• Minor shopping center• Other building or use	200 lin ft 125 lin ft 125 lin ft
(C) Front Yard Setback <ul style="list-style-type: none">• Major shopping center• Minor shopping center• Other building or use	100/50 ft (see Sec. 8.9.2.1) 50/35 ft (see Sec. 8.9.2.2) 50/35 ft (see Sec. 8.9.2.2)
(D) Side Yard Setback <ul style="list-style-type: none">• Major shopping center• Minor shopping center• Other building or use	50 ft 15 ft (see Sec. 8.8.2.3) 8 ft (see Sec. 8.8.2.3)
(E) Rear Yard Setback <ul style="list-style-type: none">• Major shopping center• Minor shopping center• Other building or use	50 ft 25 ft 25 ft
(F) Maximum Building Height	50 ft -49 ft (see Sec. 8.13.6)
(G) Accessory Buildings Setback	10 ft (see Sec. 8.13.2)

CONSISTENCY STATEMENT (STAFF OPINION):

Staff finds the zoning text amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDATION:

Planning Staff recommend approval of the zoning text amendment ZA-25-02, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest.

STAFF RECOMMENDED MOTION:

"Move to approve zoning text amendment, ZA-25-02, amending Article 8, Section 8.9.1, finding the amendment consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest."

ORDINANCE # ZA-25-02
AN ORDINANCE TO AMEND THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ARTICLE 10, SECTION 8.9.1 TO INCREASE THE MAXIMUM
BUILDING HEIGHT IN THE B-3 ZONING DISTRICT FROM 40'
TO 50'.

WHEREAS, the Smithfield Town Council wishes to amend certain provisions in the Town of Smithfield Unified Development Ordinance by making changes to Unified Development Ordinance Article 10, Section 8.9.1.- Dimensional Requirements.

WHEREAS, it is the objective of the Smithfield Town Council to have the UDO promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;


NOW, THEREFORE, be it ordained that the following Articles are amended to make the following changes set forth in the deletions (strikethroughs) and additions (double underlining) below:

PART 1

[Revise Article 10, Section 8.9.1. to 1 to increase the maximum building height in the B-3 zoning district from 40' to 50']

Sec. 8.9.1. - Dimensional Requirements.

(A) Minimum Lot Area • Major shopping center • Minor shopping center • Other building or use	12,000 sq ft 12,000 sq ft 12,000 sq ft
(B) Minimum Lot Frontage • Major shopping center • Minor shopping center • Other building or use	200 in ft 125 in ft 125 in ft
(C) Front Yard Setback • Major shopping center • Minor shopping center • Other building or use	100/50 ft (see Sec. 8.9.2.1) 50/35 ft (see Sec. 8.9.2.2) 50/35 ft (see Sec. 8.9.2.2)
(D) Side Yard Setback • Major shopping center • Minor shopping center • Other building or use	50 ft 15 ft (see Sec. 8.9.2.3) 8 ft (see Sec. 8.9.2.3)
(E) Rear Yard Setback • Major shopping center • Minor shopping center • Other building or use	50 ft 25 ft 25 ft
(F) Maximum Building Height	<u>50 ft</u> 40 ft (see Sec. 8.13.6)
(G) Accessory Buildings Setback	10 ft (see Sec. <u>8.13.2</u>)
<div style="display: flex; align-items: center;"> <div style="width: 15px; height: 10px; background-color: #2e8b57; margin-right: 5px;"></div> <div style="font-size: 8px;">EXISTING BUILDING</div> </div> <div style="display: flex; align-items: center;"> <div style="width: 15px; height: 10px; background-color: #90ee90; margin-right: 5px;"></div> <div style="font-size: 8px;">PROPOSED BUILDING</div> </div>	



B-3 Highway Entranceway Building

PART 2

That the Unified Development Ordinance shall be page numbered and revision dated as necessary to accommodate these changes.

PART 3

That these amendments of the Unified Development Ordinance shall become effective upon adoption.

Duly adopted this the 15th of July, 2025.

M. Andy Moore, Mayor

ATTEST

Elaine Andrews, Town Clerk

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
ZA-25-02**

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Town Council, upon acting on a zoning ordinance amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD TOWN COUNCIL AS APPROPRIATE:

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE AMENDMENT,

That the final action regarding zoning ordinance amendment ZA-25-02 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the regularly scheduled meeting of Town Council; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council at their regularly scheduled meeting. Therefore, the ordinance amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO RECOMMEND APPROVAL OF THE ORDINANCE FAILS,

That the final action regarding zoning ordinance amendment ZA-25-02 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning ordinance amendment does not promote this and therefore is neither reasonable nor in the public interest.

SMITH, ANDERSON, BLOUNT,
DORSETT, MITCHELL & JERNIGAN, L.L.P.

LAWYERS

OFFICES

Wells Fargo Capitol Center
150 Fayetteville Street, Suite 2300
Raleigh, North Carolina 27601

JAMES R. TODD

DIRECT DIAL: (919) 821-6727

E-Mail: jtodd@smithlaw.com

MAILING ADDRESS

P.O. Box 2611
Raleigh, North Carolina
27602-2611

June 4, 2025

TELEPHONE: (919) 821-1220

FACSIMILE: (919) 821-6800

VIA FEDEX OVERNIGHT

Town of Smithfield Planning Department
350 East Market Street
Smithfield, North Carolina 27577
Attn: Stephen Wensman, Planning Director
(919.934.2116 ext. 1114)

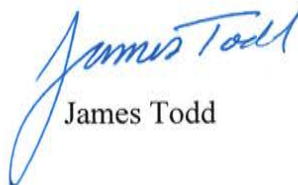
Re: *Petition for Amendment to the UDO – Brown Investment Properties, Inc.*
Our File: 13578.30

Stephen:

Enclosed are the Petition for Amendment to the UDO on behalf of our client Brown Investment Properties, Inc., a Statement of Justification in support of the Petition, and a check in the amount of \$400 for the application fee.

Please let me know if anything further is required from our end for the application to be processed.

Thank you,


James Todd

Enclosure





Town of Smithfield
Planning Department
350 E. Market St Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

Petition for Amendment to the Unified Development Ordinance

Pursuant to Article 4 of the Town of Smithfield Unified Development Ordinance, Proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. The application for any amendment shall contain a description of the proposed zoning regulation.

APPLICANT INFORMATION:

Brown Investment Properties, Inc. 1007 Battleground Ave., Suite 401

Petitioner's Name

Address or PO Box

Greensboro, NC 27408

336-379-8771

City, State, Zip Code

Telephone

Proposed amendment to the Town of Smithfield Unified Development Ordinance:

Amend Section 8.9.1(F) of the UDO to increase maximum height in B-3

Highway Entranceway Business District from forty feet (40') to fifty (50') feet.

(Attach additional sheets as necessary)

This application must be accompanied by a Statement of Justification which addresses the following:

1. How the amendment proposed would serve the public interest or correct an obvious error in the existing ordinance.
2. How the amendment proposed will enhance or promote the purposes and goals of the adopted plans and policies of the governing body.

The undersigned hereby authorizes the filing of this petition and certifies that the information contained herein stands alone based on the merits of this request and is accurate to the best of their knowledge and belief.

Signature of Petitioner

5/14/2025

Date

FOR OFFICE USE ONLY

File Number: _____

Date Received: _____

Amount Paid: _____



Statement of Justification
in support of
Petition for Amendment to the Unified Development Ordinance

Petitioner Brown Investment Properties, Inc. (“Petitioner”) submits this Statement of Justification in support of its Petition for Amendment to the Unified Development Ordinance (the “Petition”) requesting to amend Section 8.9.1(F) of the Town of Smithfield (“Town”) Unified Development Ordinance (“UDO”). The Petition requests to amend the maximum building height in the B-3 Highway Entranceway Business District (“B-3 District”) from the existing forty feet (40’) to fifty feet (50’).

It is Petitioner’s understanding that the intent of the UDO is to allow development of three-story multifamily residential uses in the B-3 District. However, the current 40’ limit, as defined and enforced in the UDO, functions to limit multifamily development in the B-3 District to two-story buildings if using a typical pitched roof. Three-story multifamily uses are only feasible under the current height restriction if they are designed with a low-slope or flat roof which adds significant costs to a multifamily project. Typical roof pitches for a three-story apartment building with a pitched roof are 4:12 and 5:12 and will always exceed forty feet if measured to the ridge of the roof and also including existing grade prior to the addition of any fill as required by the definition of “Building, height of” set forth in Appendix A to the UDO (“The vertical distance from the average finished grade (prior to the addition of any fill) of the building lot to the highest point of the building. The average grade will be based on the condition of the lot prior to the date of adoption of this ordinance.”)

As a result, Petitioner is requesting that the maximum allowable building height in the B-3 District be increased from 40’ to 50’ if the measurement includes fill and is taken to the ridge of the roof rather than the mid-point of the roof as defined by the 2018 NC State Building Code when determining maximum building height.

If this change is adopted, the proposed height increase will promote the development of three-story, multifamily housing in the B-3 District which Petitioner believes is consistent with the goals of the UDO and correct an inadvertent prohibition of affordable three-story residential development due to the 40’ height limit as it is currently written, defined and enforced. This proposal is also consistent with “Objective 1: Encourage the efficient use of land” contained in the Smithfield Town Plan which notes that “in some areas increasing a height limit [above 40’] may be beneficial to encourage economic development.”



PLANNING DEPARTMENT

Micah Woodard, Planner I

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Micah Woodard, hereby certify that the property owner and adjacent property owners of the following petition, S-25-04, ZA-25-02, RZ-25-01, and CZ-25-03 were notified by First Class Mail on 7/3/25 of the Public Hearing on July 15th, 2025.

Signature

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I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Micah Woodard personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

3rd day of July, 2025

Notary Public Signature

Notary Public Name



Commission expires on 1-15-2028

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RZ-25-01 Clarius Industrial Park: Clarius Partners, LLC is requesting a general rezoning of the ±74.26 acre tract identified by Johnston County Tax ID 17J07032 from the existing B-3 (Highway Business) / R-20A (Residential Agricultural) Zoning Districts to LI (Light Industrial).

CZ-25-03 Mallard Crossing: Mallard Smithfield NC, LLC is requesting approval of an amended R-8 conditional rezoning master plan of 468.9-acres of land which will include 1,327 residential units: 873 single-family detached, 454 single-family attached (townhomes). The proposed plan is nine tracts located along Mallard Road.

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The Johnstonian
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The Johnstonian
July 2, 2025



Request for Town Council Action

**Public RZ-25-01
Hearing:**
Date: 07/15/2025

Subject: Zoning Map Amendment
Department: Planning Department
Presented by: Planning Director - Stephen Wensman
Presentation: Public Hearing

Issue Statement

Clarius Partners, LLC is requesting a zoning map amendment to rezone a 75.61 acres parcel, located on US Highway 70 Business, at the north edge of the Town's extra-territorial jurisdiction and with the Johnston County Tax ID 17J07032, from R-20A (Residential-Agriculture) and B-3 (Highway-Entranceway Commercial) to LI (Light Industrial).

Financial Impact

None.

Action Needed

The Town Council is respectfully requested to hold a public hearing to review the rezoning and decide whether to approve or deny the request.

Recommendation

Planning Staff recommend approval of the rezoning, RZ-25-01, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as hereby amended, and other adopted plans, and that the request is reasonable and in public interest.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application and Statement of Justification
4. Site Plan Exhibit
5. Plat Map
6. Adjacent Property Owners
7. Adjacent Property Owners Certification of Notice
8. Legal Ad



Staff Report

Public RZ-25-01
Hearing:

REQUEST:

Clarius Partners, LLC is requesting a zoning map amendment to rezone a 75.61 acres parcel, located on US Highway 70 Business W, at the north edge of the Town's extra-territorial jurisdiction (ETJ) and with the Johnston County Tax ID 17J07032, from R-20A (Residential-Agriculture) and B-3 (Highway-Entranceway Commercial) to LI (Light Industrial).

PROPERTY LOCATION:

The property is located on US Highway 70 Business W, at the north edge of the Town's extra-territorial jurisdiction, northeast of St. Ann's Catholic Church and across the highway.

SITE DATA:

Tax ID#	17J07032
Acreage:	75.61 acres
Present Zoning:	B-3 (Highway-Entranceway Commercial) / R-20A (Residential/Agricultural) and WS-IV-PA
Proposed Zoning:	LI (Light Industrial)
Existing Use:	Vacant - Woodland and Agriculture
Proposed Use	Light Industrial
Town/ETJ:	ETJ
Fire District:	Wilson's Mills
School Impacts:	None
Parks and Recreation:	None
Water Provider:	Johnston County
Sewer Provider:	Johnston County
Electric Provider:	Duke

EXISTING CONDITIONS/ENVIRONMENTAL:

The parcel is comprised of agricultural fields and mixed forest. A blue line stream crosses the northern portion of the property. A gas line easement crosses the south-western corner of the property. The property is also within the WA-IV-PA – protected area watershed overlay district which requires more restrictive stormwater management.

ADJACENT ZONING AND LAND USES: (see attached map for complete listing)

	Zoning	Existing Land Uses
North	General Business/Commercial/Agriculture-Residential (County Zoning Designations)	Vacant – Farmland and Woodland
South	R-20A/B-e	Vacant – Farmland and Woodland
East	R-20A and RMST (Residential Main Street Transition) a Wilson's Mills Zoning District	Single-family Residential
West	B-3	Vacant – Farmland and Woodland

ANALYSIS:

The 75.61-acre parcel is at the most north-eastern portion of the Town's ETJ with County development to the north and Wilsons Mills corporate limits and development to the east. The Town is unable to annex land in this area without cooperation of Wilsons Mills and they have adjacency. Johnston County has sewer and water in the area if utilities are available for connection. There is a single 67-acre agricultural property to the south that separates the proposed industrial site from TK Studio, AvanceTec within an existing light industrial zoning district.

The applicant has submitted a concept plan for Clarius Park, a warehouse distribution development that they hope to build on the site. The developers have already completed a traffic impact study and NCDOT has agreed to allow them a full movement driveway with a traffic signal that allows left and right turns into the site and turn lanes on the highway.

Comprehensive Plan. The area is guided in the Comprehensive Plan for Low Density Residential. The comprehensive plan did not anticipate the expansion of industrial land uses in this area. Approval of the rezoning would constitute a Comprehensive Plan amendment.

CONSISTENCY STATEMENT (Staff Opinion):

With approval of the rezoning, the Planning Board/Town Council is required to adopt a statement describing whether the action is consistent with adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

- **Consistency with the Comprehensive Growth Management Plan** - *The development is inconsistent with the town's comprehensive plan and the rezoning will result in an amendment to the Town's plan.*
- **Consistency with the Unified Development Code** – *The site will be developed in accordance with the Light Industrial standards and WS-IV-PA standards.*

- o **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with surrounding land uses, in particular, there is a LI District less than 1,000 feet to the south.*

RECOMMENDATION:

Planning Staff recommend approval of RZ-25-01, with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan as hereby amended by the rezoning, and other adopted plans, and that the amendment is reasonable and in the public interest.

RECOMMENDED MOTION:

Staff recommend the following motion:

"move to approve zoning map amendment, RZ-25-01, finding it consistent with the Town of Smithfield Comprehensive Growth Management Plan as hereby amended by the rezoning, and other adopted plans, and that the amendment is reasonable and in the public interest."

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
RZ-25-01**

Whereas the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160D-605, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD TOWN COUNCIL AS APPROPRIATE:

IN THE EVENT THAT THE MOTION TO RECOMMEND THE ORDINANCE IS ADOPTED,

That the Town Council recommendation regarding text amendment RZ-25-01 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council and information provided at the public hearing. Therefore, the amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO RECOMMEND THE ORDINANCE FAILS,

That the final recommendation regarding zoning map amendment RZ-25-01 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment does not promote this and therefore is neither reasonable nor in the public interest.



Town of Smithfield
Planning Department
350 E. Market St Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
Fax: 919-934-1134

REZONING APPLICATION

*Pursuant to Article 4, Section 4-1 of the Unified Development Ordinance, proposed amendments may be initiated by the Town Council, Planning Board, Board of Adjustment, members of the public, or by one or more interested parties. **Rezoning applications must be accompanied by one (1) application, one (1) required plan, an Owner's Consent Form (attached), (1) electronic submittal and the application fee.***

Name of Project: Clarius Park Acreage of Property: 75.61 Acres
Parcel ID Number: 168600-13-3158 Tax ID: 17J07032
Deed Book: 220 Deed Page(s): 53
Address: 4100 US 70 Hwy Bus W
Location: West side of US Highway 70 Business, South of Dasu Dr.

Existing Use: Agricultural / Greenfield Proposed Use: Light Industrial
Existing Zoning District: B-3 / R-20A
Requested Zoning District LI
Is project within a Planned Development: ☐ Yes ☒ No
Planned Development District (if applicable): Not applicable
Is project within an Overlay District: ☒ Yes ☐ No
Overlay District (if applicable): WS-IV NSW Protected

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Amount Paid: _____

OWNER INFORMATION:

Name: Kathryn C. Maresh

Mailing Address: 526 Jensen Street, PO Box 38, Valparaiso, NE 68065

Phone Number: 402-432-4001

Fax:

Email Address: mareshkay@gmail.com

APPLICANT INFORMATION:

Applicant: Clarius Partners, LLC

Mailing Address: 200 W. Madison St., Suite 1625, Chicago, IL 60606

Phone Number: 312-386-7150

Fax:

Contact Person: Craig Dannegger

Email Address: cdannegger@clariuspartners.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a rezoning application. This information is required to be present on all plans, except where otherwise noted:

☒ A map with metes and bounds description of the property proposed for reclassification.

☒ A list of adjacent property owners.

☒ A statement of justification.

☐ Other applicable documentation: _____

STATEMENT OF JUSTIFICATION

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

See attached.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town Council of the Town of Smithfield to approve the subject zoning map amendment. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Craig Dannegger
Print Name


Signature of Applicant

6/4/2025
Date



Town of Smithfield
 Planning Department
 350 E. Market St Smithfield, NC 27577
 P.O. Box 761, Smithfield, NC 27577
 Phone: 919-934-2116
 Fax: 919-934-1134

OWNER'S CONSENT FORM

Name of Project: Clarius Park Submittal Date: 6/6/2025

OWNERS AUTHORIZATION

I hereby give CONSENT to Craig Dannegger (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Signed by: Kathryn Maresh Kathryn Maresh 5/13/2025
Signature of Owner *Print Name* *Date*

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Craig Dannegger Craig Dannegger 6/4/2025
Signature of Owner/Applicant *Print Name* *Date*

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: _____

Rezoning Application – Statement of Justification

June 4, 2025

The applicant respectfully requests the rezoning of the ±75.61-acre Parcel PIN 168600-13-3158, located along US Highway 70 Business, from a combined B-3 (Highway Business) / R-20A (Residential-Agricultural) to Light Industrial (LI). This request is based on i) the parcel's highest and best use as Light Industrial due to its strategic location, ii) Light Industrial use consistent with the evolving development patterns along this portion of the US Highway 70 Business corridor, and iii) the economic development and public benefit that Light Industrial use provides. These justifications are further described below:

1. Highest and Best Use – Strategic Corridor Location

The parcel fronts US Highway 70 Business, a major regional transportation route increasingly developed with industrial and commercial uses, as represented by the current B-3 zoning at the front of the parcel. The proposed Light Industrial use will reinforce these development patterns along major corridors like US highway 70 Business. Furthermore, the parcel is located in the northernmost portion of the Town of Smithfield extraterritorial jurisdiction (ETJ) and in close proximity to Interstate 42 to the north, providing convenient and efficient access to other major regional transportation routes, reinforcing Light Industrial as the highest and best use.

Additionally, while the parcel benefits from nearby existing road and utility infrastructure, the current R-20A zoning at the rear portion of the parcel does not take full advantage of these attributes. The proposed Light Industrial use, on the other hand, will not only represent a more efficient allocation of the existing infrastructure resources, it will also be accompanied by additional investments and extensions of the existing road and utility infrastructure along US Highway 70 Business.

2. Consistency with Current Development Patterns

The proposed Light Industrial zoning reflects the establish character of the US Highway 70 Business corridor, which includes a mix of commercial, business and industrial uses. In fact, the parcel is in immediate proximity to other similar uses including AdvanceTec, North American Van Lines, and Studio TK. The applicant has also coordinated the proposed use with Saint Ann Catholic Church across US Highway 70 Business. The Light Industrial use for this parcel is consistent with these similar and complimentary neighboring uses and is generally consistent with the trends and overall intent of the US Highway 70 Business corridor.

3. Economic Development & Public Benefit

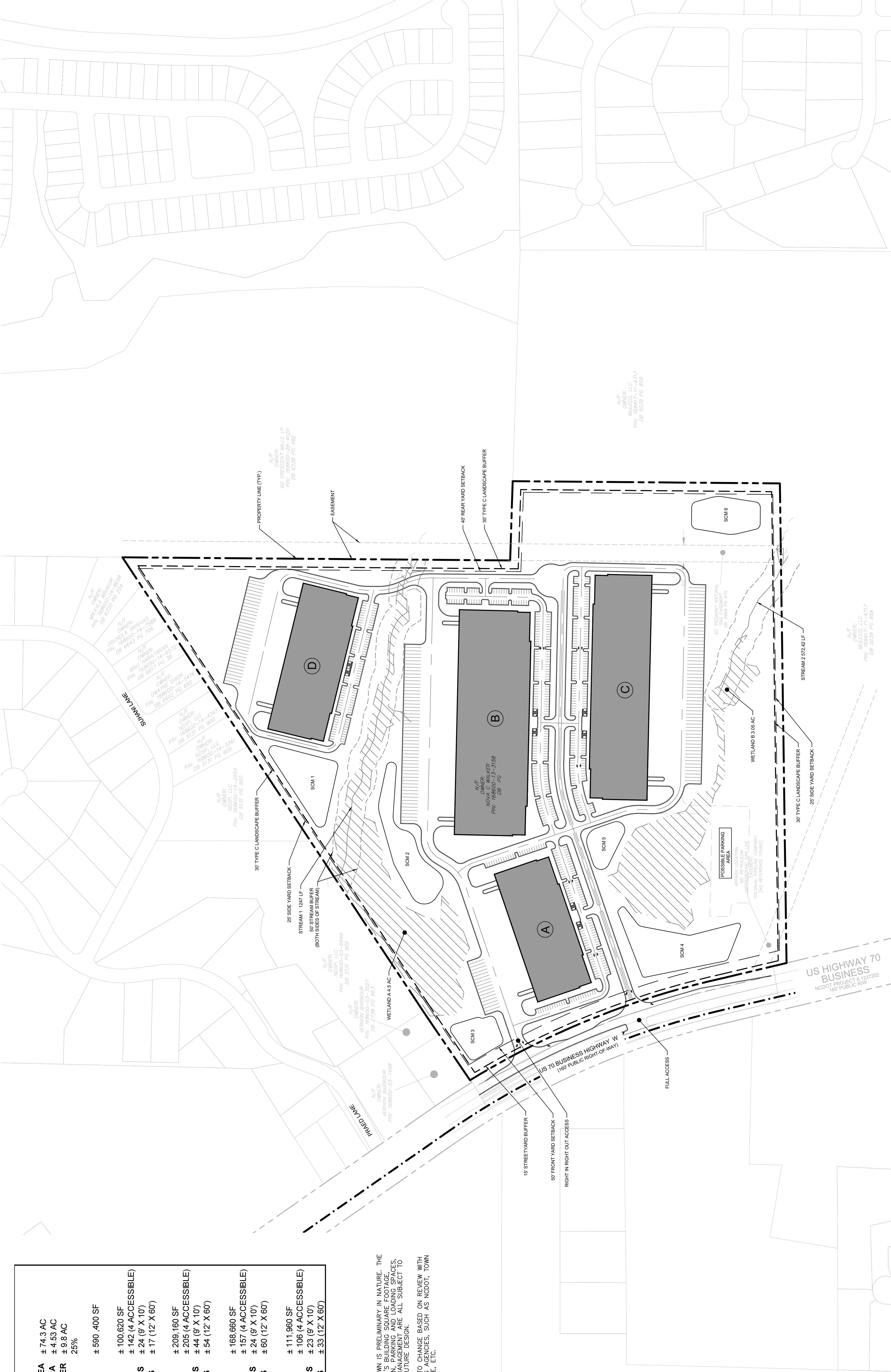
The Light Industrial land use for this property will deliver meaningful community benefits. Compared to other uses, Light industrial uses are known to provide significant tax revenue with limited impact on community resources and public services. The Light Industrial use and associated development of the parcel will also entail improved road and utility infrastructure to the community's benefit. Lastly, industrial uses and the businesses that operate these industrial facilities create quality employment opportunities for the community, additionally providing direct and indirect economic growth as employees and visitors may be dining, shopping and living in the community.

SITE DATA	
GROSS SITE AREA	± 74.3 AC
DETENTION AREA	± 4.53 AC
WETLAND/BUFFER	± 9.8 AC 25%
BUILDING AREA	± 590,400 SF
BUILDING A:	
CAR PARKING	± 100,620 SF
DOCK POSITIONS	± 142 (4 ACCESSIBLE)
TRAILER STALLS	± 24 (9' X 10') ± 17 (12' X 60')
BUILDING B:	
CAR PARKING	± 209,160 SF
DOCK POSITIONS	± 205 (4 ACCESSIBLE)
TRAILER STALLS	± 44 (9' X 10') ± 54 (12' X 60')
BUILDING C:	
CAR PARKING	± 168,660 SF
DOCK POSITIONS	± 157 (4 ACCESSIBLE)
TRAILER STALLS	± 24 (9' X 10') ± 60 (12' X 60')
BUILDING D:	
CAR PARKING	± 111,960 SF
DOCK POSITIONS	± 106 (4 ACCESSIBLE)
TRAILER STALLS	± 23 (9' X 10') ± 33 (12' X 60')

NOTE:

SITE LAYOUT AS SHOWN IS PRELIMINARY IN NATURE. THE PROPOSED SITE PLAN'S BUILDING SQUARE FOOTAGE, INTERNAL CIRCULATION, PARKING AND LOADING SPACES, AND STORM WATER MANAGEMENT ARE ALL SUBJECT TO CHANGE BASED ON FUTURE DESIGN.

SITE PLAN SUBJECT TO CHANGE BASED ON REVIEW WITH RELEVANT PERMITTING AGENCIES, SUCH AS NCDOT, TOWN OF SMITHFIELD, USACE, ETC.



THIS PLAN IS PRELIMINARY IN NATURE AND SUBJECT TO CHANGE BASED ON FINAL DESIGN AND APPROVALS.

RZ-25-01 Clarius Park

File Number:

RZ-25-01

Project Name:

Clarius Park

Location:

West side of US Highway
70 Business , South of
Dasu Dr

Tax ID#:

17J07032

Existing Zoning:

B-3 / R-20A

Property Owner:

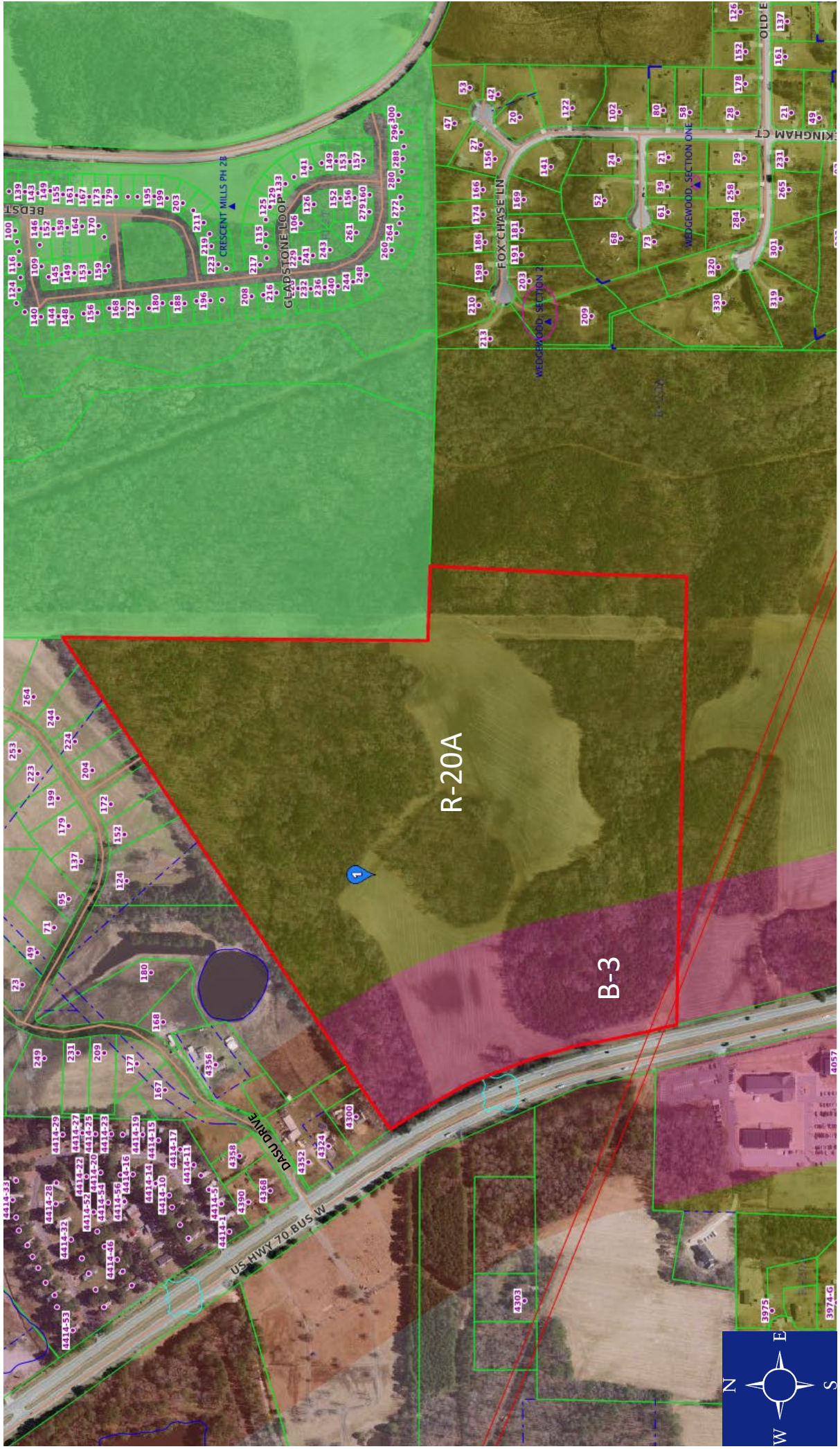
WALKER, NOVA C

Applicant:

Clarius Partners, LLC

City or ETJ:

ETJ



Clarius Industrial Adjacent Property Owners

Name1	Name2	Address1	Address2	CityStateZip
WALKER, NOVA C		PO BOX 38		VALPARAISO, NE 68065-0038
JOSEPH, SUZZANE MARIE JOINT TENANTS (WROS)	JOSEPH, MELISSA LYNN JOINT TENANTS (WROS)	253 SUHANI LN		CLAYTON, NC 27520-6325
LEE, JANICE HALL	LEE, ROLAND DEVON SR.	306 SUHANI LN		CLAYTON, NC 27520-6326
ZBINDEN, CALVIN JEFFREY	ZBINDEN, HANNAH MARIE	283 SUHANI LN		CLAYTON, NC 27520-6325
WINAKOR, MIKAYLA	WINAKOR, COLBY	264 SUHANI LN		CLAYTON, NC 27520-6325
NATARAJAN, SREEKUMAR	SAROJINI, PRIYA	1705 WHISPERING WILLOW PL		SAN JOSE, CA 95125-4568
ANREDDY LIVING TRUST	ANREDDY, NAGARAJU CO TRUSTEE	300 ANTON WAY		GARNER, NC 27529-6283
FOLKLORE HOMES, LLC		169 ALAMO CT		CLAYTON, NC 27527-8003
KEITH, TIMOTHY H	KEITH, LARUE	4356 US 70 BUS HWY W		CLAYTON, NC 27520-6882
EAST WAKE AUTO SALES LLC		1533 OLD US HIGHWAY 264		ZEBULON, NC 27597-6922
GRANTHAM, FLORA HULL		400 DOGWOOD ST		SMITHFIELD, NC 27577-0000
KEITH, TIMOTHY H	KEITH, LARUE	4356 US 70 BUS HWY W		CLAYTON, NC 27520-6882
MCLAURIN FUNERAL HOME INC			PO BOX 130548	HOUSTON, TX 77219-0548
NELL M HOWELL REVOCABLE TRUST			PO BOX 528	SMITHFIELD, NC 27577-0000
GG CRESCENT MILLS LIMITED PARTNERSHIP	HOWELL, NELL M TRUSTEE		TORONTO, ON, CANADA M5A 0L6	
SRINIVAS, GOUNDLA		351 KING ST E - 13TH FLOOR		CLAYTON, NC 27520-6325
HAWKESWORTH, RACHEL CLAIRE JOINT TENANTS (WROS)	RANGA, SRILATHA	244 SUHANI LN		CLAYTON, NC 27520-6324
MULECO, LLC	BROWN, SHELBY RAYE JOINT TENANTS (WROS)	179 SUHANI LN		SMITHFIELD, NC 27577-2346
BARBOUR, VERNON CLIFTON			PO BOX 2346	CLAYTON, NC 27520-6882
MITCHELL, RODNEY	MITCHELL, JACQUELINE	4300 US 70 BUS HWY W		CLAYTON, NC 27520-6882
NDSP, LLC		4324 US 70 BUS HWY W		CLAYTON, NC 27520-6882
NDSP, LLC		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648
DIXON, DWAYNE		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648
NARAYANAN, BINU	MINSLEY, CLIFTON	5210 DIXON DR		RALEIGH, NC 27609-4326
NDSP, LLC	SOMARAJ, KOLLAMPARAMBIL SRUTI	2718 FORT FISHER TRCE		APEX, NC 27502-8522
NDSP, LLC		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648
PALACIOS, JESUS ALBERTO GUERRA		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648
NDSP, LLC	DOSAGUES, HECTOR GUSTAVO RODRIGUEZ	137 SUHANI LN		CLAYTON, NC 27520-6324
SAINT ANN CATHOLIC PARISH OF CLAYTON		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648
BARBOUR, VERNON C		4057 US 70 BUS HWY W		CLAYTON, NC 27520-4310
NDSP, LLC	BARBOUR, PATRICIA FULGHUM	4300 US 70 BUS HWY W		CLAYTON, NC 27520-6882
		5018 FLINT RIDGE PL		RALEIGH, NC 27609-4648

Subject Property

PIN Number: 168600-13-3158

Property Owner:

WALKER, NOVA C

PIN Number: 168600-14-5476

Property Owner:

DIXON, DWAYNE
MINSLEY, CLIFTON

Adjacent Properties

PIN Number: 168600-03-1498

Property Owner:

BARBOUR, VERNON CLIFTON

PIN Number: 168600-14-6572

Property Owner:

NARAYANAN, BINU
SOMARAJ, KOLLAMPARAMBIL SRUTI

PIN Number: 168600-03-3527

Property Owner:

BARBOUR, VERNON C
BARBOUR, PATRICIA FULGHUM

PIN Number: 168600-14-7588

Property Owner:

SRINIVAS, GOUNDLA,
RANGA, SRILATHA

PIN Number: 168600-03-6849

Property Owner:

NDSP, LLC

PIN Number: 168600-14-8698

Property Owner:

WINAKOR, MIKAYLA
WINAKOR, COLBY

PIN Number: 168600-14-2554

Property Owner:

NDSP, LLC

PIN Number: 168617-11-4717

Property Owner:

MULECO, LLC

PIN Number: 168600-14-3341

Property Owner:

NDSP, LLC

PIN Number: 168600-25-4120

Property Owner:

GG CRESCENT MILLS LIMITED
PARTNERSHIP

PIN Number: 168600-14-4347

Property Owner:

NDSP, LLC



PLANNING DEPARTMENT

Micah Woodard, Planner I

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Micah Woodard, hereby certify that the property owner and adjacent property owners of the following petition, S-25-04, ZA-25-02, RZ-25-01, and CZ-25-03 were notified by First Class Mail on 7/3/25 of the Public Hearing on July 15th, 2025.

Signature

Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Micah Woodard personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

3rd day of July, 2025

Notary Public Signature

Notary Public Name



Commission expires on 1-15-2028

**Town of Smithfield
Notice of Public Hearing**

Notice is hereby given that a Public Hearing will be held before the Town Council of the Town of Smithfield, N.C., on Thursday, July 15th, 2025, at 7:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

S-25-04 Village on the Neuse Preliminary Plat: Public hearing to review a request by Village on the Neuse, LLC for a preliminary plat of 32.9 acres of land in the R-8 CZ (Single, Two, and Multi-family Residential) Conditional Zone, located on Buffalo Road near Holland Drive and Everitt Lane. Also identified by the Johnston County Tax ID 14075011A, and 14001001 into 117 single family lots.

ZA-25-02 B-3 Maximum Building Height Text Amendment: Unified Development Ordinance (UDO) text amendment request by Brown Investment Properties, Inc to amend UDO Article 8, Section 8.91. to increase the maximum height in the B-3 Highway Entranceway Business District from forty feet (40') to fifty (50').

RZ-25-01 Clarius Industrial Park: Clarius Partners, LLC is requesting a general rezoning of the ±74.26 acre tract identified by Johnston County Tax ID 17J07032 from the existing B-3 (Highway Business) / R-20A (Residential Agricultural) Zoning Districts to LI (Light Industrial).

CZ-25-03 Mallard Crossing: Mallard Smithfield NC, LLC is requesting approval of an amended R-8 conditional rezoning master plan of 468.9-acres of land which will include 1,327 residential units: 873 single-family detached, 454 single-family attached (townhomes). The proposed plan is nine tracts located along Mallard Road.

All interested people are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the office if you need assistance. Further inquiries regarding this matter may be directed to the Town of Smithfield at (919) 934-2116 ext. 1109 or online at www.smithfield-nc.com.

The Johnstonian
June 25, 2025

**Town of Smithfield
Notice of Public Hearing**

Notice is hereby given that a Public Hearing will be held before the Town Council of the Town of Smithfield, N.C., on Thursday, July 15th, 2025, at 7:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

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CZ-25-03 Mallard Crossing: Mallard Smithfield NC, LLC is requesting approval of an amended R-8 conditional rezoning master plan of 468.9-acres of land which will include 1,327 residential units: 873 single-family detached, 454 single-family attached (townhomes). The proposed plan is nine tracts located along Mallard Road.

All interested people are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the office if you need assistance. Further inquiries regarding this matter may be directed to the Town of Smithfield at (919) 934-2116 ext. 1109 or online at www.smithfield-nc.com.

The Johnstonian
July 2, 2025



Request for Town Council Action

**Public CZ-25-03
Hearing:**
Date: 07/15/2025

Subject: Mallard Crossing R-8 Conditional Zoning Map Amendment
Department: Planning Department
Presented by: Planning Director - Stephen Wensman
Presentation: Public Hearing

Issue Statement

Mallard Smithfield NC, LLC is requesting approval of an amended R-8 conditional rezoning master plan of 491.2 acres of land which will include 1,327 residential units: 873 single-family detached, 454 single-family attached (townhomes).

Financial Impact

The subdivision will add to the town's tax base.

Action Needed

The Town Council is respectfully requested to hold a public hearing to review the amended conditional rezoning master plan and decide whether to grant approval, approval with conditions, or denial.

Recommendation

Planning Staff recommend approval of CZ-25-03 with 9 conditions with a statement declaring the request consistent with the Town of Smithfield Comprehensive Growth Management Plan and that the request is reasonable and in the public interest

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff report
2. Consistency Statement
3. Application
4. Narrative
5. Master Plan
6. Rezoning Book
7. Design Layout and Maps
8. Adjacent Property Owners
9. Adjacent Notification Certification
10. Legal Ad



Staff Report

Public CZ-25-03
Hearing:

OVERVIEW:

On June 7, 2022, the Town Council approved an R-8 Conditional rezoning for the Wood leaf Development which consisted of 2,005 residential units: 490 detached single-family lots, 691 attached single-family townhome lots, a 564-unit 3-story multifamily development and a 260-unit 4-story multifamily development. A new developer is requesting an amendment to the masterplan with the following changes:

- Reduction in the acreage because the solar farm has been removed from the development site.
- A reduction in the number of residential units from 2,005 to 1,327
- Eliminated all 824 apartment units from the plan
- Introducing age-targeted units
- A total of 5 distinct residential product lines.
- Plans include 2 clubhouses and swimming pools
- Electric by the Town of Smithfield
- Architectural materials include premium vinyl siding.
- Proposing valley curb in front of all lots that are less than 50' wide
- There will be overflow parking in the townhouse areas, but not within 500' of each building as was approved with Wood leaf.

PROPERTY LOCATION:

The property is on both sides of Mallard Road from Old Mallard Road extending about 2-miles east.

APPLICATION DATA:

Applicant:	Mallard Smithfield NC, LLC
Proposed Use:	Medium density residential
Fire District:	Town of Smithfield
School Impacts:	Additional students
Parks and Recreation:	Park Dedication Fee in Lieu
Water and Sewer Provider:	Town of Smithfield
Electric Provider:	Town of Smithfield
Zoning site acres:	491.2 acres
Active/Managed Open Space:	25 acres
Passive/Unmanaged Open Space:	190 acres
Public R/W:	54 acres
Development Density:	2.83 dwelling units/acre
Parcel PIN, Tax ID, Address, Location, Acreage, Use, Zoning, Owner:	

PIN	Tax ID	Site Address	Nearby Location	Acreage	Existing Use	Existing Zoning	Book/Page	Owner
169202-79-9657	15K11019F	1980 Mallard Rd	West side of Mallard Rd near Marshall Dr	44.08 ac	Agriculture	R-8 CZ		Marshall, Inc.
169300-70-7509	15K11019S		West side of Mallard Rd near Marshall Dr	35.14 ac	Agriculture	R-8 CZ	5452/599	Julian Brian Marshall & William Corbett Marshall
169300-91-8831	15K11017	1820 Mallard Rd	West side of Mallard Rd near Marshall Dr	124.42 ac	Agriculture	R-8 CZ	4374/903	William I Talton Revocable Trust & Irene Lee Talton Revocable Trust
260300-00-3877	15K11047C		West side of Mallard Rd near Marshall Dr	5.28 ac	Agriculture	R-8 CZ	4343/849	William I Talton Family Estate Trust Irene Lee Talton Trustee
260300-13-6423	15L11043	780 Mallard Rd	West side of Mallard Rd near US 70	109.25 ac	Agriculture	R-8 CZ	4373/141	Kenneth A Talton Trust Kenneth A Talton Trustee
260300-23-8022	15L11042B	1071 Mallard Rd	East side of Mallard Rd near US 70	81.29 ac	Agriculture	R-8 CZ	4865/421	Robert Kent Hill & Karen Hill Crocker
260200-09-2086	15K11047		East side of Mallard Rd near Brogden Rd	30.56 ac	Agriculture	R-8 CZ	4374/903	William I Talton Revocable Trust & Irene Lee Talton Revocable Trust
169202-98-6620	15K11047F		East side of Mallard Rd near Brogden Rd	39.97 ac	Agriculture	R-8 CZ	4342/849	William I Talton Family Estate Trust Irene Lee Talton Trustee

ADJACENT ZONING AND LAND USES:
(see attached map)

	Zoning	Existing Land Uses
North	R-20A	Rural Residential/Agricultural.
South	R-20A	Rural Residential/Agricultural.
East	R-20A	Rural Residential/Agricultural.
West	R-20A	Rural Residential/Agricultural.

EXISTING CONDITIONS/ENVIRONMENTAL:

The property considered for approval is a mix of residential and agricultural land with woodlands, wetlands and fields. There are also blueline streams present throughout the south side of Mallard Road. A Duke powerline bi-sects the development from east-to-west.

MASTER PLAN/ANALYSIS:

- **Comprehensive Land Use Plan.** The master plan is consistent with the comprehensive plan which supports medium density residential. The comprehensive plan was amended with the original rezoning.
- **Voluntary Annexation.** The developer has indicated he will be submitting a voluntary annexation petition with the development of the site.
- **Development Phasing.** The project is anticipated to be completed in five phases, with the first phase beginning construction in late 2026 or early 2027 with final completion expected in 2032.
- **Utilities.** The utilities will be Town of Smithfield.
- **Site Access and Traffic.**
 - The access to the development will be off of 7 intersections with Mallard Road and a lateral access to Marshall Road and other developable adjacent properties.
 - Additional lateral access should be provided where possible with easements or other means.
 - A traffic impact study was prepared and NCDOT will require turn lanes on Mallard Road with the development. The TIA will be updated for the preliminary plat.
- **Streets.**
 - The developer is proposing 27' wide b/b streets in 50' wide public right-of-way throughout the development. The Town's standard right-of-way width is 60' wide. The original rezoning suggested some wider entrances for landscaped medians. This is not in the proposal at this time.
 - The development shows lateral access to adjacent properties that might develop in the future.
 - There are numerous cul-de-sacs shown on the plans and several appear to be elongated. Cul-de-sacs such as these often become used as parking lots and should be discouraged.
 - The lateral connection to Mallard Road was deleted with the approval of the Wood leaf zoning approval. The Mallard Road connection is still shown as deleted.
- **Curb and gutter.** The developer is proposing valley curb rather than standard B6-12 curb and gutter. The original approval only allowed valley curb front of and within 10' of a townhouse. The developer is proposing to have valley curbs in front of all lots with less than 50' of frontage.
- **Trails and Sidewalks.**
 - The developer is proposing 5' sidewalks on both sides of each residential street and along the north side of Mallard Road.
 - A multi-use trail is proposed along the south side of Mallard Road.
 - A multi-use trail is proposed in the Duke powerline easement with a boardwalk to over wetland areas. An easement has been provided south of the solar farm for future extension of the trail. Staff would like the trail to be installed with the

development so that it can be extended in the future to the end of Old Mallard Road and to a potential trail head at the Smithfield Utilities site on Brogden Road.

- **Open Space and Site Amenities.**

- There are no public parks dedicated in the development, only private. The current Town's Parks Master Plan did not envision expansion of the town to the East of I-95. The development proposes 25 acres of actively managed open space which includes:
 - Amenity Areas with clubhouses with swimming pools, playground equipment, dog park, gazebo, decorative fencing, shade shelters, and lawn sports, and pickleball.

- **Landscaping and Buffering.**

- A landscaped berm with a decorative fence along Mallard Road is proposed where there are double fronted lots and the berm be a minimum of 3' high on average to screen rear yards. Elsewhere the required street yard will be provided.

- **Stormwater Management.** The developer has shown conceptual stormwater control measures (SCMs) throughout the development with maintenance access considered. A stormwater management plan will be required with the development of the site.

- **Trash and Recycling.** The HOA declarations will be requiring trash and recycling roll-offs be screened from the public right-of-way or stored in garages or rear yards.

- **Subdivision Signs.** Ground mounted subdivisions signs are required features of subdivisions. The master plan does not show where these will go, but the developer provided an image of such a sign in the community amenities page of the application.

- **Homeowner's Association.** An HOA will own and maintain the recreation and open space areas and amenities, stormwater facilities, walking trails, and landscaping.

- The HOA should also manage no parking on streets.
- The HOA declarations need to be submitted for review by the Town Attorney prior to final plat.

- **Residential Housing.** The applicant is proposing 5 different project lines with the application that differ from the former Wood leaf master plan.

The Wood leaf master plan included (2,005 units):

- 490 - 50' wide - 6,000 sq. ft. detached single-family residential lots. The minimum home size was 1600 sq. ft. with oversized single car garages.
- 691 - 20' x 100' townhouses lots with 20 ft building separations.
 - Min. unit size for 2 br/ 2 bath - 1,400-1,500 sq. ft.
 - Min. unit size for 3 br/ 2.5 bath - 1,600 sq. ft.
 - All with one-car garages.
- 564 units in (22) 3-story apartments and 260 units in (3) 4-story apartments.

The Mallard Crossing master plan includes (1,327 units):

- 267 - 20' x 100' townhouses lots with 20' building separations.
- 332 - 42' x 120' (5,040 sq. ft.) detached single-family lots.
- 303 - 51' x 120' (6,120 sq. ft.) detached single-family lots.
- 238 - 51' x 120' (6,120 sq. ft.) age targeted detached single-family lots.
- 187 - 24' x 100' (2,400 sq. ft.) age targeted townhouse lots with 20' building separations.

- **Architectural Standards.** On page 6 of 9 of the Narrative, the developer describes the architecture as having:
 - A variation in exterior finishes including premium vinyl siding with cottage style elements including a mix of siding styles, including horizontal lap siding, shake shingle accent siding and board and batten style siding.
 - Each of the products will also have garages, with each garage door having either carriage style adornments or windows.
 - The age-targeted product lines will also include stone elements on the exterior.
 - No details have been provided for individual front or rear yard walks, patios or landscaping
 - No details have been provided end unit facades that face the public right-of-way.
 - Staff recommends all single-family homes and townhomes have rear decks or patios of at least 100 sq. ft. in size.
 - **Note: The Wood leaf development rezoning was approved with exterior materials comprised of hard plank siding, brick and stucco.**
 - Staff recommends there be a minimum 100 sq. ft. deck or patio for each unit.
- **Setbacks.**
 - The proposed minimum setbacks for single-family detached homes are:
 - 25' front
 - 5' side
 - 15' rear
 - The proposed minimum setbacks for townhouses are:

- 25' front
- 5' side
- 15' rear
- 30' Perimeter Yard - (Section 8.13.1.4 requires the townhouse development to maintain a 40' wide perimeter yard. This buffer is applicable on the north edge of the age-targeted townhomes and the east edge of the traditional townhomes. In both instances the perimeter yard appears to be approximately 30 feet.

- **Parking.**

- The required parking of 2 spaces per unit will be met. Some auxiliary parking has been added in townhouse areas. Wood leaf was approved requiring auxiliary parking areas in the townhouse areas within 500' of each townhouse building. This is no longer in the proposal.
- As with the Wood leaf proposal, the HOA will enforce no parking on the public streets.

CONDITIONAL ZONING:

- **Requested Deviations from UDO.** The developer is seeking deviations from the UDO as part of the rezoning. The purpose of conditional zoning is to provide flexibility from conventional zoning and to allow creative projects to occur through a negotiated (give and take) approach to achieve the desired project that both the developer and town mutually can be satisfied with. The applicant is seeking the following deviations from the following UDO Requirements (**highlighted is amended**):

Item	R-8/UDO	Existing R-8 CZ	Proposed R-8 CZ
Single family minimum lot area (UDO Section 8.3.1)	8,000 sq. ft	6,000 sq. ft.	5,000 sq. ft.
Single family minimum lot frontage (UDO Section 8.3.1)	70'	50'	42'
Min. front setback for TH and SF (UDO Section 8.3.1):	30 ft	25'	25'
Min. side setback SF (UDO Section 8.3.1):	10'	5'	5'
Townhome perimeter yard (8.13.1.4)	40'	15'-20' only applicable w 2 bldgs.	30' applicable in 2 locations: Northern age targeted TH; and east edge of trad TH.
Min. rear setback for TH and SF (UDO Section 8.3.1):	25'	15'	15'

Max. building Height for TH and Apartments (UDO Section	35'	>35' for TH and not to exceed 4-stories for apartments.	>35' for TH and not to exceed 4-stories for apartments.
Building separation for TH and Apartments (UDO Section)	25'-40' depending on heights	20' for TH.	20'
Corner lot side setback (UDO Section 8.13.3.1)	Same as front setback	15' (matched code at the time)	15'
Min buffer yard requirements (UDO Section 10.14)	varies according to adjacent use	No min. buffer yard along internal boundaries between uses	Meets code requirements
Min. local street right-of-way width (10.110.9)	60'	50'	50'
Local street width	27' back-to-back	27' back-to-back	27' back-to-back
Curb and Gutter (Standard Detail 3.02 D)	B-6-12 curb and gutter	B—6-12 with Valley curbs in front of townhouses and within 10' of the end unit.	Valley curb on lots that are less than 50' in width.
Horizontal Street Design 3.02B of Engineering Standards.	Meets standards	NCDOT Standards.	Horizontal street centerline radii of 150'
Architectural Standards	None	Hardiplank siding, brick and stucco	Premium vinyl

- **Proposed Standards Exceeding UDO Requirements.**

- Sidewalks on both sides of subdivision streets.
- 2 clubhouses.
- 2 swimming pools.
- Other listed recreational amenities.
- Class A building materials exceed UDO requirements including vinyl siding.

- A landscaped berm of a minimum average height of 3' and with a decorative fence will be provided between Mallard Road and double fronted lots.
- Multi-use trail in the Duke powerline easement.
- Age Targeted properties will be maintained by the HOA.

CONSISTENCY STATEMENT (Staff Opinion):

With the approval of the rezoning, the Town Council is required to adopt a statement describing whether the action is consistent with the adopted comprehensive plan and other applicable adopted plans and that the action is reasonable and in the public interest. Planning Staff considers the action to be consistent and reasonable:

- **Consistency with the Comprehensive Growth Management Plan** – *the development is not consistent with the comprehensive plan. If approved, the Council should acknowledge that the comprehensive plan is hereby amended guiding the property for medium density residential.*
- **Consistency with the Unified Development Code** – *the property will be developed in conformance with the UDO conditional zoning provisions that allows a good faith negotiation of development standards.*
- **Compatibility with Surrounding Land Uses** - *The property considered for rezoning will be compatible with the surrounding land uses.*

RECOMMENDATION:

Planning Staff recommends approval of the conditional zoning amendment, CZ-25-03, with the following conditions:

1. That the trash and recycling roll-off containers in the single family and townhouses units be screened from the public right-of-way or stored within a garage or the rear yards and enforced by the HOA.
2. That the landscape plan be provided meeting minimum requirements of the UDO Part III and include:
 - a. 3' average height - landscaped berm with decorative fence be provided between Mallard Road and rear property lines where there are double fronted lots.
3. The internal multi-use trail in the Duke powerline easement shall be extended to the west end of the easement and to Mallard Road on the east end.
4. An easement be provided for a future trail in the Duke powerline easement east of Mallard Road.
5. The HOA declarations be submitted for review by the Town Attorney with the preliminary plat.
6. That an HOA be responsible for the ownership and maintenance of all common amenities including landscaping and property maintenance for the entire development, the stormwater SCM, parking lots, recreational amenities, and open space, parking enforcement and trash and recycling roll-off storage/screening.
7. That architectural standards be drafted and included in the HOA declarations to include: A variation in exterior finishes, including cottage style elements including a mix of premium vinyl siding styles, including horizontal lap siding, shake shingle accent

siding and board and batten style siding. Each of the products will also have garages, with each garage door having either carriage style adornments or windows. The age-targeted product lines will also include stone elements on the exterior.

8. That all single-family homes and townhomes have rear decks or patios of at least 100 sq. ft. in size.
9. That overflow parking be provided within 500' of each townhouse building.

RECOMMENDED MOTION:

"Move to recommend approval of the zoning map amendment, CZ-25-03, with 9 conditions of approval, finding the rezoning consistent with the Town of Smithfield Comprehensive Growth Management Plan and other adopted plans, and that the amendment is reasonable and in the public interest."

**THE TOWN OF SMITHFIELD
UNIFIED DEVELOPMENT ORDINANCE
ZONING MAP AMENDMENT CONSISTENCY STATEMENT
BY THE SMITHFIELD TOWN COUNCIL
CZ-25-03**

Whereas the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to approve a statement describing how the action is consistent with the Town of Smithfield *Comprehensive Growth Management Plan*; and

Whereas the Smithfield Town Council, upon acting on a zoning map amendment to the *Unified Development Ordinance* and pursuant to NCGS §160A-383, is required to provide a brief statement indicating how the action is reasonable and in the public interest.

NOW THEREFORE, BE IT ADOPTED BY THE SMITHFIELD TOWN COUNCIL AS APPROPRIATE:

IN THE EVENT THAT THE MOTION TO RECOMMEND THE ORDINANCE IS ADOPTED,

That the Town Council recommendation regarding text amendment CZ-25-03 is based upon review of and consistency with, the Town of Smithfield *Comprehensive Growth Management Plan* and any other officially adopted plan that is applicable, along with additional agenda information provided to the Town Council and information provided at the public hearing; and

It is the objective of the Town of Smithfield Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment promotes this by offering fair and reasonable regulations for the citizens and business community of the Town of Smithfield as supported by the staff report and attachments provided to the Town Council and information provided at the public hearing. Therefore, the amendment is reasonable and in the public interest.

IN THE EVENT THAT THE MOTION TO RECOMMEND THE ORDINANCE FAILS,

That the final recommendation regarding zoning map amendment CZ-25-03 is based upon review of, and consistency, the Town of Smithfield *Comprehensive Growth Management Plan* and other officially adopted plans that are applicable; and

It is the objective of the Town Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community. The zoning map amendment does not promote this and therefore is neither reasonable nor in the public interest.



Town of Smithfield Planning Department

350 E. Market St Smithfield, NC 27577

Smithfield-NC.com

919-934-2116

CONDITIONAL ZONING APPLICATION

Development Name

Mallard Crossing

Proposed Use

Single family detached and attached (townhome) subdivision

Project location or address

Mallard Road both east and west, 780, 1071, 1820, 1980 Mallard Road, see attached Table A for full information

Property Identification Number(s) and Tax ID Number (s) for each parcel to which these guidelines will apply:

PIN#

TAX ID#

See Table A

See Table A

Project type?

☒ Single Family

☐ Townhouse

☐ Multi-Family

☐ Non-Residential

☐ PUD/Mixed Use

PROPERTY OWNER INFORMATION

Name

See Table A

Address

See Table A

Phone

See Table A

Email

See Table A

OWNER/DEVELOPER INFORMATION

Company Name

Mallard Smithfield NC, LLC

Contact Name

Paul Luck

Address

1201 Edwards Mill Rd, Suite 300 Raleigh, NC 27607

Phone

757-647-4070

Email

paul.luck@ContenderAmerica.com

CONSULTANT/ENGINEERING FIRM

Company Name

Timmons Group

Contact Name

Beth Blackmon

Address

5410 Trinity Rd, Suite 102 Raleigh, NC 27607

Phone

919-866-4509

Email

beth.blackmon@timmons.com

ZONING INFORMATION

Existing Zoning District

R-8 CZ

Proposed Zoning District

R-8 CZ

If more than one district, provide the acreage of each:

Overlay District?

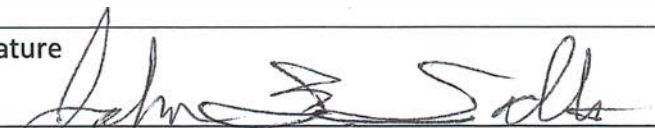
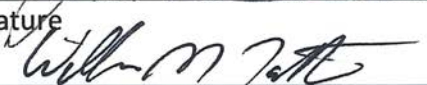
☐ Yes

☒ No

Inside City Limits?

☐ Yes

☒ No

ENVIRONMENTAL QUALITY DATA INFORMATION			
Existing Impervious Surface acres/sf	Flood Hazard Area	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Proposed Impervious Surface acres/sf	Neuse River Buffer	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Watershed Protection Area	Wetlands	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
FEMA Map Panel	Base Flood Elevation		
SITE DATA			
Total # of single-family lots	Total densities per zoning district		
Total # of townhouse lots	Acreage in active open space		
Total # of all lots	Acreage in passive open space		
Linear feet of new roadways	Linear feet of new sewer mains		
Linear feet of new water mains	Linear feet of new sidewalks		
Proposed sewer allocation	Linear feet in new trails		
SIGNATURE BLOCK (Applicable to all developments)			
<p>In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed plan as approved by the Town.</p>			
<p>I hereby designate <u>Mallard Smithfield NC, LLC/Paul Luck</u> to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.</p>			
<p>I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.</p>			
Signature 		Date <u>6-5-2025</u>	
Signature 		Date <u>6-5-25</u>	
APPLICATION FEES			

Conditional Zoning (1 paper copy of the application, 2 paper copies of plan set & **1 Digital copy of all documents on USB flash drive**)
\$ 400.00 + \$10 per acre

Application Date

Application Number

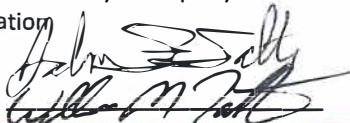
Application Fee

OWNER AUTHORIZATION

I hereby give CONSENT to Mallard Smithfield NC, LLC/Paul Luck (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Signature of Owner



Printed Name of Owner

John F. Talton
William M. TALTON

NC

(State)

Johnston

(County)

I, Melissa J. Sexton, a Notary Public in and for said County and State, do hereby certify that John Talton and William Talton personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 5 day of June 20 25

Notary Public:

Melissa J. Sexton

(Printed Name)



(Signature)



County of Commission:

Johnston

Commission Expires:

May 2 2029

ENVIRONMENTAL QUALITY DATA INFORMATION			
Existing Impervious Surface acres/sf	Flood Hazard Area	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Proposed Impervious Surface acres/sf	Neuse River Buffer	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Watershed Protection Area	Wetlands	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
FEMA Map Panel	Base Flood Elevation		
SITE DATA			
Total # of single-family lots	Total densities per zoning district		
Total # of townhouse lots	Acreage in active open space		
Total # of all lots	Acreage in passive open space		
Linear feet of new roadways	Linear feet of new sewer mains		
Linear feet of new water mains	Linear feet of new sidewalks		
Proposed sewer allocation	Linear feet in new trails		
SIGNATURE BLOCK (Applicable to all developments)			
<p>In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed plan as approved by the Town.</p>			
<p>I hereby designate <u>Mallard Smithfield NC, LLC/Paul Luck</u> to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.</p>			
<p>I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.</p>			
Signature		Date	
<i>Elaine Marshall, Trustee</i>		<i>6/4/25</i>	
Signature <i>AKA Elaine Marshall Morris</i>		Date	
APPLICATION FEES			

Conditional Zoning (1 paper copy of the application, 2 paper copies of plan set & **1 Digital copy of all documents on USB flash drive**)
\$ 400.00 + \$10 per acre

Application Date

Application Number

Application Fee

OWNER AUTHORIZATION

I hereby give CONSENT to Mallard Smithfield NC, LLC/Paul Luck (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Signature of Owner Julian F Marshall Trust Printed Name of Owner Julian F Marshall Trust / Elaine F Marshall
Elaine F Marshall Trustee AKA Elaine Marshall Morris

North Carolina
 (State)
Johnston
 (County)

I, Gwendolyn G Adams, a Notary Public in and for said County and State, do hereby certify that Elaine Marshall Morris personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 4th day of June 20 25.

Notary Public:

Gwendolyn G Adams

(Printed Name)

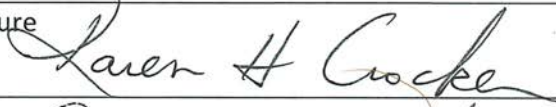
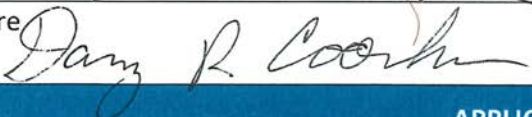
Gwendolyn G Adams

(Signature)



County of Commission: Johnston

Commission Expires: July 27, 2025

ENVIRONMENTAL QUALITY DATA INFORMATION			
Existing Impervious Surface acres/sf	Flood Hazard Area	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Proposed Impervious Surface acres/sf	Neuse River Buffer	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Watershed Protection Area	Wetlands	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
FEMA Map Panel	Base Flood Elevation		
SITE DATA			
Total # of single-family lots	Total densities per zoning district		
Total # of townhouse lots	Acreage in active open space		
Total # of all lots	Acreage in passive open space		
Linear feet of new roadways	Linear feet of new sewer mains		
Linear feet of new water mains	Linear feet of new sidewalks		
Proposed sewer allocation	Linear feet in new trails		
SIGNATURE BLOCK (Applicable to all developments)			
<p>In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed plan as approved by the Town.</p>			
<p>I hereby designate <u>Mallard Smithfield NC, LLC/Paul Luck</u> to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.</p>			
<p>I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.</p>			
Signature 		Date 6-3-2025	
Signature 		Date 6-3-2025	
APPLICATION FEES			

Conditional Zoning (1 paper copy of the application, 2 paper copies of plan set & **1 Digital copy of all documents on USB flash drive**)
\$ 400.00 + \$10 per acre

Application Date

Application Number

Application Fee

OWNER AUTHORIZATION

I hereby give CONSENT to Mallard Smithfield NC, LLC/Paul Luck (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Signature of Owner

[Handwritten Signature]

Printed Name of Owner

Karen H Crocker
DANNY R CROCKER

NC

(State)

Wake

(County)

I, Phillip R. Harris, a Notary Public in and for said County and State, do hereby certify that Karen Crocker/Danny Crocker personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 3rd day of JUNE 2025.

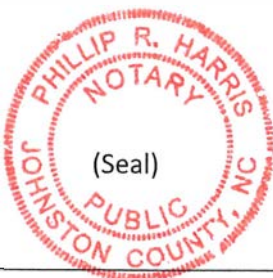
Notary Public:

Phillip R. Harris

(Printed Name)

[Handwritten Signature]

(Signature)



County of Commission:

March 28, 2026

Commission Expires:

Johnston

ENVIRONMENTAL QUALITY DATA INFORMATION

Existing Impervious Surface acres/sf	Flood Hazard Area	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Proposed Impervious Surface acres/sf	Neuse River Buffer	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Watershed Protection Area	Wetlands	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
FEMA Map Panel	Base Flood Elevation		

SITE DATA


Total # of single-family lots	Total densities per zoning district
Total # of townhouse lots	Acreage in active open space
Total # of all lots	Acreage in passive open space
Linear feet of new roadways	Linear feet of new sewer mains
Linear feet of new water mains	Linear feet of new sidewalks
Proposed sewer allocation	Linear feet in new trails

SIGNATURE BLOCK (Applicable to all developments)

In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed plan as approved by the Town.

I hereby designate Mallard Smithfield NC, LLC/Paul Luck to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.

I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.

Signature 	Date 6-5-25
Signature	Date

APPLICATION FEES

Conditional Zoning (1 paper copy of the application, 2 paper copies of plan set & **1 Digital copy of all documents on USB flash drive**)
\$ 400.00 + \$10 per acre

Application Date

Application Number

Application Fee

OWNER AUTHORIZATION

I hereby give CONSENT to Mallard Smithfield NC, LLC/Paul Luck (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Signature of Owner



Printed Name of Owner

KENNETH A TATOR

NC

(State)

Johnston

(County)

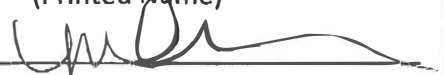
I, Melissa J Sexton, a Notary Public in and for said County and State, do hereby certify that Kenneth Tator personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 5 day of 6 20 25.

Notary Public:

Melissa J Sexton

(Printed Name)



(Signature)



(Seal)

County of Commission:

Johnston

Commission Expires:

5/2/29

OWNER AUTHORIZATION

I hereby give CONSENT to Mallard Smithfield NC, LLC/Paul Luck (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Signature of Owner

William Corbett Marshall

Printed Name of Owner

WILLIAM CORBETT MARSHALL

Tennessee

(State)

Sevier

(County)

I, Chelsea Anderson, a Notary Public in and for said County and State, do hereby certify that William Corbett Marshall personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 4th day of June 20 2025.

Notary Public:

Chelsea Anderson

(Printed Name)

Chelsea Anderson

(Signature)



(Seal)

County of Commission:

Sevier

Commission Expires:

MARCH 24, 2029

ENVIRONMENTAL QUALITY DATA INFORMATION			
Existing Impervious Surface acres/sf	Flood Hazard Area	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Proposed Impervious Surface acres/sf	Neuse River Buffer	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Watershed Protection Area	Wetlands	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
FEMA Map Panel	Base Flood Elevation		

SITE DATA	
Total # of single-family lots	Total densities per zoning district
Total # of townhouse lots	Acreage in active open space
Total # of all lots	Acreage in passive open space
Linear feet of new roadways	Linear feet of new sewer mains
Linear feet of new water mains	Linear feet of new sidewalks
Proposed sewer allocation	Linear feet in new trails

SIGNATURE BLOCK (Applicable to all developments)	
<p>In filing this plan as the property owner(s), I/we do hereby agree and firmly bind ourselves, my/our heirs, executors, administrators, successors and assigns jointly and severally to construct all improvements and make all dedications as shown on this proposed plan as approved by the Town.</p>	
<p>I hereby designate Mallard Smithfield NC, LLC/Paul Luck to serve as my agent regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf, and to represent me in any public meeting regarding this application.</p>	
<p>I/we have read, acknowledge, and affirm that this project is conforming to all application requirements applicable with the proposed development use.</p>	
Signature	Date
<i>R Kent Hill</i>	6/6/25
Signature	Date
<i>Paul Luck</i>	6/6/25

APPLICATION FEES		
<p>Conditional Zoning (1 paper copy of the application, 2 paper copies of plan set & 1 Digital copy of all documents on USB flash drive) \$ 400.00 + \$10 per acre</p>		
Application Date	Application Number	Application Fee

Mallard Crossing Project Narrative

Basic Project Data

Owners of Record: See Table A	Applicant: Mallard Smithfield NC, LLC 1201 Edwards Mill Rd, Suite 300 Raleigh, NC 27607 Attn: Paul Luck 757.647.4070 paul.luck@contenderamerica.com	Engineering Firm: Timmons Group 5410 Trinity Rd, Suite 102 Raleigh, NC 27607 Attn: Beth Blackmon 919.866.4509 beth.blackmon@timmons.com
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Proposed Subdivision Name: Mallard Crossing

Existing Zoning: R-8 Conditional

Proposed Zoning: R-8 Conditional

Site Area: 468.9 acres

Existing R-8 Conditional Zoning Acreage: 491.2 acres

Additional Site Data: See Table A

Proposed Lots: 1,327 total

- Single-Family Detached: 873
- Single-Family Attached (townhomes): 454

Existing R-8 Conditional Zoning Units: 2,005 total

- o *Single-Family Detached: 490*
- o *Single-Family Attached (townhomes): 691 all 20' wide*
- o *Multifamily Apartments: 824*

Open Space: 215 acres

Active Open Space: 25 acres

Rights of Way: 54 acres

Table A Parcels

PIN	Tax ID	Site Address	Nearby Location	Acreage	Existing Use	Existing Zoning	Book/Page	Owner	Mailing Address	Phone Number	Email Address
169202-79-9657	15K11019F	1980 Mallard Rd	West side of Mallard Rd near Marshall Dr	44.08 ac	Agriculture	R-8 CZ		Marshall, Inc.	PO Box 1482 Smithfield, NC 27577-4385	919-934-6505	marshallassociatesrealtors@gmail.com
169300-70-7509	15K11019S		West side of Mallard Rd near Marshall Dr	35.14 ac	Agriculture	R-8 CZ	5452/599	Julian Brian Marshall & William Corbett Marshall	PO Box 1482 Smithfield, NC 27577-4385	919-934-6505	marshallassociatesrealtors@gmail.com
169300-91-8831	15K11017	1820 Mallard Rd	West side of Mallard Rd near Marshall Dr	124.42 ac	Agriculture	R-8 CZ	4374/903	William I Talton Revocable Trust & Irene Lee Talton Revocable Trust	1666 Mallard Rd Smithfield, NC 27577-7137	919-796-6156	fred.talton@yahoo.com
260300-00-3877	15K11047C		West side of Mallard Rd near Marshall Dr	5.28 ac	Agriculture	R-8 CZ	4343/849	William I Talton Family Estate Trust Irene Lee Talton Trustee	1666 Mallard Rd Smithfield, NC 27577-7137	919-796-6156	fred.talton@yahoo.com
260300-13-6423	15L11043	780 Mallard Rd	West side of Mallard Rd near US 70	109.25 ac	Agriculture	R-8 CZ	4373/141	Kenneth A Talton Trust Kenneth A Talton Trustee	2750 Hwy 96 North Selma, NC 27576	919-796-6156	fred.talton@yahoo.com
260300-23-8022	15L11042B	1071 Mallard Rd	East side of Mallard Rd near US 70	81.29 ac	Agriculture	R-8 CZ	4865/421	Robert Kent Hill & Karen Hill Crocker	305 Skinner Rd Four Oaks, NC 27524-8465	804-405-6161	kenth.onpoint@gmail.com
260200-09-2086	15K11047		East side of Mallard Rd near Brogden Rd	30.56 ac	Agriculture	R-8 CZ	4374/903	William I Talton Revocable Trust & Irene Lee Talton Revocable Trust	1666 Mallard Rd Smithfield, NC 27577-7137	919-796-6156	fred.talton@yahoo.com
169202-98-6620	15K11047F		East side of Mallard Rd near Brogden Rd	39.97 ac	Agriculture	R-8 CZ	4342/849	William I Talton Family Estate Trust Irene Lee Talton Trustee	1666 Mallard Rd Smithfield, NC 27577-7137	919-796-6156	fred.talton@yahoo.com

Uses and Density

Overall Density: 2.83 DU/A

Existing R-8 Conditional Zoning Density: 4.08 DU/A

Density Calculation: 1,327 dwelling units / 468.9 acres = 2.83 DU/A

*Existing R-8 Conditional Zoning Density Calculation:
2,005 dwelling units / 491.2 acres = 4.08 DU/A*

Vision

Mallard Crossing is envisioned as a vibrant and thoughtfully planned extension of Smithfield, designed to deliver lasting value to the community. Strategically located east of I-95, the project will bring critical public infrastructure, including public sewer access, while expanding the Town's tax base.

The development offers a more diverse range of housing types from the existing R-8 Conditional Zoning to meet the needs of today's residents – from young professionals to active retirees – and represents a vast improvement from the existing zoning, allowing for more variety in product and price points, while eliminating the allowed 824 multifamily apartment units. Buyers are seeking quality homes in a walkable, well-connected neighborhood close to employment hubs and downtown Smithfield.

Mallard Crossing will feature both townhomes and single-family detached homes, including traditional and age-targeted designs in both product types. This carefully curated mix promotes a multigenerational community where residents at every stage of life can find a home that suits their needs and lifestyle.

With an emphasis on quality design, durable materials, and efficient construction, homes will be attractively priced while maintaining a high standard of finishes. The community will be enriched by parks, walking trails, open spaces, and community gathering areas, creating opportunities for recreation, connection and a strong sense of place.

Mallard Crossing is more than a housing development – it's a new chapter for Smithfield, built on thoughtful planning, inclusivity, and long-term livability.

Infrastructure and Public Services

Public Water

Water service to Mallard Crossing will be provided through extensions of the existing Town of Smithfield water system. Water infrastructure will be extended as needed to serve each phase of development. A preliminary analysis of the required water infrastructure is included in *Exhibit A*.

Sanitary Sewer

Public sanitary sewer service will also be extended from the existing Town of Smithfield system. Sewer infrastructure will be designed and installed in accordance with town standards to support the full build-out of the project. A supporting analysis of the necessary sewer improvements is provided in *Exhibit A*.

Stormwater Management

Mallard Crossing will comply with all applicable stormwater regulations. Stormwater quantity and quality control will be addressed using approved Stormwater Control Measures (SCMs), including wet ponds and other permitted systems. These SCMs will be located within designated open space areas and maintained by the Homeowner's Association (HOA) to ensure long-term performance.

Electricity

The preferred provider for electric service is the Town of Smithfield. The project team will work closely with the Town's Utilities Department to evaluate feasibility and timing. In the interim, Duke Energy will be engaged to provide temporary power to support construction activities.

Transportation

Roadway improvements will be guided by the findings of an updated Traffic Impact Analysis (TIA) and coordinated with the North Carolina Department of Transportation (NCDOT). The internal street network will be designed to accommodate neighborhood traffic and provide direct connections to Mallard Road and Marshall Drive. Approximately 54 acres will be dedicated as public right-of-way.

Streets will typically feature a 50-foot right-of-way and 27-foot back-to-back roadway section which is 22 feet of pavement, excluding curb and gutter. This narrower design serves as a traffic-calming measure and emphasizes pedestrian safety. Valley curb and gutter will be

utilized in front of single family attached townhomes and within 10 feet of a lot containing an end unit. Within the single family detached areas, valley curb and gutter will be allowed in front of lots with a width of less than 50 feet. On corner lots within these areas, a lot may exceed 50 feet in width as needed to meet corner side setback requirements, while still permitting valley curb and gutter along the fronting street.

Minimum horizontal street centerline radii of 150' shall be permitted. Additional measures, such as digital speed monitoring signs, will be implemented as needed to discourage excessive speeds.

Pedestrian Connectivity

Pedestrian access will be prioritized through a comprehensive network of sidewalks and/or multiuse paths on both sides of all streets, promoting walkability and enhancing connectivity throughout the neighborhood. A 5' wide public sidewalk will be provided on the west side of Mallard Road and an 8' wide multi-use trail will be provided on the east side of Mallard Road. The sidewalks/trails shall be located outside of the ditch within the Mallard Road right-of-way or within a public easement on HOA property adjacent to the Mallard Road right-of-way.

An internal trail with pedestrian boardwalks crossing the wetlands is proposed to connect Mallard Road with the western portion of the neighborhood within the existing Duke Energy transmission easement.

Postal Delivery

Cluster mailbox units (mail kiosks) will be proposed at multiple locations throughout the development. Final kiosk locations will be determined in coordination with the United States Postal Service (USPS) and are subject to approval by the local postmaster. USPS approval will be obtained as part of the preliminary plat review and approval process.

Site Suitability

The Mallard Crossing project will be developed in accordance with the Town of Smithfield's Unified Development Ordinance (UDO), including all applicable performance standards except as stated below or otherwise approved through establish standards and procedures. A revised Traffic Impact Analysis will be conducted to assess transportation needs and identify any necessary improvements to support the proposed development.

As part of the recent rezoning of the property to R-8 Conditional, the Town's Comprehensive Plan was amended to reflect a medium density land use designation for this area. The Mallard

Crossing proposed rezoning to R-8 Conditional with a lower density than currently allowed aligns with the updated Comprehensive Plan and supports the Town’s long-term vision, particularly with regard to planned extensions of public water and sewer infrastructure in this growth area.

To ensure consistency with municipal procedures, an annexation petition will be submitted in advance of construction drawing approval for Phase 1. This will allow the project to be fully incorporated into the Town of Smithfield, supporting future development with expanded public services funded by increased property tax revenues.

Parks and Open Space

Mallard Crossing is designed with a strong emphasis on open space, dedicating approximately 215 acres, almost 46% of the site – to parks, trails, and preserved natural areas. This expansive network of open space will include a mix of passive and active pocket parks, providing recreational and gathering opportunities for residents throughout the community. All parks and open space areas will be owned and maintained by the HOA, ensuring long-term stewardship and accessibility for residents.

The proposed internal trail will utilize pedestrian boardwalks to connect some upland areas within the surrounding wetlands for passive pocket park areas.

Amenities

In addition to the extensive network of parks and open spaces, Mallard Crossing will feature at least two distinct amenity areas, each designed to serve as a central gathering place for residents. These areas will each include a clubhouse and swimming pool, providing spaces for recreation, events, and community interaction. Each amenity area will also include dedicated parking to ensure convenient access for residents throughout the neighborhood.

Schedule and Phasing

The Mallard Crossing development is planned to proceed in five phases. Construction is expected to commence in late 2026 or early 2027, with full project completion anticipated by 2032. Each phase will introduce a variety of housing types and uses, carefully distributed to

create a balanced community over time. Infrastructure improvements—including roadways, water, sewer, and electrical services—will be implemented concurrently with each phase to ensure all areas are fully supported as development progresses.

Site Design

Mallard Crossing is thoughtfully designed to provide a smooth and respectful transition to surrounding land uses, with ample buffers that maintain privacy and reduce visual impacts for existing neighbors. The layout emphasizes a safe, walkable neighborhood environment, incorporating traffic calming elements such as stop signs, curb extensions, and other design features to promote slower vehicle speeds and pedestrian comfort.

The development team will coordinate with Duke Energy to ensure all necessary and safe encroachments within the existing transmission easement are properly permitted, as reflected in the master plan.

Streetscapes will be enhanced with cohesive landscaping, street furniture, hardscape elements, and community amenities—all designed to reflect the character and materials of the residential architecture. Ground signage at key entrances will further reinforce the neighborhood identity.

Major entry features will be strategically located and finalized during the preliminary plat review process. In addition, complementary smaller entrance markers will distinguish sub-neighborhoods within the community, helping to create a sense of place and orientation throughout the development.

Residential Units

The Mallard Crossing project is proud to provide five distinct product lines. These will include three single family detached product lines and two single family attached townhome product lines.

Of the single family detached products, two lines will focus on a traditional two-story product, having emphasis on the early-stage homebuyer as well as the move-up homebuyer, with the third single family detached product line emphasizing the age-targeted buyer, consisting of all ranch plans.

Of the attached single family townhome products, one will focus on first-time homebuyers, while the other will focus on age-targeted buyers. The age-targeted product will have the owner's suite, kitchen and living area all on the first floor, and only guest rooms on the second

floor, meeting the needs of buyers that are more price conscious or simply prefer the reduced maintenance needs that an attached townhome product can provide.

All these product lines will provide variation in exterior finishes, including cottage style elements. They will have a mix of siding styles, including horizontal lap siding, shake shingle accent siding and board and batten style siding. Premium .046 gauge vinyl siding is proposed for the neighborhood.

Some of the traditional single family detached and traditional attached townhome end units will have a window in the public facing side walls. The age-targeted product lines will also include stone elements on the exterior as well as at least one window on the side walls which will assist in making these homes distinct within the overall context of this community. Having the added stone on the age-targeted products provides a level of finish that is expected by buyers purchasing the home where they will likely retire and spend the golden years of life.

Single family attached townhomes will have 12' wide driveways. 18' wide driveways will be provided with the single family detached homes. Garages will be included for all detached single family homes and attached townhomes. Each garage door will have either carriage style adornments or windows. Sizes of garages are listed below:

- Traditional townhomes: 11'x19' one car garage with 8' garage door
- Age-targeted townhomes: 10'x21' one car garage with 8' garage door
- Traditional two-story single family detached: 20'x20' two car garage with 16' garage door
- Move up two-story single family detached: 20'x20' two car garage with 16' garage door
- Age-targeted single family detached ranch product: 20'x22' two car garage with 16' garage door

Off-street parking requirements will comply with the standards outlined in the UDO. Each single family detached home is required to provide two off-street parking spaces. For single family attached townhomes, parking requirements vary by bedroom account; assuming three bedrooms per unit, each townhome will also be required to provide two off-street parking spaces. These parking requirements will be satisfied on each individual lot through a combination of garage and driveway spaces. Some overflow guest parking areas will be provided in the attached townhome areas.

Trash and recycling bins for single-family detached and townhome units will be stored adjacent to each unit or building within a screened enclosure.

Maintenance

An HOA governing the community as a whole will maintain all common areas. The HOA will set standards by which the community must abide, including prohibition of on-street parking and architectural review of all new construction and major exterior work.

Deviations from UDO Minimum or Current Zoning Requirements

UDO §	UDO or Current Zoning Requirement	Proposed Standard
8.3.1.A	Min. lot area (SF dwelling): 6,000 sf	Min. lot area (SF dwelling): 5,000 sf
8.3.1.B	Min. lot frontage: 50 ft	Min. lot frontage: 42 ft
8.3.1.C	Min. front setback (SF detached): 25 ft Min. front setback (SF attached): 25 ft	Min. front setback (SF detached): 25 ft Min. front setback (SF attached): 25 ft
8.3.1.D	Min. side setback (SF detached): 5 ft	Min. side setback (SF detached): 5 ft
8.3.1.E	Min. rear setback (SF detached): 15 ft Min. rear setback (SF attached): 15 ft	Min. rear setback (SF detached): 15 ft Min. rear setback (SF attached): 15 ft
8.13.1.2	Min. building separation (SF attached > 20 ft in height): 20 ft	Min. building separation (SF attached > 20 ft in height): 20 ft
8.13.1.4	Min Perimeter Yard: shall be provided around the perimeter of the site (other than front and corner side yards) in accordance with the number of units proposed, 31 or more units: 40 ft width	Min Perimeter Yard (31 or more units): 30 ft width
8.13.3.1	Corner lot min. side setback on side street: 15 ft	Corner lot min. side setback on side street: 15 ft
10.14	No min. bufferyard requirement along internal boundaries between uses.	No min. bufferyard requirement along internal boundaries between uses.
10.110.9	Min. local street right of way width: 50 ft	Min. local street right of way width: 50 ft
10.110.10	Local street pavement width: 22 ft (not including curb and gutter)	Local street pavement width: 22 ft (not including curb and gutter)
3.02 B	Horizontal Street Design shall be in conformance with the latest NCDOT Standards.	Horizontal street centerline radii of 150 feet

UDO §	UDO or Current Zoning Requirement	Proposed Standard
3.02 D*	Valley curb permitted in front of SF attached (townhouses) and within 10 ft of a lot containing an end unit	Valley curb permitted in front of SF attached (townhouses) and within 10 ft of a lot containing an end unit as well as in front of SF detached lots with a width of less than 50 ft. On corner lots within these areas, a lot may exceed 50 ft in width as needed to meet corner side setback requirements, while still permitting valley curb along the fronting street.

*From the Standard Detail and Specifications Manual

Note: To the extent that any Proposed Standard stated above conflicts with a UDO requirement in addition to that listed, a request to deviate from that standard is also included herein.

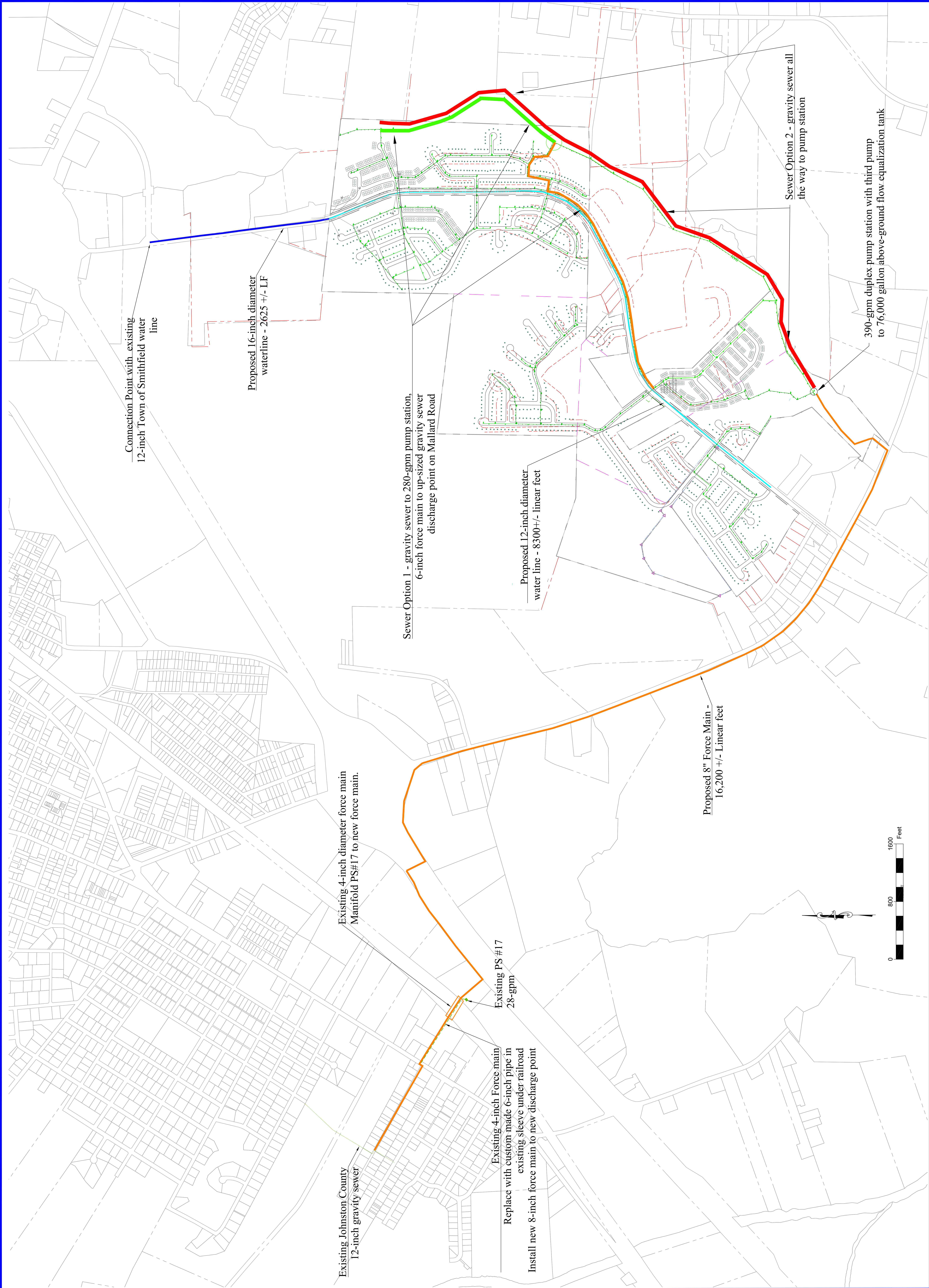
Improvements Exceeding UDO Minimum Requirements

UDO §	UDO Requirement	Proposed Minimum
3.02*	Sidewalks on one side of all streets and along frontage of all collectors (or trails where identified on the Pedestrian Plan)	Sidewalks or multi-use paths will be provided on both sides of all streets
	None	5' sidewalk along west side of Mallard Road 8' multi-use path on east side of Mallard Road
	None	At least two clubhouses will be provided.
	None	At least two swimming pools will be provided.
	None	A landscaped berm of a minimum average height of 3 ft, and with a decorative fence, will be provided between Mallard Road and the rear of any lots located within 40 ft of Mallard Road.
	None	Interior to the site, a pedestrian trail and footbridge shall be located within the existing overhead power easement if permitted by Duke Energy.

*From the Standard Detail and Specifications Manual

Exhibit A

Preliminary Utility Report

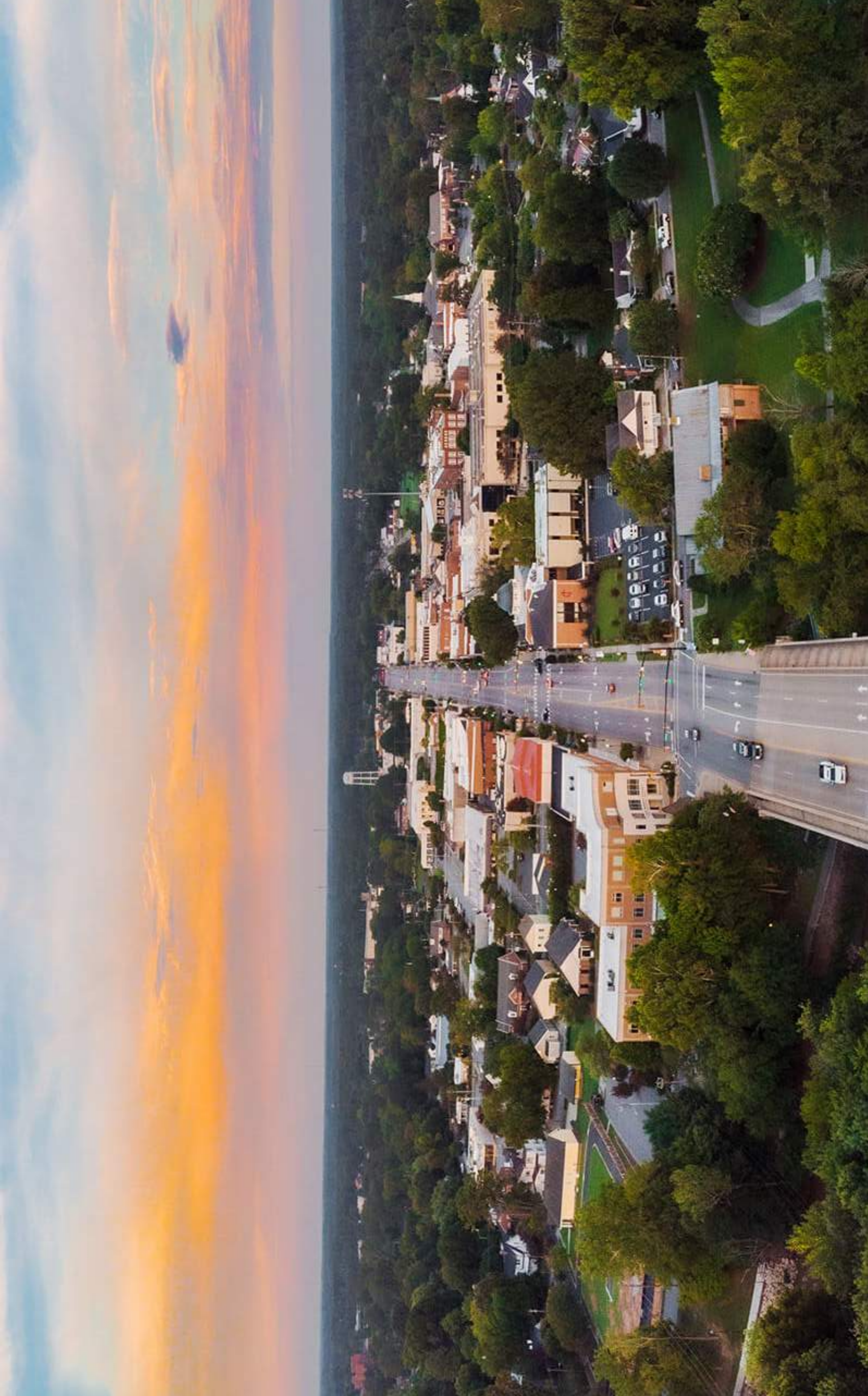


		MEYERS ENGINEERING, PLLC <small>ENGINEERING CONSULTANT</small> NC LICENSE # 2362 5708 CARRIAGE PARK COURT RALEIGH, NC 27607 919-390-4227 JAY@MEYERSENGINEERING.NET		TIMMONS GROUP 5410 TRINITY ROAD SUITE 102 RALEIGH, NC 27607 919-390-4227 CONTACT: JIM CHANDLER, PE	SCHEMATIC DRAWING MAY 2025 MALLARD CROSSING UTILITY CONCEPTUAL LAYOUT SMITHFIELD, NC G-01
REV	ISSUED FOR	DATE	BY		



SITE DATA:			468.9 +/- AC
TOTAL AREA			
	20' X 100' TOWNHOMES TRADITIONAL	267	
	24' X 100' TOWNHOMES AGE-TARGETED	187	
	42' X 120' SINGLE-FAMILY TRADITIONAL	332	
	51' X 120' SINGLE-FAMILY TRADITIONAL	303	
	51' X 120' SINGLE-FAMILY AGE-TARGETED	238	
TOTAL UNITS		1,327	
ACTIVE OPEN SPACE REQUIRED (5%)		23.4 +/- AC	
ACTIVE OPEN SPACE PROVIDED		25.0 +/- AC	

NOTE:
CLUSTER MAILBOX UNITS WILL BE PROPOSED AT MULTIPLE LOCATIONS THROUGHOUT THE DEVELOPMENT. FINAL KIOSK LOCATIONS WILL BE DETERMINED IN COORDINATION WITH USPS AND ARE SUBJECT TO APPROVAL BY THE LOCAL POSTMASTER. USPS APPROVAL WILL BE OBTAINED AS PART OF THE PRELIMINARY PLAT REVIEW PROCESS.



MALLARD CROSSING

REZONING SUBMITTAL
PREPARED FOR:
TOWN OF SMITHFIELD
JUNE, 2025

ENGINEERING FIRM:
TIMMONS GROUP
5401 TRINITY RD, SUITE 102
RALEIGH | NC 27607

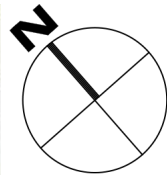


SITE DATA TABLE	
PROJECT:	MALLARD CROSSING
ENGINEER:	TIMMONS GROUP BETH BLACKMON, PE 5410 TRINITY ROAD, STE. 102 RALEIGH, NC 27607 PHONE: (919) 868-4509 FAX: (919) 859-5663 EMAIL: BETH.BLACKMON@TIMMONS.COM
DEVELOPER:	MALLARD SMITHFIELD NC, LLC 1201 EDWARDS MILL RD., SUITE 300 RALEIGH, NC 27607 PHONE: (757) 647-4070 EMAIL: PAULLUCK@CONTENTDERAMERICA.COM
LAND OWNER:	JULIAN & WILLIAM MARSHALL P.O. BOX 1482 SMITHFIELD, NC 27577-4385 MARSHALL INC. P.O. BOX 1482 SMITHFIELD, NC 27577-4385 KENNETH A TALTON TRUST 2750 HWY 96 NORTH SELMA, NC 27576 WILLIAM I TALTON REVOCABLE TRUST & IRENE LEE TALTON REVOCABLE TRUST 1666 MALLARD RD SMITHFIELD, NC 27577 WILLIAM I TALTON FAMILY ESTATE TRUST, IRENE LEE TALTON, TRUSTEE 1666 MALLARD RD SMITHFIELD, NC 27577 ROBERT KENT HILL & KAREN HILL CROCKER 305 SKINNER RD FOUR OAKS, NC 27524
TAX ID:	169300-70-7509, 169202-79-9657, 260300-13-6423, 169300-91-8831, 260300-00-3877, 169202-98-6620, 260200-09-2086, 260300-23-8022
DEED REFERENCE:	DB5452 PG599; DB4373 PG141; DB4374 PG903; DB4342 PG849; DB4342 PG849; DB4374 PG903; DB4865 PG421
TOWNSHIP:	SMITHFIELD
EXISTING ZONING:	R-8 CZ
CURRENT USE:	VACANT
PROPOSED USE:	RESIDENTIAL
PROPOSED ZONING:	R-8 CONDITIONAL
TOTAL PROJECT AREA:	468.9 ACRES
PROPOSED DENSITY:	2.83 DU/A
RIVER BASIN:	NEUSE
SURFACE WATER CLASSIFICATION:	C: NSW
WATERSHED:	NONE
FEMA	3720168200L, 3720260200K, EFFECTIVE 06-20-2018



COMMUNITY LOCATION

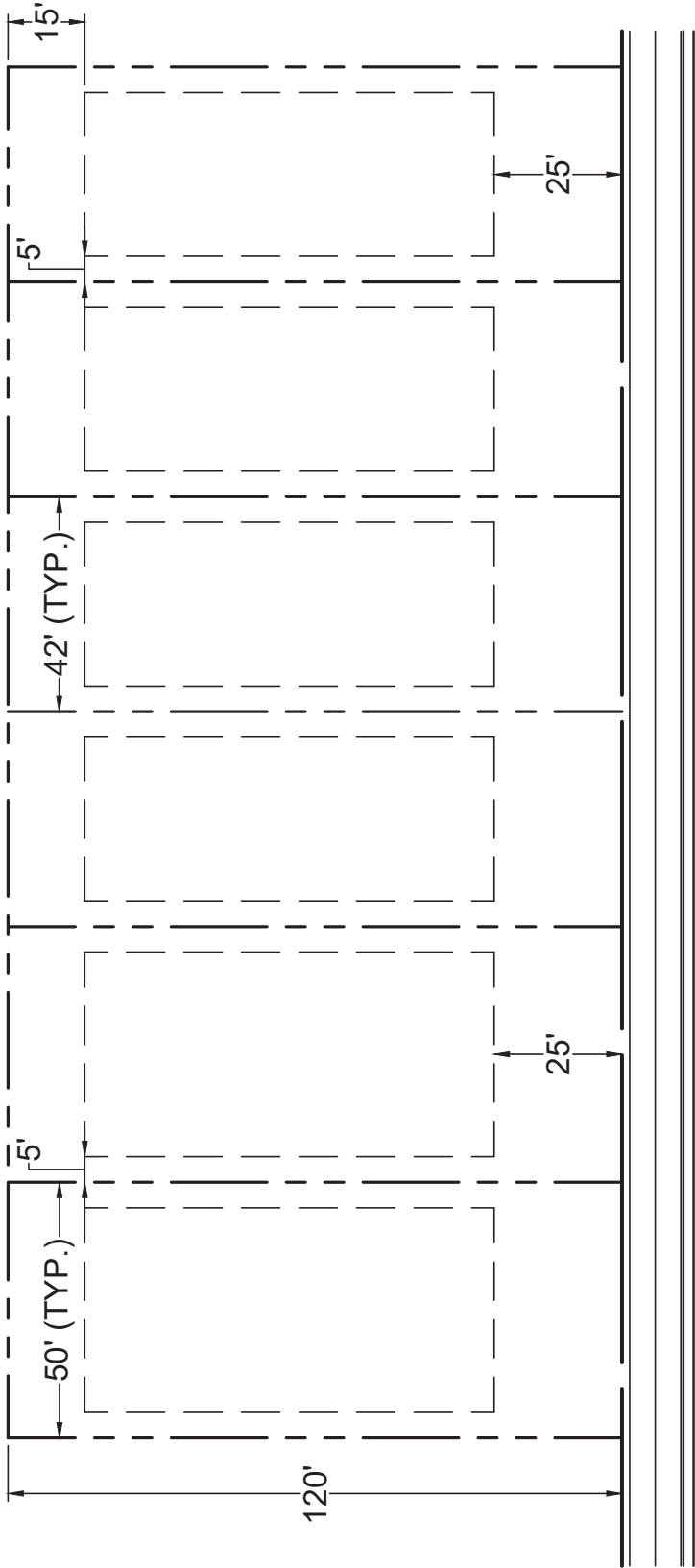
COMMUNITY MASTER PLAN



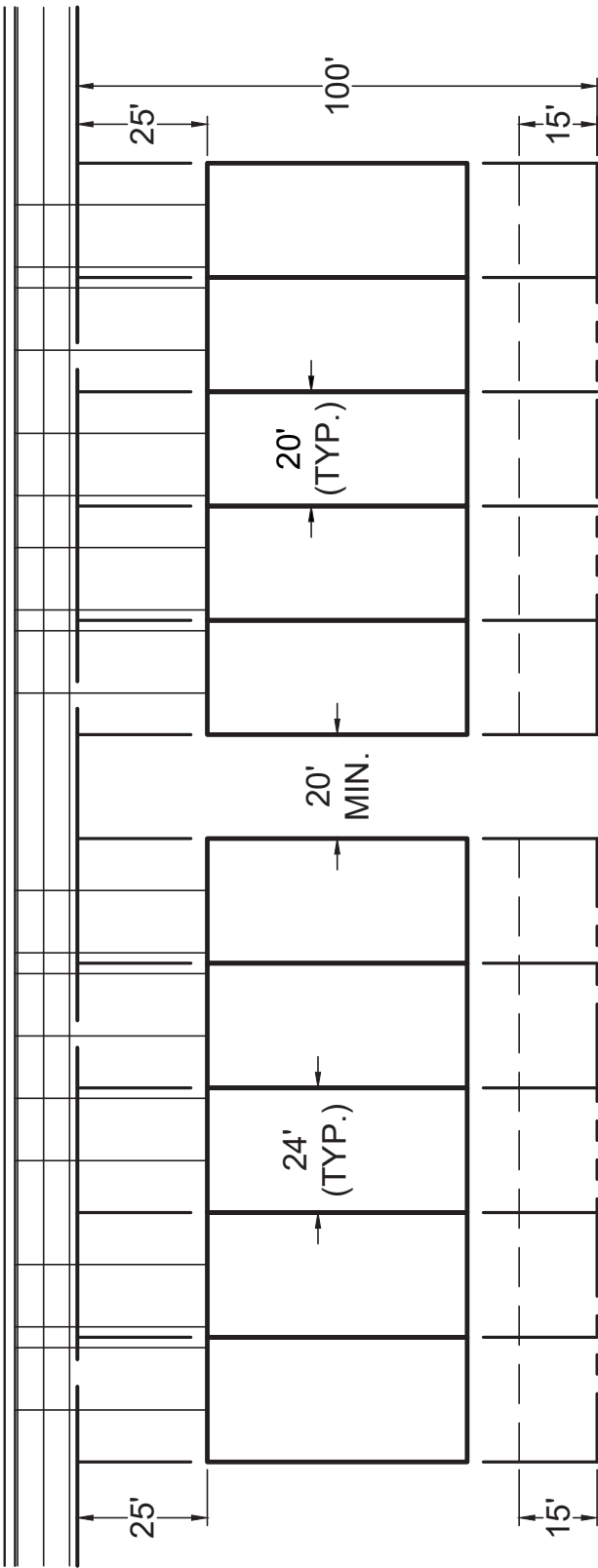
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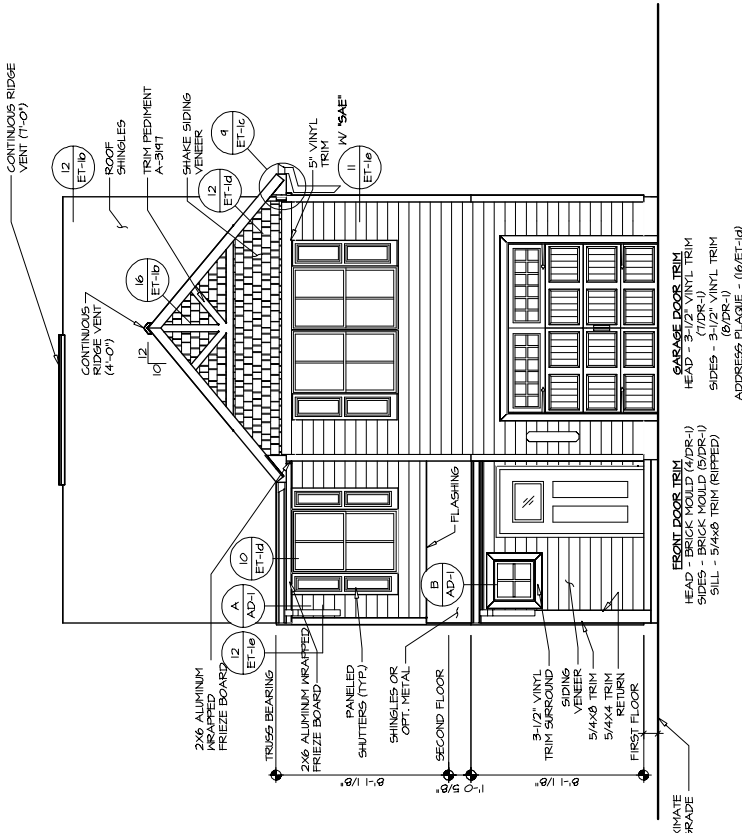
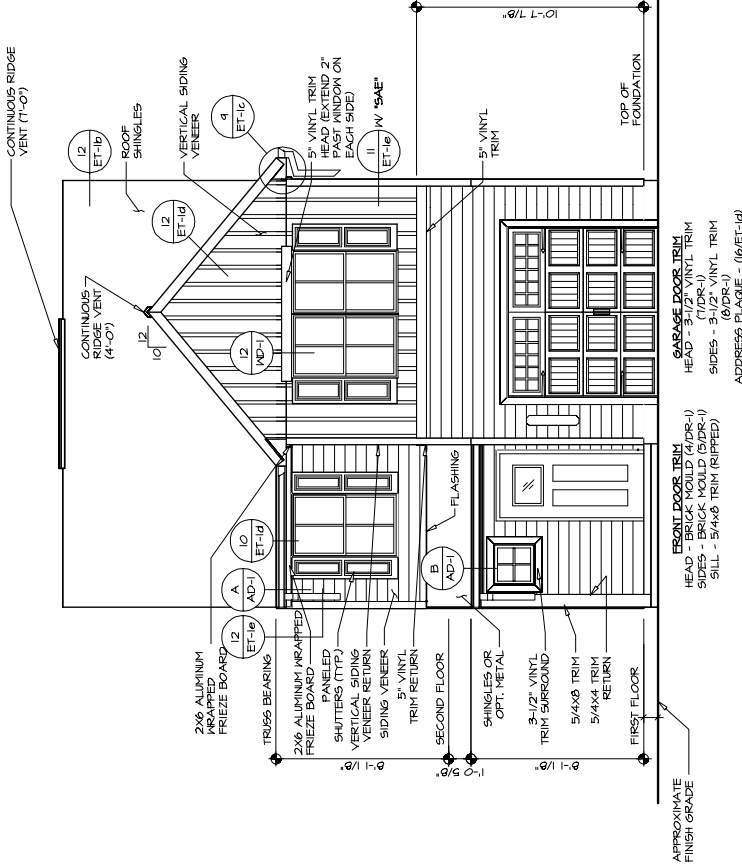
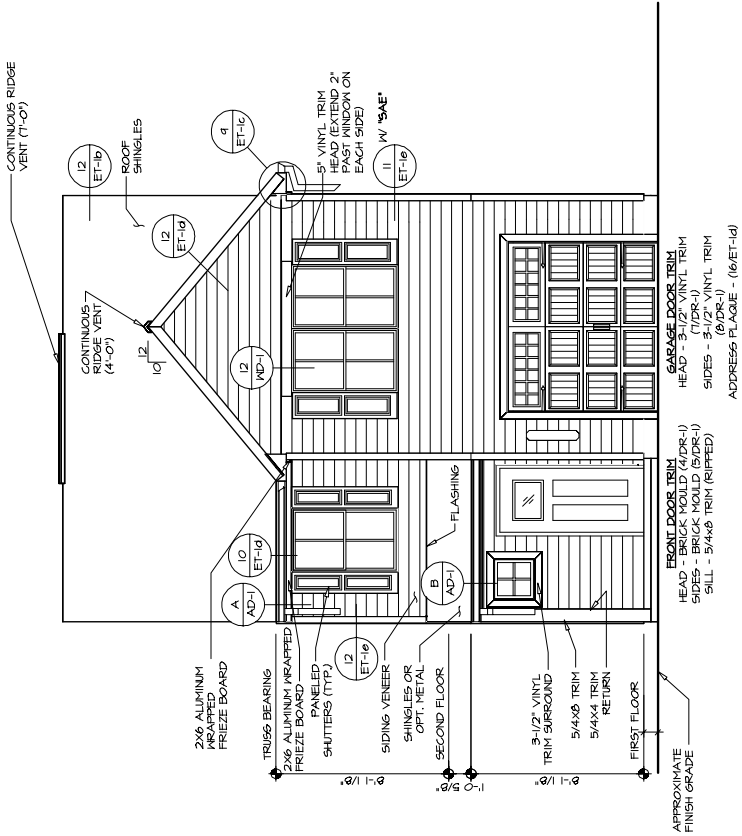
TYPICAL LOT DIMENSIONS

SINGLE FAMILY DETACHED LOTS:		
MIN. LOT WIDTH	42'	
MIN. LOT AREA	5,040 SF	
SINGLE FAMILY SETBACKS:		
FRONT	25'	
REAR	15'	
SIDE	5'	
SIDE CORNER	15'	

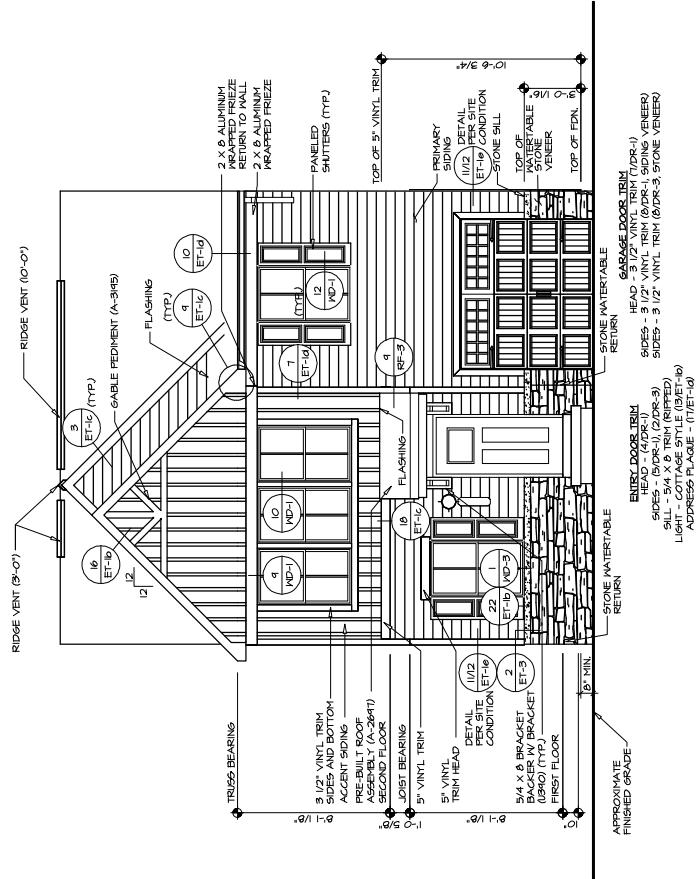


TOWNHOME LOTS:		
MIN. LOT WIDTH	20'	
TOWNHOME SETBACKS:		
FRONT	25'	
REAR	15'	
BUILDING SEPARATION	20'	





TOWNHOME ELEVATIONS



SINGLE FAMILY ELEVATIONS

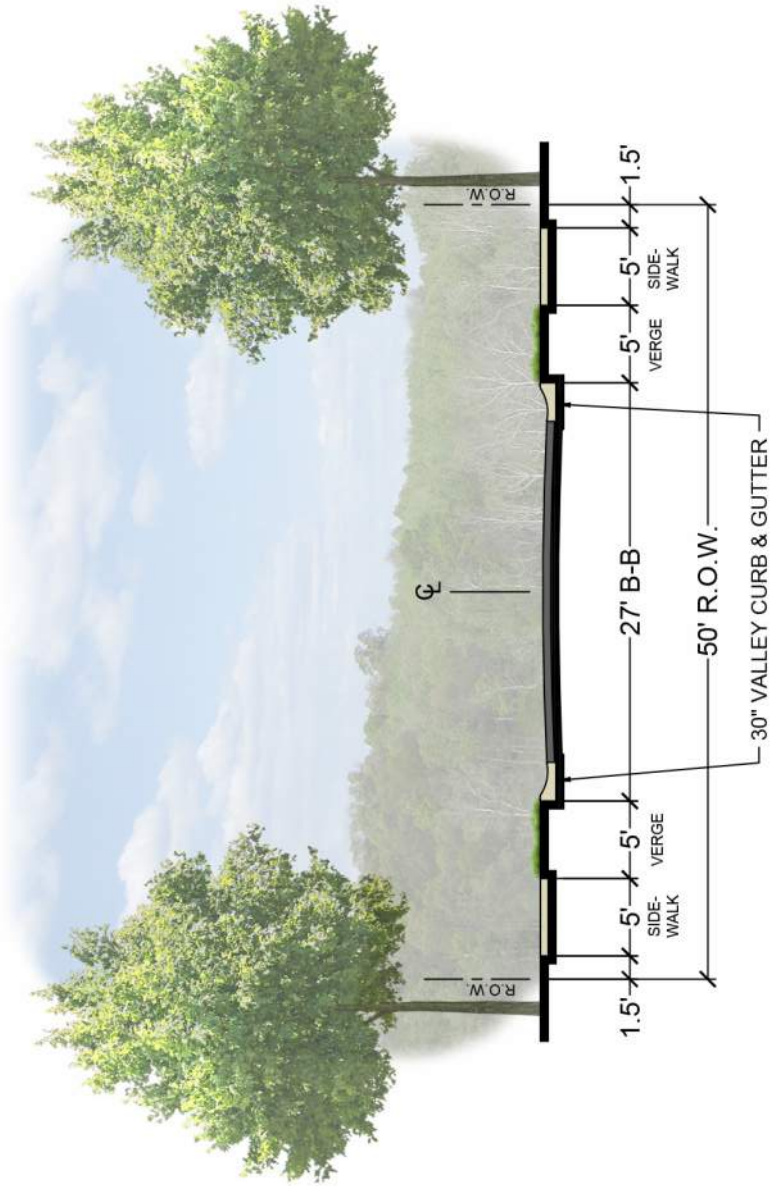


SINGLE FAMILY ELEVATIONS

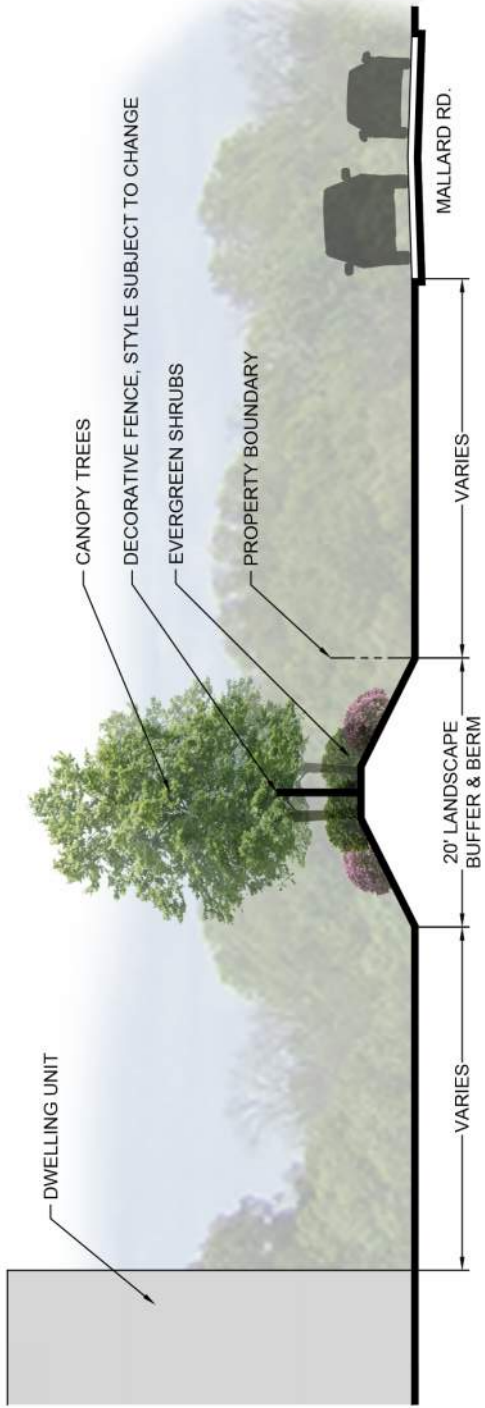


AGE-TARGETED SINGLE FAMILY DETACHED

TYPICAL RESIDENTIAL ROAD
NOT TO SCALE



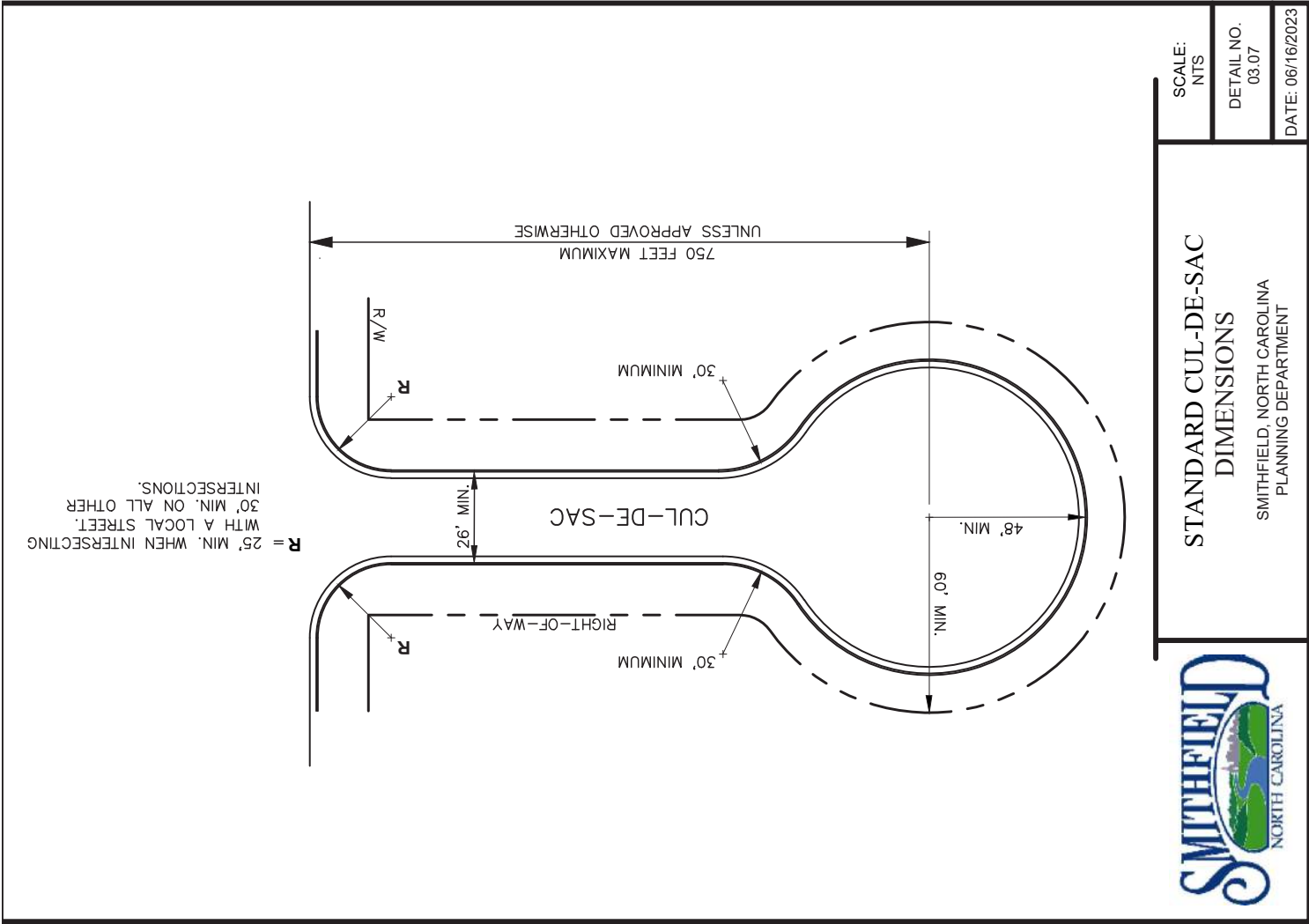
NOTE: VALLEY CURB & GUTTER IN SELECT LOCATIONS, STANDARD CURB & GUTTER ELSEWHERE.



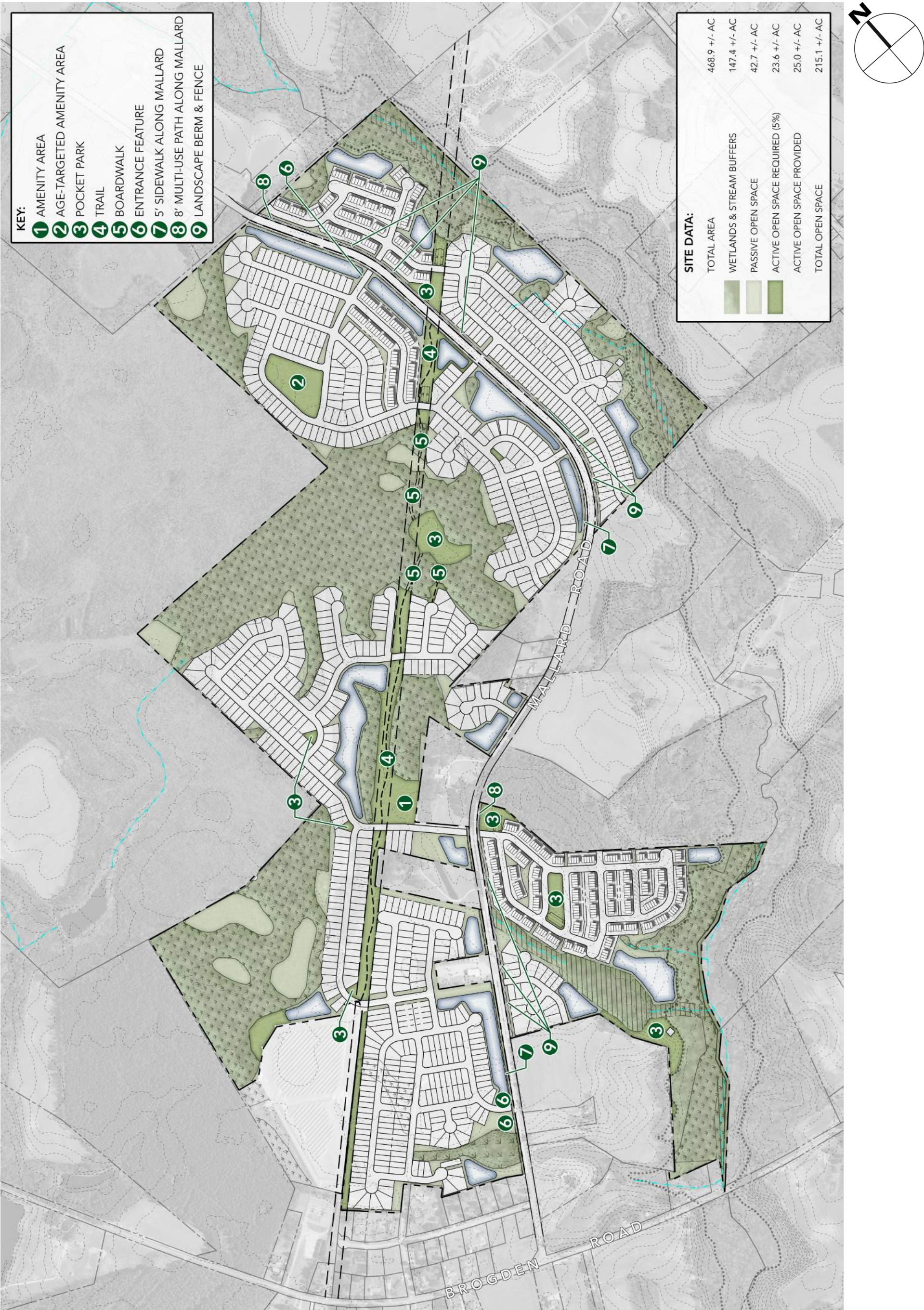
TYPICAL BERM DETAIL
NOT TO SCALE

ILLUSTRATIVE CONCEPT: PLANTINGS, MATERIALS & FENCING SHOWN ARE CONCEPTUAL & SUBJECT TO MODIFICATION DURING THE FINAL DESIGN PHASE AS PART OF THE PRELIMINARY PLAT APPROVAL PROCESS.

TYPICAL STREET DETAILS

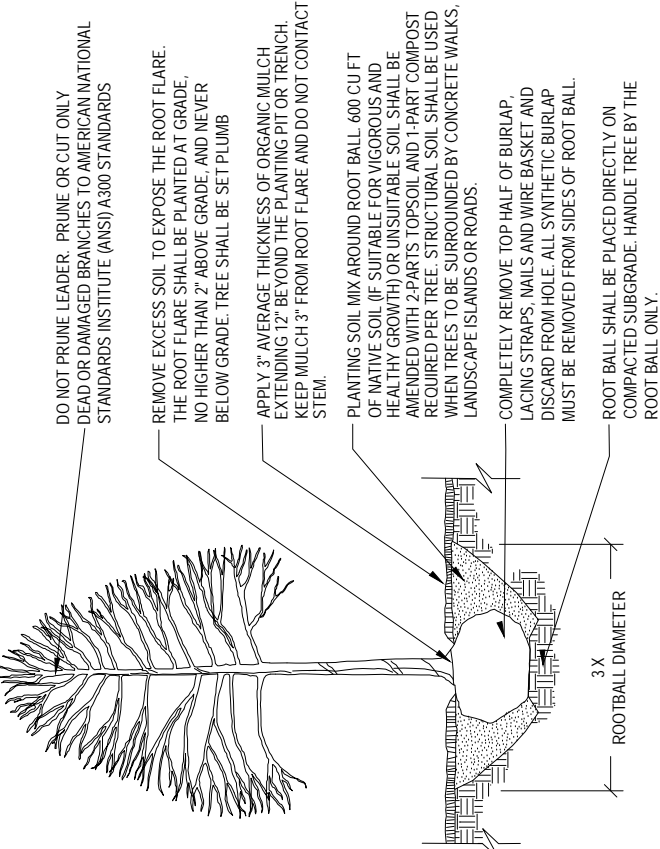


OPEN SPACE & AMENITIES



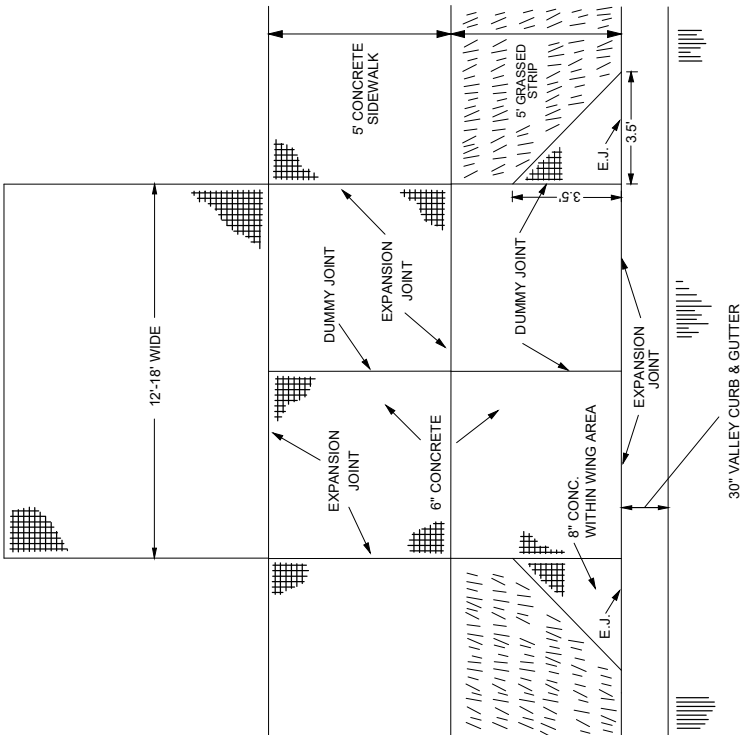
COMMUNITY AMENITIES





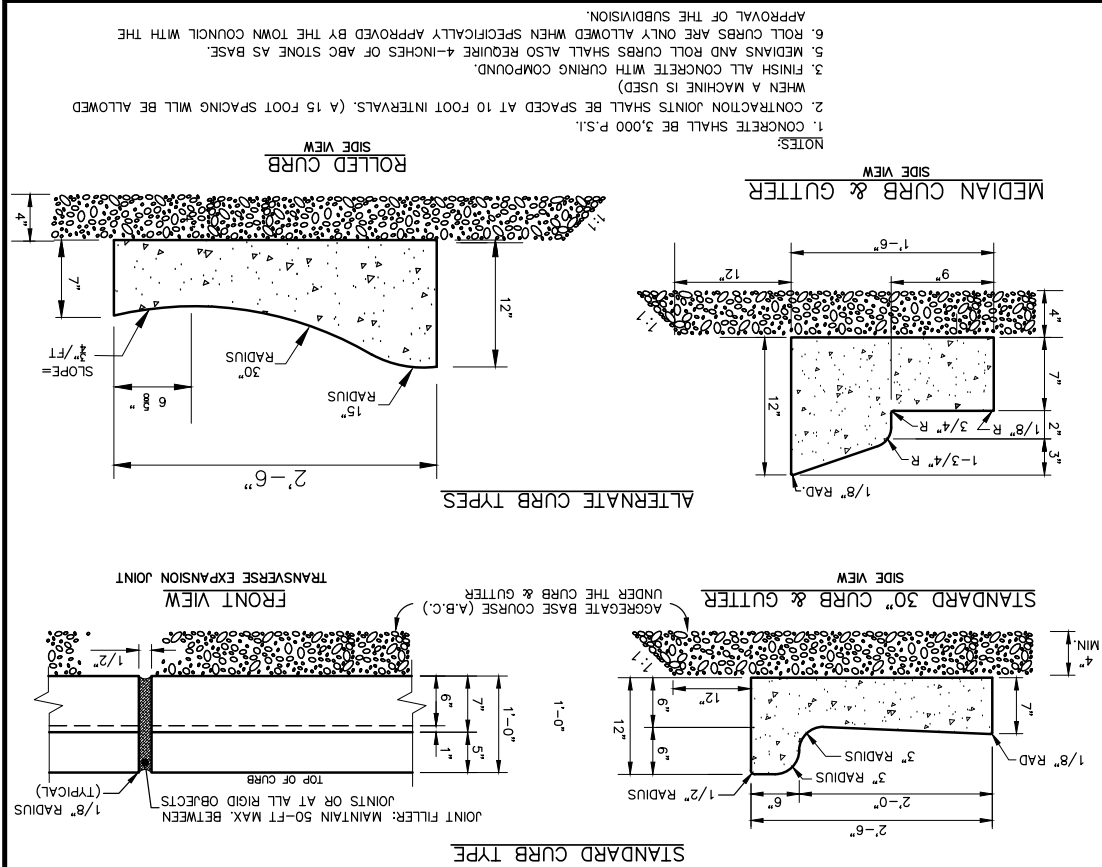
NOTES:

1. TREES MUST CONFORM TO AMERICAN STANDARDS FOR NURSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSEYMAN (A.A.N) AND UNIFIED DEVELOPMENT . ORDINANCE SECTION 10.18 - RECOMMENDED PLANT-LIST.
2. CONTRACTOR IS RESPONSIBLE FOR ADEQUATE DRAINAGE OF ALL PLANTING PITS (POSITIVE DRAINAGE AWAY FROM PIT).
3. TREES SHALL BE PLANTED BETWEEN OCTOBER 1ST AND APRIL 30TH.
4. ELECTRICAL OUTLETS AND OTHER UTILITIES ARE PROHIBITED IN THE PLANTING AREA IMMEDIATELY SURROUNDING THE TREE.
5. ALL TREE STAKING MUST BE REMOVE WITHIN ONE YEAR.
6. TREES WILL HAVE A MINIMUM 1 YEAR WARRANTY AFTER INITIAL PLANTING IS APPROVED BY THE TOWN.



NOTES:

1. EXPANSION MATERIAL SHALL EXTEND THE FULL DEPTH OF THE CONCRETE.
2. ALL CONCRETE SHALL BE 3000 PSI (MIN.).
3. DRIVEWAY APRON SHALL HAVE A MINIMUM 2% SLOPE TOWARD THE STREET.



ES:

- NOT
1. C
2. C
W
3. F
5. M
6. F
A



STANDARD TREE PLANTING DETAIL

SCALE:
NTS

DETAIL NO.

DATE:12/12/2022



STANDARD DRIVEWAY APRON FOR VALLEY CURBS

SCALE:
NTS

DETAIL NO.

DATE: 06/16/2023



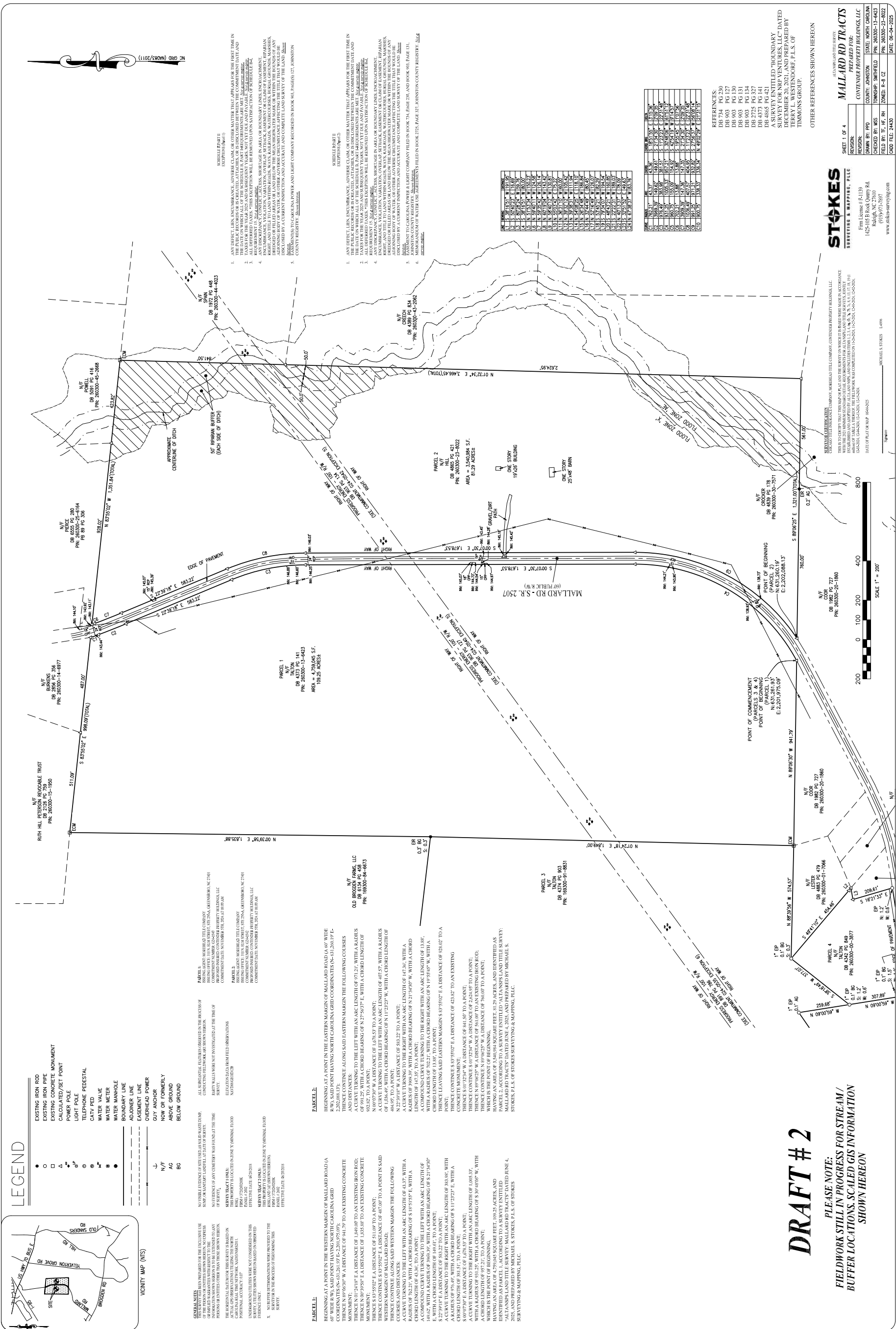
STANDARD CONCRETE CURB & GUTTER

SCALE:
NTS

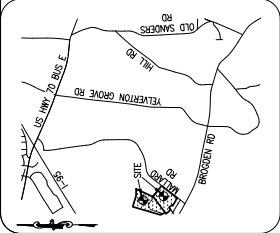
DETAIL NO.

DATE: 06/16/2023

EXISTING CONDITIONS



[illegible]



LEGEND

- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- EXISTING CONCRETE SET POINT
- POWER POLE
- LIGHT POLE
- TELEPHONE PEDESTAL
- CATV PED
- WATER VALVE
- WATER METER
- WATER MANHOLE
- BOUNDARY LINE
- ADJOINER LINE
- EASEMENT LINE
- OVERHEAD POWER
- GUY ANCHOR
- NOW OR FORMERLY
- ABOVE GROUND
- BELOW GROUND

PANEL 4:
ISSUING AGENT: MURKHEAD TITLE COMPANY
COMMITMENT NUMBER: 160202-76-1240
COMMITMENT DATE: NOVEMBER 15, 2024 AT 10:08 AM

PANEL 6:
ISSUING AGENT: MURKHEAD TITLE COMPANY
COMMITMENT NUMBER: 160202-76-1240
COMMITMENT DATE: NOVEMBER 15, 2024 AT 10:08 AM

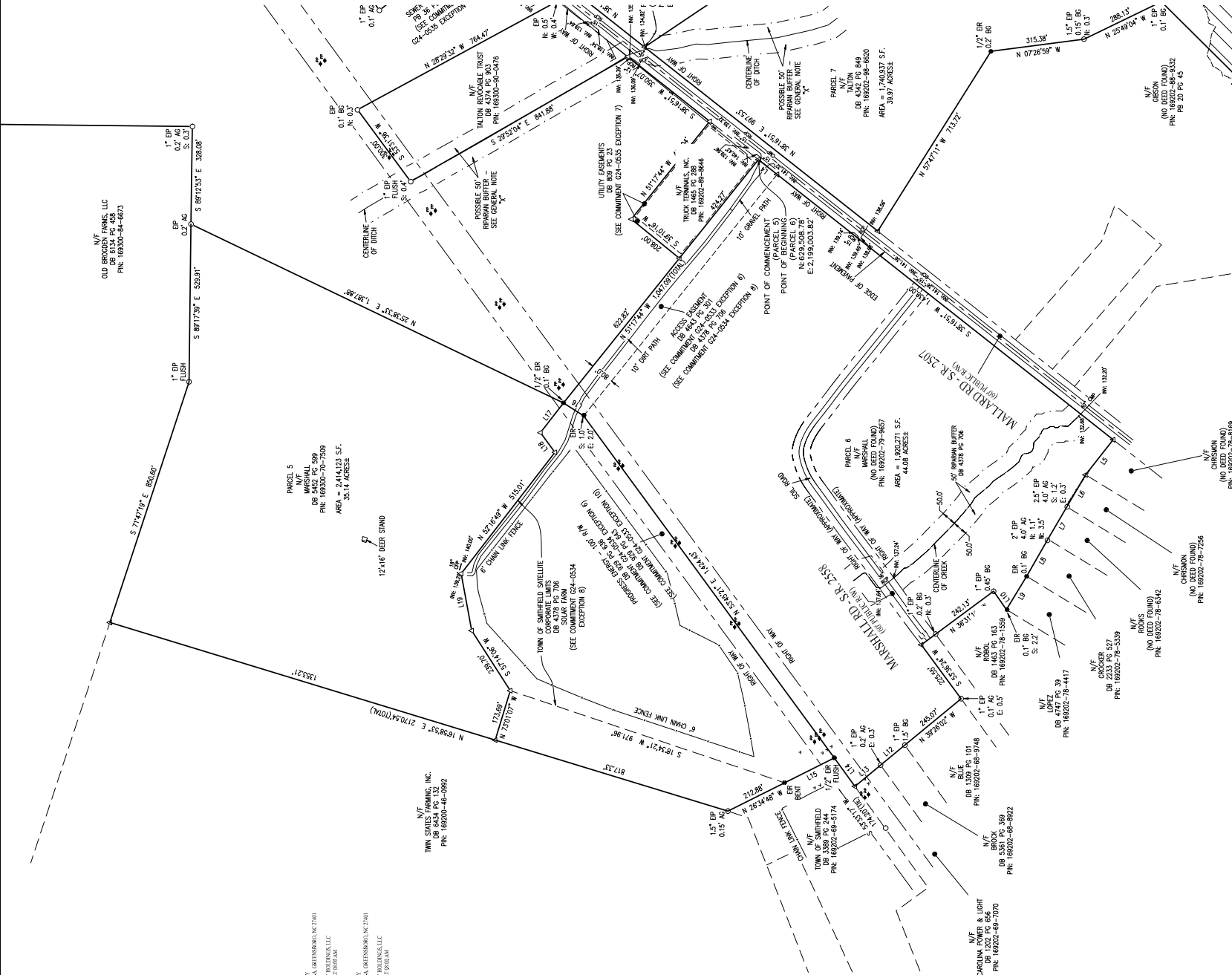
ALL ESSENTIAL FEATURES OBSERVED IN THE PROCESS OF
CONDUCTING FIELDWORK ARE SHOWN HEREIN.
PARTY WALLS WERE NOT INVESTIGATED AT THE TIME OF
SURVEY.
ELEVATION DATA FROM FIELD OBSERVATIONS
WAS USED WHERE APPROPRIATE.

NO USABLE EVIDENCE OF SITE (USED AS SHELTER WASTE DUMP
SUMP OR SANITARY LANDFILL) DATE OF SURVEY:
NO EVIDENCE OF ANY EASEMENT WAS FOUND AT THE TIME
OF SURVEY.
THE PROPERTY IS LOCATED IN ZONE 1X (ORIGINAL FLOOD
PLAIN) FLOOD ZONE
EFFECTIVE DATE: 06/20/2018

GENERAL NOTES:
1. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE
OF THE PERSON OR ENTITY SHOWN HEREIN. NO EXPRESS
OR IMPLIED WARRANTY IS MADE BY THE SURVEYOR
PERSON OR ENTITY OTHER THAN THOSE SHOWN HEREIN.
2. THE SURVEYOR'S LIABILITY FOR THIS SURVEY IS BASED ON
THE PROFESSIONAL STANDARDS OF THE SURVEYING
CARTAGENA, NORTH CAROLINA.
3. UNLESS OTHERWISE NOTED, THIS SURVEY WAS CONDUCTED ON THIS
DATE.
4. NO OTHER REFERENCE MARKS WERE FOUND TO THE
SURVEY.

PANEL 5:
BEGINNING AT A POINT IN THE WESTERN CORNER OF MALLARD ROAD (A 60' WIDE
R.O.W.) SAID POINT HAVING NORTH CAROLINA GRID COORDINATES (N= 625,508.79 E= 2,190,003.87);
THENCE S 51°16'51" W A DISTANCE OF 80.00' TO A POINT;
THENCE S 51°52'34" W A DISTANCE OF 143.60' TO AN EXISTING IRON PIPE;
THENCE S 50°50'42" W A DISTANCE OF 124.50' TO AN EXISTING IRON PIPE;
THENCE N 66°19'04" W A DISTANCE OF 143.42' TO AN EXISTING IRON PIPE;
THENCE S 58°40'12" W A DISTANCE OF 130.81' TO AN EXISTING IRON PIPE;
THENCE N 35°11'06" W A DISTANCE OF 242.33' TO AN EXISTING IRON PIPE;
THENCE S 35°11'06" W A DISTANCE OF 60.00' TO A POINT;
THENCE S 57°30'24" W A DISTANCE OF 225.45' TO AN EXISTING IRON PIPE;
THENCE N 35°11'06" W A DISTANCE OF 111.94' TO AN EXISTING IRON PIPE;
THENCE N 35°11'06" W A DISTANCE OF 105.42' TO A POINT;
THENCE S 50°29'25" E A DISTANCE OF 118.00' TO AN EXISTING IRON PIPE;
THENCE N 32°44'59" E A DISTANCE OF 60.45' TO AN EXISTING IRON PIPE;
THENCE S 51°17'44" E A DISTANCE OF 622.82' TO A POINT;
THENCE COME BACK TO BEGINNING.
HAVING AN AREA OF 1,920,271 SQUARE FEET, 44.06 ACRES, AND IDENTIFIED AS
PARCEL 6, ACCORDING TO A SURVEY ENTITLED "ALAN'S LAND TITLE SURVEY."
WITNESSED AND SIGNED BY THE SURVEYOR AND THE CLIENT, MICHAEL S.
STOKES, P.L.S., OF STOKES SURVEYING & MAPPING, PLLC.

PANEL 3:
BEGINNING AT A POINT IN THE WESTERN CORNER OF MALLARD ROAD (A 60' WIDE
R.O.W.) SAID POINT HAVING NORTH CAROLINA GRID COORDINATES (N= 625,508.79 E= 2,190,003.87);
THENCE CONTINUE N 51°17'44" W A DISTANCE OF 622.82' TO AN EXISTING IRON
PIPE FOR A POINT OF BEGINNING;
THENCE S 57°30'24" W A DISTANCE OF 225.45' TO AN EXISTING IRON PIPE;
THENCE N 35°11'06" W A DISTANCE OF 111.94' TO AN EXISTING IRON PIPE;
THENCE N 35°11'06" W A DISTANCE OF 105.42' TO A POINT;
THENCE S 50°29'25" E A DISTANCE OF 118.00' TO AN EXISTING IRON PIPE;
THENCE N 32°44'59" E A DISTANCE OF 60.45' TO AN EXISTING IRON PIPE;
THENCE S 51°17'44" E A DISTANCE OF 622.82' TO A POINT;
THENCE COME BACK TO BEGINNING.
HAVING AN AREA OF 1,290,419 SQUARE FEET, 35.14 ACRES, AND IDENTIFIED AS
PARCEL 3, ACCORDING TO A SURVEY ENTITLED "ALAN'S LAND TITLE SURVEY."
WITNESSED AND SIGNED BY THE SURVEYOR AND THE CLIENT, MICHAEL S.
STOKES, P.L.S., OF STOKES SURVEYING & MAPPING, PLLC.



THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE
WITH THE 2021 STANDARD AND PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA AND THE SURVEYOR'S
RECORD OF THIS SURVEY IS FILED IN THE PUBLIC RECORDS OF THE STATE OF NORTH CAROLINA.
MICHAEL S. STOKES, P.L.S., OF STOKES SURVEYING & MAPPING, PLLC.
DATE OF PLAN OR MAP: 06/06/2025

STOKES SURVEYING & MAPPING, PLLC
Firm License # F-1139
1425-103 B Rock Quarry Rd.
Charlotte, NC 28203
(704) 971-7907
www.stokes-surveying.com

DATE OF PLAN OR MAP: 06/06/2025
MICHAEL S. STOKES, P.L.S.
STOKES SURVEYING & MAPPING, PLLC

STOKES SURVEYING & MAPPING, PLLC
Firm License # F-1139
1425-103 B Rock Quarry Rd.
Charlotte, NC 28203
(704) 971-7907
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DRAFT # 2

EXISTING CONDITIONS

STOKES SURVEYING & MAPPING, PLLC
Firm License # F-1139
1425-103 B Rock Quarry Rd.
Charlotte, NC 28203
(704) 971-7907
www.stokes-surveying.com

MALLARD RD TRACTS
PREPARED FOR:
CONSUMER PROPERTY HOLDINGS, LLC
TOWN: JOHNSTON
COUNTY: JOHNSTON
TOWNSHIP: SMITHFIELD
CHECKED BY: M.S.
FIELD BY: T. H. RH
JOB#: R-3 02
DATE: 06-04-2025

OTHER REFERENCES SHOWN HEREON

REFERENCES:
DB 597 PG 118
DB 657 PG 46
DB 679 PG 306
DB 687 PG 10
DB 697 PG 10
DB 929 PG 636
DB 929 PG 643
DB 3030 PG 271
DB 3389 PG 244
DB 3389 PG 271
DB 4516 PG 331
DB 4516 PG 336
DB 4643 PG 301
DB 4643 PG 313
DB 4643 PG 313
DB 5452 PG 599
DB 5452 PG 599

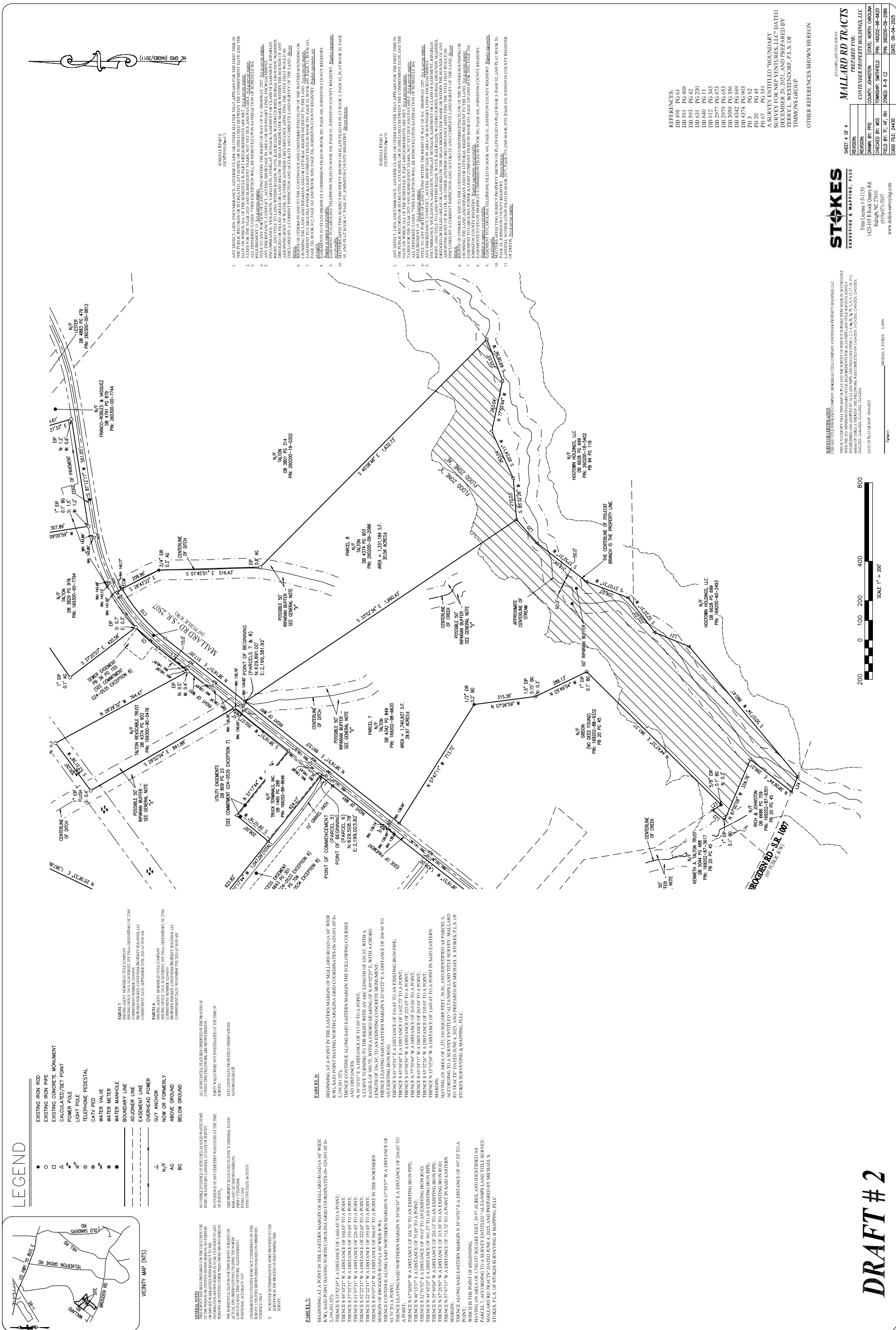
A SURVEY ENTITLED "BOUNDARY
SURVEY FOR NRP VENTURES, LLC" DATED
DECEMBER 20, 2021, AND PREPARED BY
MICHAEL S. STOKES, P.L.S., OF
STOKES SURVEYING & MAPPING, PLLC.

1. ANY DEFECT, LIES, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN
THE PUBLIC RECORDS OR IS CREATED, ANTICIPATED, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE
DATE OF THIS SURVEY, SHALL BE THE RESPONSIBILITY OF THE PARTY TO WHOM THIS SURVEY IS MADE.
2. TAKES FOR THE YEAR 2024 AND SUBSEQUENT YEARS, NOT YET DEDICATED AND PAYABLE, SHALL BE THE
RESPONSIBILITY OF THE PARTY TO WHOM THIS SURVEY IS MADE.
3. ALL DEFECTS, LIES, ENCUMBRANCES, ADVERSE CLAIMS, OR OTHER MATTERS THAT APPEAR FOR THE FIRST TIME IN
THE PUBLIC RECORDS OR IS CREATED, ANTICIPATED, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE
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4. THE SURVEYOR'S LIABILITY FOR THIS SURVEY IS BASED ON THE PROFESSIONAL STANDARDS OF THE SURVEYING
CARTAGENA, NORTH CAROLINA.
5. UNLESS OTHERWISE NOTED, THIS SURVEY WAS CONDUCTED ON THIS DATE.
6. NO OTHER REFERENCE MARKS WERE FOUND TO THE SURVEY.

SCHEDULE PART II
EXCEPTIONS (Part II)

1. ANY DEFECT, LIES, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN
THE PUBLIC RECORDS OR IS CREATED, ANTICIPATED, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE
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4. THE SURVEYOR'S LIABILITY FOR THIS SURVEY IS BASED ON THE PROFESSIONAL STANDARDS OF THE SURVEYING
CARTAGENA, NORTH CAROLINA.
5. UNLESS OTHERWISE NOTED, THIS SURVEY WAS CONDUCTED ON THIS DATE.
6. NO OTHER REFERENCE MARKS WERE FOUND TO THE SURVEY.

EXISTING CONDITIONS



Mallard Crossing Adjacent Property Owners

Name1	Name2	Address1	Address2	CityStateZip
HILL, ROBERT KENT	CROCKER, KAREN HILL	305 SKINNER RD		FOUR OAKS, NC 27524-8465
BOESE, SUVIMAL S		654 MALLARD RD		SMITHFIELD, NC 27577-7127
SPAIN, ASHLEY LEE		19 BRITISH CT		SMITHFIELD, NC 27577-9422
CREECH, AUDREY BARNES LIFE ESTATE	PARKER, TERESA CREECH REMAINDER	1363 STILL BLUFF LN		LELAND, NC 28451-6200
KENNETH A TALTON TRUST	TALTON, KENNETH A TRUSTEE	2750 HWY 96 NORTH		SELMA, NC 27576
COOR, CLYDA HILL	COOR, LAWRENCE B	130 CROW TRL		HERTFORD, NC 27944-9170
CROCKER, ZACHARY SCOTT		2430 YELVERTON GROVE RD		SMITHFIELD, NC 27577-7565
BURKENS, WALTER J		1500 EVANS ROAD		PRINCETON, NC 27569-0000
JIMMY RAY WHITLEY REVOCABLE TRUST	SYLVIA N. WHITLEY REVOCABLE TRUST	1586 YELVERTON GROVE RD		SMITHFIELD, NC 27577-7583
TEACHEY, MARIE K LIFE ESTATE	MCDANIELS, CHRISTOPHER PAUL REMAINDER	646 MALLARD RD		SMITHFIELD, NC 27577-7127
PIERCE, JOSEPH THOMAS		1312 BUFFALOE RD		GARNER, NC 27529-5017
POWELL, CLARA H LIFE ESTATE	POWELL, SPENCER E III REMAINDER	1610 YELVERTON GROVE RD		SMITHFIELD, NC 27577-7581
WHITLEY, HILDA		647 MALLARD RD		SMITHFIELD, NC 27577-7127
WILLIAM I TALTON REVOCABLE TRUST	IRENE LEE TALTON REVOCABLE TRUST	1666 MALLARD RD		SMITHFIELD, NC 27577-7137
OLD BROGDEN FARMS, LLC		6317 BAYSWATER TRL		RALEIGH, NC 27612-6608
LESTER, JASON		1500 MALLARD RD		SMITHFIELD, NC 27577-7136
RUTH HILL PETERSON REVOCABLE TRUST	PETERSON, RUTH HILL TRUSTEE	3433 BENHAM AVE		NASHVILLE, TN 37215-1503
MASSENGILL, DALTON LOUIS	MASSENGILL, MARY	1472 MALLARD RD		SMITHFIELD, NC 27577-7135
WILLIAM I TALTON FAMILY ESTATE TRUST	TALTON, IRENE LEE TRUSTEE	1666 MALLARD RD		SMITHFIELD, NC 27577-7137
MARSHALL, JULIAN BRIAN	MARSHALL, WILLIAM CORBETT	PO BOX 1482		SMITHFIELD, NC 27577-4385
TALTON, PATRICIA S		1995 HOODS CREEK DRIVE		NEW BERN, NC 28562-0000
TRUCK TERMINALS INC		1901 N NAN AVE		MARBLEHEAD, OH 43440-9799
MARSHALL INCORP		PO BOX 1482		SMITHFIELD, NC 27577-4385
TALTON, WILLIAM MICHAEL	TALTON, DEBRA E	1666 MALLARD RD		SMITHFIELD, NC 27577-0000
FRANCO-ROBLES, SERGIO	VASQUEZ, OSIRIS MARIA BELLEZA	1532 MALLARD RD		SMITHFIELD, NC 27577-7136
TWIN STATES FARMING INC			P O BOX 1352	SMITHFIELD, NC 27577-1377
MITCHELL, JAMES NELSON	MITCHELL, BRENDA C	1225 OLD SANDERS ROD		SMITHFIELD, NC 27577-0000
HOGTOWN HOLDINGS, LLC		3511 MEADOWRUN DR		DURHAM, NC 27707-6626
TOWN OF SMITHFIELD A NC MUNICI		111 S 4TH ST		SMITHFIELD, NC 27577-0000
ROBOL, MARY F ASTERITA		128 OLD MALLARD RD		SMITHFIELD, NC 27577-9453
OEHLER, PHILIP GEORGE		119 HORSESHOE RD		DAVIS, NC 28524-7020
CHRISMON, FRANK T	CHRISMON, DOROTHY	28 OLD MALLARD RD		SMITHFIELD, NC 27577-0000
MONTOYA, ARCADIO		120 LEEWAY CT		CLAYTON, NC 27520-9417
POLLARD, BETSY S		67 OLD MALLARD RD		SMITHFIELD, NC 27577-9451
BROCK, OTIS RAY LIFE ESTATE	BROCK, ELIZABETH LEIGH LIFE ESTATE	129 OLD MALLARD RD		SMITHFIELD, NC 27577-9454
CROCKER, PAMELA F		72 OLD MALLARD RD		SMITHFIELD, NC 27577-0000
ROOKS, GENE ALTON		52 OLD MALLARD RD		SMITHFIELD, NC 27577-9452
KEEN, HAROLD T	KEEN, BARBARA A	1121 BOYETTE ROAD		FOUR OAKS, NC 27524-8479
CAROLINA POWER & LIGHT			P O BOX 1551	RALEIGH, NC 27602-0000
WALKER, STEPHEN	WALKER, KRISTINA M.	2225 BROGDEN RD		SMITHFIELD, NC 27577
BTTW PROPERTIES LLC		100 QUAIL RUN		SMITHFIELD, NC 27577-9406
RODGERS, BENJAMIN JOHN	RODGERS, KATELYN ELIZABETH	2203 BROGDEN RD		SMITHFIELD, NC 27577
GIBSON, JOYCE TALTON		4215 BROGDEN RD		SMITHFIELD, NC 27577-0000
BLUE, BRENDA R.		216 OLD MALLARD RD		SMITHFIELD, NC 27577-9455
LOPEZ, MELANIE NATALI PEREYRA		90 OLD MALLARD RD		SMITHFIELD, NC 27577
GUTIERREZ, JESUS VALLE	GOMEZ, JACQUELINE BLANCO	213 OLD MALLARD RD		SMITHFIELD, NC 27577-9456
HENDERSON, MURRAY CHRISTOPHER		15 OLD MALLARD RD		SMITHFIELD, NC 27577-9451
ADKINS, IRIS T	ADKINS, STEPHEN T	2125 MALLARD RD	PO BOX 328	SMITHFIELD, NC 27577-0000
WILLIAMS, J. MARK	WILLIAMS, LANETTE M.	2466 BROGDEN RD		SMITHFIELD, NC 27577-9263
KENNETH A. TALTON TRUST	TALTON, KENNETH A. TRUSTEE	2750 NC HIGHWAY 96 N		SELMA, NC 27576-6161
RICH, LYNN M. LIFE ESTATE	JOHNSTON, KELSIE MARIE REMAINDER	2457 BROGDEN RD		SMITHFIELD, NC 27577-9264



PLANNING DEPARTMENT

Micah Woodard, Planner I

ADJOINING PROPERTY OWNERS CERTIFICATION

I, Micah Woodard, hereby certify that the property owner and adjacent property owners of the following petition, S-25-04, ZA-25-02, RZ-25-01, and CZ-25-03 were notified by First Class Mail on 7/3/25 of the Public Hearing on July 15th, 2025.

Signature

Johnston County, North Carolina

I, Julianne Edmonds, Notary Public for Johnston County and State of North Carolina do hereby certify that Micah Woodard personally appeared before me on this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this the

3rd day of July, 2025

Notary Public Signature

Notary Public Name



Commission expires on 1-15-2028

**Town of Smithfield
Notice of Public Hearing**

Notice is hereby given that a Public Hearing will be held before the Town Council of the Town of Smithfield, N.C., on Thursday, July 15th, 2025, at 7:00 P.M., in the Town Hall Council Chambers located at 350 East Market Street to consider the following requests:

S-25-04 Village on the Neuse Preliminary Plat: Public hearing to review a request by Village on the Neuse, LLC for a preliminary plat of 32.9 acres of land in the R-8 CZ (Single, Two, and Multi-family Residential) Conditional Zone, located on Buffalo Road near Holland Drive and Everitt Lane. Also identified by the Johnston County Tax ID 14075011A, and 14001001 into 117 single family lots.

ZA-25-02 B-3 Maximum Building Height Text Amendment: Unified Development Ordinance (UDO) text amendment request by Brown Investment Properties, Inc to amend UDO Article 8, Section 8.91. to increase the maximum height in the B-3 Highway Entranceway Business District from forty feet (40') to fifty (50').

RZ-25-01 Clarius Industrial Park: Clarius Partners, LLC is requesting a general rezoning of the ±74.26 acre tract identified by Johnston County Tax ID 17J07032 from the existing B-3 (Highway Business) / R-20A (Residential Agricultural) Zoning Districts to LI (Light Industrial).

CZ-25-03 Mallard Crossing: Mallard Smithfield NC, LLC is requesting approval of an amended R-8 conditional rezoning master plan of 468.9-acres of land which will include 1,327 residential units: 873 single-family detached, 454 single-family attached (townhomes). The proposed plan is nine tracts located along Mallard Road.

All interested people are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the office if you need assistance. Further inquiries regarding this matter may be directed to the Town of Smithfield at (919) 934-2116 ext. 1109 or online at www.smithfield-nc.com.

The Johnstonian
June 25, 2025

**Town of Smithfield
Notice of Public Hearing**

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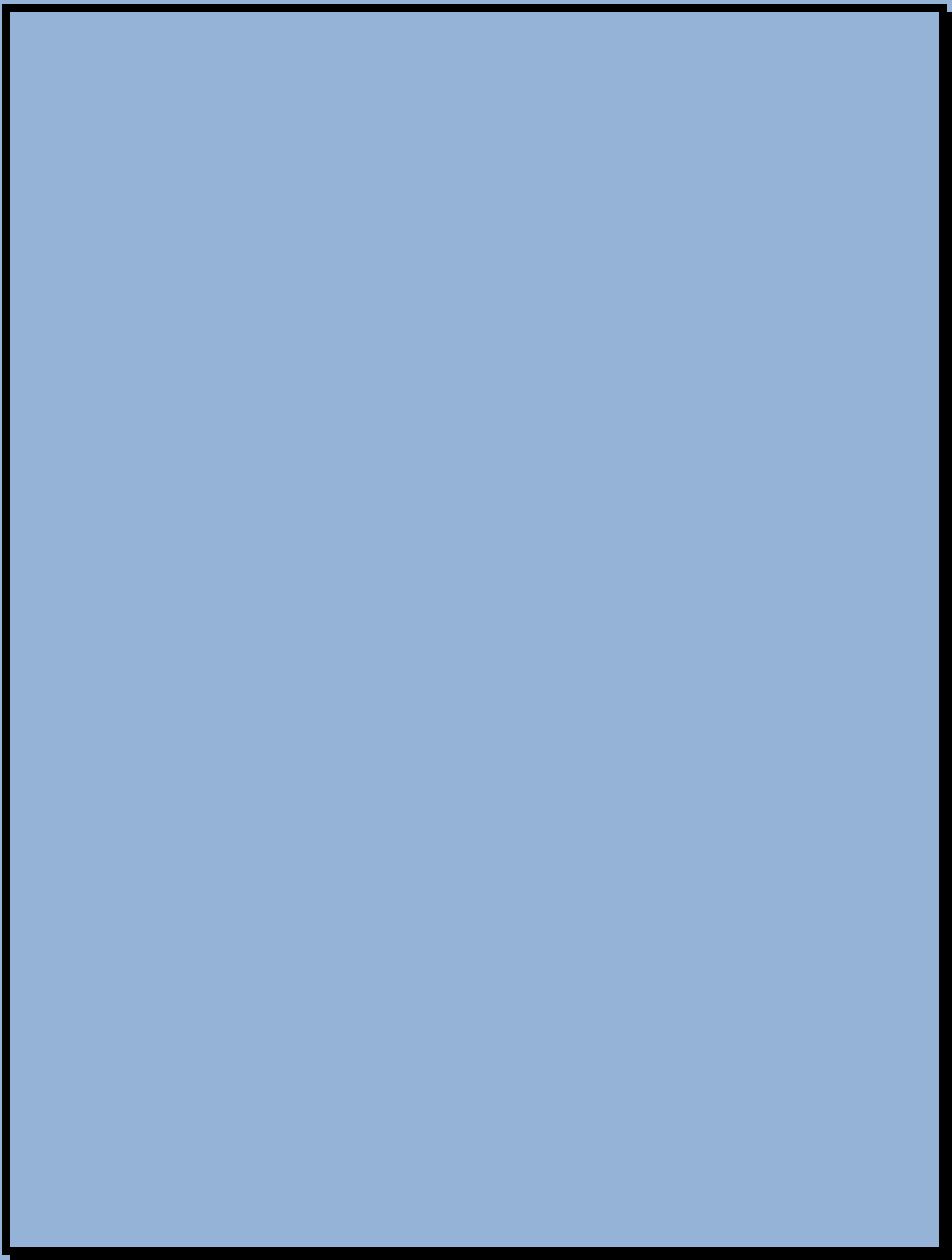
RZ-25-01 Clarius Industrial Park: Clarius Partners, LLC is requesting a general rezoning of the ±74.26 acre tract identified by Johnston County Tax ID 17J07032 from the existing B-3 (Highway Business) / R-20A (Residential Agricultural) Zoning Districts to LI (Light Industrial).

CZ-25-03 Mallard Crossing: Mallard Smithfield NC, LLC is requesting approval of an amended R-8 conditional rezoning master plan of 468.9-acres of land which will include 1,327 residential units: 873 single-family detached, 454 single-family attached (townhomes). The proposed plan is nine tracts located along Mallard Road.

All interested people are encouraged to attend. To accommodate disabilities and to comply with ADA regulations, please contact the office if you need assistance. Further inquiries regarding this matter may be directed to the Town of Smithfield at (919) 934-2116 ext. 1109 or online at www.smithfield-nc.com.

The Johnstonian
July 2, 2025

Consent Agenda Items



The Smithfield Town Council met in regular session on Tuesday, May 6, 2025 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Marlon Lee, District 1
Sloan Stevens, District 2
Travis Scott, District 3
Dr. David Barbour, District 4
John Dunn, At-Large
Stephen Rabil, At-Large

Councilmen Absent

Roger Wood, Mayor Pro-Tem

Administrative Staff Present

Michael Scott, Town Manager
Elaine Andrews, Town Clerk
Ted Credle, Public Utilities Director
Jeremey Daughtry, Fire Chief
Lawrence Davis, Public Works Director
Andrew Harris, Finance Director
Pete Hedrick, Chief of Police
Gary Johnson, Parks & Rec Director
Shannan Parrish, HR Director
Stephen Wensman, Planning Director

Also Present

Robert Spence, Jr., Town Attorney

Administrative Staff Absent

CALL TO ORDER

Mayor Moore called the meeting to order at 7:00 pm.

INVOCATION

The invocation was given by Councilman David Barbour followed by the Pledge of Allegiance.

APPROVAL OF AGENDA:

Councilman John Dunn made a motion, seconded by Councilman Stephen Rabil, to approve the agenda; Unanimously approved with amendment as follows:

Mayor Andy Moore wished to move Consent agenda item 4, Budget Ordinance Amendment: Pay Study Increases to Business Item No. 2 for discussion. This would move Budget Discussions to Business Item No. 3.

Councilman Marlon Lee wished to move Consent agenda item No. 6, Resolution in opposition to HB 765 to Business item No. 4 for general discussion. The mayor stated that this item can be moved to Business item No. 3 and Budget Discussions could become item No. 4.

PRESENTATIONS:

1. Proclamation Recognizing May 4th through May 10th Municipal Clerk's Week 2025

Mayor Andy Moore read the proclamation declaring May 4th – 10th, 2025 as Municipal Clerk's Week, that recognized all municipal clerks. He thanked Smithfield's Town Clerk, Elaine Andrews.

TOWN OF SMITHFIELD PROCLAMATION
PROFESSIONAL MUNICIPAL CLERKS WEEK MAY 4 to MAY 10, 2025

WHEREAS, in 1984 and 1994, Presidents Ronald Reagan and Bill Clinton, respectively, signed a Proclamation officially declaring Professional Municipal Clerks Week the first full week of May; and

WHEREAS, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, The Office of the Professional Municipal Clerk is the oldest among public servants; and

WHEREAS, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing body and agencies of government at multiple levels; and

WHEREAS, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

WHEREAS, The Professional Municipal Clerk serves as the information center of functions of local government and the community.

WHEREAS, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, county and international professional organizations.

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

BE IT RESOLVED, that I, M. Andy Moore, Mayor of Smithfield, along with the Smithfield Town Council, do hereby proclaim the week of May 4th through May 10th, 2025 as

Professional Municipal Clerks Week

and further extend appreciation to our Professional Municipal Clerk, Elaine Andrews, and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

M. Andy Moore, Mayor

2. Proclamation Recognizing Public Works Week 2025 May 18th through May 25th

Mayor Andy Moore read the proclamation declaring May 18, 2025 through May 25, 2025 as Public Works Week. The mayor stated I urge all citizens to pay tribute to our public works employees and to recognize the substantial contributions they make to protecting our health, safety and advancing quality of life for all say thank you. To our entire staff for everything that you do every single day to make our town a better place.

**TOWN OF SMITHFIELD PROCLAMATION
PUBLIC WORKS RECOGNITION WEEK MAY 18-24, 2025
“People, Purpose, Presence”**

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of the Town of Smithfield; and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are responsible for improving our streets, enhancing the appearance of the Town, maintaining the Town's fleet, and maintaining the solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens and civic leaders in the Town of Smithfield to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in our community; and,

WHEREAS, the year 2025 marks the 65th annual National Public Works Week sponsored by the

American Public Works Association/Canadian Public Works Association,

NOW THEREFORE, I, M. Andy Moore, Mayor of Smithfield, along with the members of the Smithfield Town Council, do hereby proclaim the week of May 18- 24, 2025, as

National Public Works Week

I urge all citizens pay tribute to our public works employees and to recognize the substantial contributions they make to protecting our health, safety, and advancing quality of life for all.

M. Andy Moore, Mayor

3. FY 2023-2024 Audit Presentation

Finance Director Andrew Harris addressed the Council to present Mr. Allen Thompson of Thompson, Price, Scott, Adams & Co., PA for review of the Town of Smithfield's 2023-2024 Audit.

Mr. Allen Thompson from Thompson, Price, Scott, Adams, and Company presented the 2023-2024 audit with the following key highlights: Financial Overview:

- Unmodified (highest level) audit report
 - Total general fund balance: \$22.8 million
 - Unavailable fund balance: \$2.8 million
 - Restricted, committed, and assigned funds: \$4.5 million
 - Total general fund expenditures: \$15,009,983
 - Fund balance available percentage: 124.65%
 - Unassigned fund balance: \$17.6 million
 - Cash and Asset Highlights:
 - General fund cash: \$21 million (highest in five years)
 - Electric fund cash: \$11.9 million
 - Water/sewer fund cash: \$16.8 million
 - Water/sewer total fixed assets: \$46 million
 - Accumulated depreciation: Almost \$15 million
 - Notable Achievements:
 - Property tax collection rate: 99.93% (described as "incredible")
 - Revenues exceeded expenditures in:
 - * General Fund: \$3.5 million positive
 - * Electric Fund: Minus \$26,000
 - * Water/Sewer Fund: \$2.4 million positive
- Thompson emphasized the town's strong financial position, noting the high collection rates and fund balances would be viewed favorably by the state treasurer's office if the town sought future funding.

A copy of the Town of Smithfield's FY 2023-2024 audit report was presented to the Board, and is entered as part of the record on file in the office of the Town Clerk.

Allen also mentioned two audit items, which required a response from the Town. One was for late submission of the audit and a correction of an issue with previously issued receivables due to the billing cycle. Allen stated he was happy to answer any questions from the Board.

Councilman Travis Scott asked for clarity for revenues over expenditures before transfers referenced on page seven of the audit report. Allen stated this was really looking at operations prior to any transfers between funds. Finance Director Andrew Harris added that the only transfers we have are among Capital Projects. He stated we do not have any transfers from electric to electric or from water to general fund.

Mayor Andy Moore commented that this is a fantastic audit. He asked the auditors if there were any concerns they could see anywhere. The auditor, Allen Thompson, stated this was a really good audit, and with the percentages being very high it means you're very strong which is healthy for the town as a whole as you continue to grow.

Mayor Moore asked Allen to explain the group weighted average. Allen described changes in how local government financial audits are compared. Previously, towns were grouped by population size, which provided meaningful comparisons. Around June 30, 2023-2024, a new method was introduced that categorizes towns based on budget size: those over \$100 million and those under \$100 million. This change disrupted the traditional peer group analysis, making financial comparisons less precise. Before this shift, population-based groupings offered more relevant insights into a town's financial performance. Allen emphasizes that despite these new categorization challenges, Smithfield's financial metrics remain strong, particularly its exceptional tax collection rate. The high collection rate is praised as a testament to the town's staff effectiveness, citizen responsibility, and financial reliability. It provides confidence in the town's ability to predict and collect revenue, which is crucial for accurate budgeting and financial planning. The auditor acknowledges the complexity of the new grouping system while maintaining that Smithfield's financial health remains impressive, regardless of how it might be categorized.

Mayor Andy Moore praised the town's high tax collection rate by highlighting two key contributors: the county tax collection staff and the citizens of Smithfield. He emphasized that citizens' tax payments are crucial, directly enabling the town to provide services and amenities. Moore's comments celebrated the community's civic responsibility, presenting tax payment as a collective effort that sustains municipal operations.

Councilman Travis Scott asked about the 31% of intergovernmental revenue shown on page 10 of the audit report. Specifically, he sought clarification on what constitutes this revenue category, using "pay in lieu of taxes" or taxes related to equipment ownership as potential examples. He was seeking a comprehensive explanation of the types of revenue that fall under the intergovernmental revenue classification. Allen stated on page 63 of your larger book, it will give you the details on that there's an unrestricted and a restricted intergovernmental revenue. It includes everything from Franchise Tax, local option sales tax, etc.; then you have permits and fees as well. It gives you a pretty good breakdown on page, 63 and 64. Councilman Scott thanked Allen for the clarification.

Mayor Moore and council members expressed appreciation for the positive audit results and strong financial position of the town. They commended staff for their efforts in achieving these results.

4. Downtown Traffic Study and NCDOT Recommendations

Planning Director Stephen Wensman addressed the Council. He introduced representatives Andy Brown and Sam Lawhorn from NCDOT to present recommendations from the downtown traffic study. He noted that his presentation was a rehash of information presented to the Council on a prior date.

Sam Lawhorn from NCDOT reviewed traffic and safety data for the downtown corridor, noting that reported crash rates were 3.5 times higher than what they considered a critical rate for safety. He stated that fifty percent of reported crashes were parked vehicle hits or side swipes. Lawhorn stated the traffic study presents two main alternatives:

Alternative 1:

- *Retain parking on one side of the street; the south side, with the north side having very little buffer*

Lawhorn discussed retaining parking on the south side of Market Street while maintaining the four-lane cross section. This option would result in minimal impacts to the roadway and sidewalks. The lane widths would be 10 to 11 feet, which is slightly narrower than the NCDOT standard of 12 feet for urban sections. Lawhorn noted that the outside lanes would be 11 feet wide, with inside lanes at 10 feet. The parking would be expanded to 8 or 9 feet, closer to standard sizing. However, he expressed significant concerns about pedestrian safety, particularly the reduced separation between motor vehicles and pedestrians. The recommendation highlighted potential risks, such as large vehicles like 18-wheelers being just a few feet from sidewalks, with mirrors potentially overhanging into pedestrian spaces. The primary drawback of this alternative was the increased danger to pedestrians, with parked cars creating visibility and safety challenges along the street.

Alternative 2:

- *Remove all on-street parking and widen sidewalks*

In the second alternative, Sam Lawhorn discussed widening sidewalks, which was the NCDOT's preferred option. This approach would require relocating the current curb line and addressing drainage and utility issues, which would be costly.

To mitigate the high implementation cost, Lawhorn suggested using temporary plastic curbing to create a buffer between pedestrians and traffic. This would be a lower-cost interim solution with a long-term goal of constructing new, wider sidewalks.

The benefits of this alternative include:

- Creating 11-foot lanes throughout the street
- Reducing side-swipe crashes
- Providing future opportunities for landscaping
- Allowing potential outdoor dining spaces
- Creating a temporary street scape project with potential for future beautification

Lawhorn emphasized that while this option would eliminate on-street parking, the town still has sufficient parking capacity. To address premium parking concerns, NCDOT recommended implementing one-way pairs from East Church Street to Bridge Street, which would allow for angled parking and potentially create a pedestrian refuge island near the courthouse.

The estimated construction cost for these one-way pairs and Market Street improvements would be approximately \$400,000. The NCDOT representative suggested potentially incorporating this project into their federal funding application to support the town's infrastructure improvements.

Lawhorn also recommended converting some downtown streets to one-way pairs to allow for angled parking. He suggested NCDOT would remove existing road markings and add new signals and markings to aid in directing a new circular traffic pattern for Second, Johnston and Third Streets to accommodate the one-way pairs.

Council members expressed concerns about impacts to businesses from removing parking and changing traffic patterns to one-way pairs.

NCDOT representative Lawhorn, stressed NCDOT's safety liability concerns with regard to the current downtown traffic situation. The primary safety issues stem from:

- Narrow lanes
- Parking configurations
- Potential pedestrian risks

Lawhorn emphasized that from NCDOT's perspective, they cannot continue to allow conditions that present such high liability risks. He noted that NCDOT's primary concern is creating a safer environment for both vehicles and pedestrians, even if it means potentially disrupting current downtown parking and traffic patterns. Lawhorn emphasized that their recommendations are driven by a critical need to reduce safety risks and potential liability for the state transportation department.

Councilman Sloan Stevens expressed significant concerns about the potential negative impact of proposed traffic changes and loss of parking for downtown businesses. He emphasized that the NCDOT's recommendations, while focused on traffic flow, do not adequately consider the needs of local businesses. Councilman Stevens stressed that solving one traffic problem could potentially create additional challenges for the downtown area. He was particularly worried that reducing parking and changing traffic patterns might harm the economic vitality of downtown Smithfield. While acknowledging the NCDOT's primary goal of moving traffic safely, Stevens stressed that the proposed solutions do not sufficiently support the town's broader objectives of creating a vibrant, accessible downtown environment. He suggested that the Town not be hasty with a decision that may push our businesses out of downtown by taking away parking.

Mayor Andy Moore acknowledged the need to address improper parking and pedestrian safety, while challenging the NCDOT's approach to traffic management. He stated NCDOT approved Market Street with the Streetscape project years ago. Mayor Moore acknowledged the NCDOT's safety concerns while echoing Councilman Scott and Steven's reservations about how the proposed solution may negatively impact downtown businesses.

Mayor Andy Moore expressed the need to address cars parking on sidewalks. Noting the Town's investment in the Streetscape project, he stated that cars parking on the sidewalk are damaging pavement and infrastructure as well as posing danger to pedestrians and other drivers.

Mayor Moore stated that the study shows there is no parking space problem, but a problem with people wanting to park directly in front of downtown businesses. With that being said, he would hate to eliminate any Main Street parking.

Moore stated, conceptually he feels the two-way street pairs is a good idea—not that he was advocating for anything that takes parking away from downtown. However, Moore suggested that drivers would naturally adapt to traffic changes, referencing a previous bridge closure that caused minimal disruption.

Mayor Moore was particularly critical of the current traffic light sequencing, comparing Smithfield unfavorably to other cities with more pedestrian-friendly traffic flow. He suggested that perhaps reducing Market Street from four lanes to two may help to slow down traffic. Lawhorn said this may instead create significant traffic congestion. He also added that enforcement of the speed limit downtown may help reduce speeding.

NCDOT representative Addison Gaines highlighted an overlooked pedestrian safety benefit in the proposed traffic plan. By removing street parking and creating a buffer space on each side of the street, the plan would allow for curb extensions at crosswalks, significantly improving pedestrian visibility. Currently, parked cars create dangerous blind spots, preventing drivers from seeing pedestrians until they step into the street. With the proposed design, sidewalks would extend four to five feet into the buffer space, making pedestrians more visible to oncoming traffic. While acknowledging that pedestrians wouldn't necessarily stand directly on the edge, Gaines emphasized that the design would create a clear line of sight between pedestrians and drivers, potentially reducing the risk of accidents. This approach addresses a critical safety concern by eliminating the visual obstruction created by parked vehicles and providing a more open, visible space for pedestrians to cross the street safely.

Andy Brown, an NCDOT division engineer, shared historical context about a previous traffic study conducted 15-20 years ago. At that time, they had examined the possibility of reducing Market Street to two lanes with a center turn lane. However, the traffic volume was so high that the level of service would have completely deteriorated. Brown noted that traffic volumes have only increased since that initial study, making a two-lane configuration even more challenging. He emphasized that reducing the road to two lanes would create significant traffic congestion, particularly with the current parking configuration, as any vehicle pulling in or out of a parking space would cause the entire traffic flow to stop. He stated they can't support making a change like that with just *hoping* people go another route.

There was continued discussion by the Board for possible alternatives to address downtown traffic concerns and pedestrian safety, while advocating for the Town's downtown businesses with regard to parking. Mayor Moore stated he was also favorable to wider sidewalks with barriers for safety that were aesthetically pleasing, particularly for our annual and other downtown events. It was the consensus of the Board to request that NCDOT continue exploring options for solutions that balance traffic flow, safety, and downtown vitality. Mayor Moore thanked NCDOT for their presentation and ongoing partnership with the town.

Councilman David Barbour asked the NCDOT representative what the timeline was to make a decision. Lawhorn stated they hoped to seek funding by the following month, and if funding was received implementation would take twelve months. Councilman Barbour asked ultimately whose decision is it to implement corrective traffic and parking measures in downtown. Lawhorn acknowledged that the decision was NCDOT's responsibility and roadway to maintain, but they want to be good partners with the Town.

PUBLIC HEARING:

- 1. West Smithfield Elementary School Site Annexation (ANX-25-02) Johnston County Education Department has submitted a petition for voluntarily satellite annexation of the West Smithfield Elementary site, 27.78-acres, to the Town of Smithfield.**

Councilman David Barbour made a motion, seconded by Councilman Sloan Stevens, to open the public hearing; unanimously approved.

Planning Director Stephen Wensman, presented the satellite annexation request for the 27.78-acre West Smithfield Elementary School site. He noted minimal impacts to town services, as most are already provided to the area, other

than added school resource officer coverages. He stated the satellite annexation petition was certified by the Town Clerk to be sufficient, and the last step in the annexation process was this public hearing. He recommended the Board approve the satellite annexation request.

Councilman Travis Scott asked, given this was a satellite annexation, were there any restrictions to future annexations. Wensman stated there was special legislation that gives the Town unlimited satellite annexation. Most other towns are limited to 10%.

Attorney Bob Spence highlighted the strategic importance of the current annexation from a long-term urban development perspective. By annexing this area near Highway 40 on the north side of Smithfield, the town is positioning itself for future growth and preventing fragmented development.

Councilman Barbour asked if there would be signage that states the area is within Smithfield's city limits, noting it was something to think about.

Mayor Andy Moore asked the Police and Fire Chief if they foresee any issues with coverage of the area from a staffing standpoint for daily operations. Both acknowledged this was already in their coverage area.

Councilman Marlon Lee asked if the new SRO would start next school year. Police Chief Hedrick answered yes, but that there was some push to get coverage out there sooner..

Mayor Moore asked if there was anyone in attendance that wished to speak on the matter.

Tia Overway, attorney, appeared on behalf of the Johnston County Board of Education; also Dr. David Pierce, Assistant Superintendent, spoke in support of the annexation request and were available to answer any questions from the Board. Councilman Lee thanked Dr. Pierce for addressing concerns about law enforcement coverage for East Smithfield students attending West Smithfield Elementary.

Mayor Moore asked if there were any questions from Council. There were none.

With no further public comments, Mayor Moore entertained a motion to close the public hearing.

Councilman David Barbour made a motion, seconded by Councilman John Dunn to close the public hearing; unanimously approved.

Councilman David Barbour made a motion, seconded by Councilman Steve Rabil to adopt Ordinance 526-2025, the satellite annexation extending the limits of the town of Smithfield within the next six months. Unanimously approved.

**ORDINANCE NO. 526-2025 TO EXTEND THE CORPORATE
LIMITS OF THE TOWN OF SMITHFIELD, NORTH CAROLINA**

WHEREAS, the Town Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held in the Council Chambers of the Smithfield Town Hall at 7:00 pm on May 6, 2025 after due notice by publication in the Johnstonian News on April 23, 2025; and

WHEREAS, the Town Council finds that the area described therein meets the standards of G.S. 160A-58.1 (b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town;

- c. The area described is so situated that the Town will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent of the area within the primary corporate limits of the Town of Smithfield; and

WHEREAS, the Town Council further finds that the petition has been signed by all the owners of the real property in the area who are required by law to sign; and

WHEREAS, the Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Smithfield, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non- contiguous territory is hereby annexed and made part of the Town of Smithfield, as of May 6, 2025:

BEGINNING at an iron pipe set in the southern right of way line of Black Creek Road near its intersection with North Carolina Highway 210, said stake being located North 85 degrees 19 minutes 58 seconds East 5231.40 feet from N.C.G.S. monument "Albert AZ MK 2", having coordinates: N= 194365.988 and E = 661617.612 M, said beginning point being further identified as a common corner with the lands of Oris Edwin Matthews, Jr., described in the deed of record in Book 841, page 375, Johnston County Registry, and from said beginning point the lines run thence with the right of way line of Black Creek Road and North Carolina Highway 210 North 51 degrees 10 minutes 11 seconds East 63.09 feet and North 58 degrees 47 minutes 09 seconds East 354.27 feet to an iron pipe, a new corner with the 6.00 acres parcel shown on the plat hereinafter mentioned; thence a new line South 74 degrees 19 minutes 52 seconds East 797.79 feet to an iron pipe set in the western right of way line of Galilee Road (N.C.S.R. 1341); thence with the right of way line of Galilee Road South 01 degrees 22 minutes 52 seconds West 1007.17 feet to an iron pipe, corner with the lands of Bolton W. Jones, Jr. and where the right of way intersects a ditch; thence with Jones' line, the run of the ditch, South 74 degrees 38 minutes 43 seconds West 710.34 feet to an iron pipe at the confluence of two ditches, a common corner with the lands of Oris E. Matthews, Jr., described in the deed of record in Book 1386, page 38; thence with the Matthews line and with the run of a ditch North 44 degrees 01 minute 17 seconds West 168.0 feet and North 24 degrees 30 minutes 02 seconds West 490.31 feet to an iron pipe; thence continuing with the Matthews line and with the line of the lands of Oris Edwin Matthews, Jr., described in the deed of record in Book 841, page 375, and with the run of a ditch, North 01 degree 01 minute 04 seconds East 218.23 feet and North 13 degrees 16 minutes 02 seconds West 413.14 feet to an iron pipe, the point and place of beginning and containing 27.78 acres, more or less, according to a plat and survey by Southwind Surveying and Engineering, Inc. dated May 29, 2002, styled "Survey for Johnston County Board of Education - Putnam Tract," a copy of which appears of record in Plat Book 60, page 292, Johnston County Registry, to which reference is hereby made for a more particular description.

Section 2. Upon and after May 6, 2025, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Smithfield and

shall be entitled to the same privileges and benefits as other parts of the Town of Smithfield. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Smithfield shall cause to be recorded in the office of the Register of Deeds of Johnston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Town Board of Elections, as required by G.S. 163-288.1.

Adopted this 6th day of May, 2025.

M. Andy Moore, Mayor

ATTEST:

Elaine S. Andrews, Town Clerk

CITIZEN'S COMMENTS:

- Elizabeth Temple, from 904 Chestnut Drive, addressed multiple topics during her citizen comment. She suggested building a parking garage as a solution to downtown parking issues. She disclosed her previous "nay" vote on the old hotel building, mentioning she was recently informed about potential asbestos. Temple expressed disapproval of "pint of no return" signs in the historic downtown social district, believing they damage the area's appearance. She advocated for creating a town festival honoring town founder John Smith Junior and Ava Gardner and suggested a larger July 4th celebration. She criticized the town's spending, particularly the removal of Bradford pear trees, which she believed the trees improved visual appearance and provided shade. Temple noted residents were not consulted about tree removal. Temple announced her intention to file for Town Council District Two seat on July 7, 2025, stating she would not run again afterward. She emphasized her commitment to attending all town hall meetings and promised not to participate in meals. Her comments reflected concerns about downtown development, municipal spending, and a desire for more community-involved decision-making.
- Elisa Bizzell, a South Smithfield resident, expressed ongoing concerns about safety on Martin Luther King Jr. Drive. She emphasized that the traffic situation is worsening, particularly with vehicles coming off Interstate 95. Bizzell described dangerous driving behaviors, such as drivers passing slower vehicles by using oncoming traffic lanes. She highlighted the increasing risk to children and elderly residents as summer approaches and school lets out. Bizzell stressed that current speed monitoring methods, like speed display signs, are ineffective, as drivers only temporarily reduce speed when passing the device. Her primary concern was preventing a potentially fatal accident. She urged the council to take action before a child or elderly person is seriously injured, noting the proximity of apartments and the potential for vehicles to jump curbs. Bizzell committed to continuing to raise this issue until meaningful safety improvements are implemented.
- Sonny Howard, town resident, began by referencing previous comments made on April 1st concerning telephone system issues. He acknowledged advice from Shannon Parrish to be more patient and expressed his own struggle with patience. Mr. Howard offered a comprehensive apology to the town manager and council members for his previous comments. He emphasized that he does not take things personally and has been accustomed to challenging interactions throughout his life. He mentioned that Councilman Barbour had previously agreed with some of his concerns about the telephone system. He reiterated his commitment to not being "too big to apologize" and expressed a genuine desire to make amends for his previous criticisms and any potential misunderstandings from his earlier statements about the town's telephone system.

Councilman David Barbour made a motion, seconded by Councilman John Dunn to approve the Consent Agenda as amended. Unanimously approved:

CONSENT AGENDA:

1. Board Appointments:

- **Board of Adjustment**
 - a. Gregory Evans has submitted an application for appointment to the Board of Adjustment
 - b. Jason Evans has submitted an application for appointment to the Board of Adjustment
- **Appearance Commission**

- a. Pamela Yelle has submitted an application for appointment to the Appearance Commission

2. Approval of Minutes

- a. March 13, 2025 – FY 2025-2026 Budget Session
- b. March 13, 2025 – Closed Session Minutes

3. Consideration and request for approval of Budget Ordinance Amendment - Capital Reserve Fund

AMENDMENT TO BUDGET ORDINANCE

TOWN OF SMITHFIELD

BE IT ORDAINED by the Town Council of the Town of Smithfield, North Carolina, that the following amendment is made to the budget ordinance for the fiscal year ending June 30, 2025:

Section 1: To amend the General Fund, the estimated revenues are to be changed as follows:

(See Attachment A)

Section 2: To amend the Water and Sewer Fund, the estimated revenues are to be changed as follows:

(See Attachment B)

Section 3: To amend the Electric Fund, the estimated revenues are to be changed as follows:

(See Attachment C)

Section 4: To amend the Water and Sewer Capital Project Fund, the appropriations estimated revenues are to be changed as follows:

(See Attachment D)

Section 5: To amend the General Capital Project Fund, the appropriations and estimated revenues are to be changed as follows:

(See Attachment E)

Section 6: To amend the Electric Capital Project Fund, the appropriations and estimated revenues are to be changed as follows:

(See Attachment F)

Section 7: To amend the Water Sewer Capital Reserve Fund, the estimated revenues are to be changed as follows:

(See Attachment G)

Section 8: To amend the General Capital Reserve Fund, the estimated revenues are to be changed as follows:

(See Attachment H)

Section 9: To amend the Electric Capital Reserve Fund, the estimated revenues are to be changed as follows:

(See Attachment I)

All expenditures in the Capital Reserve Funds have been committed by Town Council and funds need to be properly transferred to the appropriate funds to meet general statute requirements and account for capital reserves consistently.

Section 10: Copies of the budget amendment shall be furnished to the Clerk of the Town Council, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 6th day of May 2025 by the Smithfield Town Council.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk

~~4. Consideration and request for approval of Budget Ordinance Amendment – Pay Study Increases~~

5. Consideration and request for approval to adopt Resolution No. 772 (11-2025) for Capital Reserve Funds – Water and Sewer Fund

**Town of Smithfield
Resolution No. 772 (11-2025)
Capital Reserve Fund Resolution**

WHEREAS, there is a need in the Town of Smithfield to provide funds for future capital projects related to its combined water and wastewater system, and to make debt payments on existing debt related to past capital projects for its water and wastewater system, and WHEREAS, NCGS 159-18 authorizes the creation of the capital reserve fund, and WHEREAS, NCGS 162A, Art. 8 requires that all system development fee proceeds be accounted for in a capital reserve fund,

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD THAT

Section 1. The Governing Board hereby creates a Capital Reserve Fund for the purpose of funding the following capital projects related to the Town's water and wastewater system:

Vacuum Truck. This project is to replace the large vacuum truck used to clean sewer lines and assist utility crews during water and sewer leaks. Currently, the Town anticipates funding of 100% from Water and Sewer Fund transfers (\$575,000), 2024-2025 \$350,000 and 2025-2026 \$225,000, respectively.

The 2024-2025 appropriation from the budget ordinance to the CRF of Water and Sewer transfers for this purpose of \$350,000.

Section 2. This CRF shall remain effective until all the above-listed projects, and any projects added in the future, are completed. The CRF may be amended by the governing board as needed to add additional appropriations, modify or eliminate existing capital projects, and / or add new capital projects.

Section 3. This resolution shall become effective and binding upon its adoption.

Adopted this day May 6, 2025.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk

~~6. Consideration and request for approval to adopt Resolution No. 773 (12-2025) in opposition to House Bill 765~~

7. Consideration and request for approval to adopt Resolution No. 774 (13-2025) for a DSDC Board Appointment

**TOWN OF SMITHFIELD
RESOLUTION NO. 774 (13-2025)
Supporting an Appointment to the Downtown Smithfield
Development Corporation's Board of Directors**

WHEREAS, The Smithfield Town Council has received a request from the Downtown Smithfield Development Corporation's Board of Directors to appoint a member to its Board; and

WHEREAS, pursuant to Article VII of the Downtown Smithfield Development Corporation's By-Laws, the Town Council must approve any appointments/ reappointments to the Board of Directors by Resolution; and

WHEREAS, the Downtown Smithfield Development Corporation Board of Directors has recommended the new appointment of Julia W. Narron; and

WHEREAS, the Town Council is asked to consider this appointment and make a determination.

NOW THEREFORE, BE IT RESOLVED, the Town Council does hereby approve the appointment of Julia W. Narron to the Downtown Smithfield Development Corporation's Board of Directors.

Adopted this the 6th day of May, 2025

M. Andy Moore, Mayor

Attest:

Elaine Andrews, Town Clerk

- 8. Special Event - Blessing of the Bikes Event:** Bulldog Harley-Davidson is requesting to hold Blessing of the Bikes at 1043 Outlet Center Drive on May 3rd, 2025. This event will run from 11:00 am-4:00 pm and it will have amplified sound between 11:00 am-2:00pm. A food truck will be on-site selling food.
- 9. Special Event - Bike Night Event:** Bulldog Harley-Davidson is requesting to hold Bike Night at 1043 Outlet Center Drive on May 8th, 2025. This event will run from 5:00pm-8:00pm and it will have amplified sound during those same times. A food truck will be on-site selling food
- 10. Special Event - Test Ride Days:** Bulldog Harley-Davidson is requesting to hold Test Ride Days at 1043 Outlet Center Drive on May 10th, 2025. This event will run from 11:00am-4:00pm and it will have amplified sound between 12:00pm-3:00pm. A food truck will be on-site selling food.
- 11. Special Event – Test Ride Days 2:** Bulldog Harley-Davidson is requesting to hold Test Ride Days 2 at 1043 Outlet Center Drive on May 17th, 2025. This event will run from 11:00am-4:00pm and it will have amplified sound between 12:00pm-3:00pm. A food truck will be on-site selling food.
- 12. Special Event – Memorial Day Weekend Event:** Bulldog Harley-Davidson is requesting to hold a Memorial Day Weekend Event at 1043 Outlet Center Drive on May 24th, 2025.

This event will run from 11:00am-4:00pm and it will have amplified sound between 12:00pm-3:00pm. A food truck will be on-site

selling food.

- 13. Special Event – Bike Night 2:** Bulldog Harley-Davidson is requesting to hold Bike Night 2 at 1043 Outlet Center Drive on May 29th, 2025. This event will run from 5:00pm-8:00pm and it will have amplified sound during those same hours. Holy Fries food truck will be on-site selling food.
- 14. Special Event – Bulldog Harley-Davidson Grand Reopening:** Bulldog Harley-Davidson is requesting to hold their Grand Opening Event at 1043 Outlet Center Drive on May 31st, 2025. This event will run from 11:00am-8:00pm and it will have amplified sound during 4:15pm-9:00pm. Food trucks will be on-site selling food. A Harley Stunt Show will be scheduled and there will be two concerts.
- 15. Consideration and request for approval of Sick Leave Donation Request**
- 16. New Hire Report**

Background

Per Policy, upon the hiring of a new or replacement employee, the Town Manager or Department Head shall report the new/replacement hire to the Council on the Consent Agenda at the next scheduled monthly Town Council meeting.

In addition, please find the following current vacancies:

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>
Assistant Town Manager	General Government	10-10-4100-5100-0200 30-71-7220-5100-0200 31-72-7230-5100-0200
Police Officer (1 position)	Police	10-20-5100-5100-0200
Police Officer – SRO	Police	10-20-5100-5100-0200
Public Works Crew Leader (Streets)	PW – Streets	10-30-5600-5100-0200
Street Maintenance Worker	PW – Streets	10-30-5600-5100-0200
PT – Facility Maintenance Worker	PW – Appearance	10-60-5500-5100-0200
Administrative Support Specialists P & R	Parks and Recreation	10-60-6200-5100-0200
Utility Line Mechanic	PU – Water/Sewer	30-71-7220-5100-0200
Electric Line Technician	PU – Electric	31-72-7230-5100-0200

Action Requested

The Town Council is asked to acknowledge that the Town has successfully filled the following vacancies in accordance with the Adopted FY 2024-2025 Budget.

<u>Position</u>	<u>Department</u>	<u>Budget Line</u>	<u>Rate of Pay</u>
PT Firefighter	Fire	10-20-5300-5100-0210	\$17.60 hr.
PT SRAC Staff (4)	Aquatics	10-60-6220-5100-0210	\$12.00 hr.
PT Pool Staff/Instructor (3)	Aquatics	10-60-6220-5100-0230	\$12.00 hr.

BUSINESS ITEMS:

1. Outlet Center Drive Street Resurfacing

Public Works Director Lawrence Davis addressed the Council, to present details about the Outlet Center Drive Street resurfacing project. He explained that he personally walked 1.1 miles with multiple contractors to obtain appropriate estimates, inviting bids from several asphalt companies. Several contractors were initially invited, including ST Wooten Corporation, Barnhill's, Legion Turner, Garrison Paving, Daniels Asphalt, and Service on Demand. Of those, ST Wooten, Barnhill, Daniels Incorporated, Garner, and Asphalt Services on Demand expressed interest.

ST Wooten submitted the lowest bid at \$875,511. Davis spoke with Blake Jones, who confirmed the project would be completed before the fiscal year. The project will involve milling, patching problematic areas, addressing erosion control, and applying silt fencing according to NCDOT specifications. Davis committed to being on-site daily, documenting the work, and creating a comprehensive notebook detailing the project's specifics. He noted the project would cover the road from Venture-Equity Drive to the Selma city limits, spanning approximately 1.1 miles. Davis emphasized thorough preparation, including plans to conduct soil

tests every 1,000 feet to ensure proper road construction and long-term durability. He asked the Board if there were any questions.

Councilman Travis Scott asked where funding for the project would come from. Town Manager Mike Scott stated fund balance.

There was some discussion regarding the coverage area of the road repairs, with Davis reiterating that the repairs would range from Equity Drive to the Selma city limits.

Councilman David Barbour asked if there was any consideration for putting a stop light at the Equity Drive intersection because turning left is virtually impossible at that intersection. Davis stated NCDOT is working with us on some traffic loops, and agreed that this could be further examined in the future.

Mayor Moore asked if there were any further questions. There were none.

Councilman David Barbour made a motion, seconded by Councilman Steve Rabil to approve the ST Wooten contract to resurface Outlet Center Drive. Unanimously approved.

2. Consideration and request for approval of Budget Ordinance Amendment - Pay Study Increases

Mayor Moore asked Finance Director, Andrew Harris to discuss this budget amendment request, and what it entails. Moore stated he was not against the amendment at all, but wanted the citizens to know why the amendment was necessary.

Finance Director, Andrew Harris provided details about the budget ordinance amendment for pay study increases. The town-wide pay study for six months would cost \$500,000, covering water, sewer, electric, and general fund departments. On an annual basis, the pay study would total \$1 million.

Specifically, the general fund would account for \$330,000 for six months, while water, sewer, and electric funds would split the remaining \$170,000. Additionally, the amendment includes \$25,000 for parks and recreation to support additional part-time staffing.

Harris explained that council approval was necessary because the amendment exceeded 10% of the total non-departmental budget. The budget adjustment involves moving funds into appropriate line items, with the increases representing both the pay study adjustments and the previously approved 5% cost-of-living adjustment for employees.

Mayor Andy Moore stressed that he felt it was important to highlight the \$1 million dollar increase in the annual budget for pay study increases as showing their commitment to staff.

It was discussed that the Council recognizes staff efforts, invests in them and rewards them when they can, as there have been times when it could not. However, it is important to note the tremendous impact on the budget, while highlighting the commitment to investing in Town staff.

Councilman Travis Scott asked the Manager when was the 5% that was spoken of by the Finance Director awarded to staff. Town Manager Mike Scott explained that the 5% salary increase was awarded in two stages: an initial 2% increase followed by a 3% adjustment. To manage budget implications, the salary study adjustments were implemented after the percentage increases and incorporated prior to January 1st. By applying the salary adjustments after the percentage increases, the town ensured the total compensation changes remained within the budgeted parameters. Manager Scott confirmed that the 5% total increase represented a cost-of-living adjustment (COLA) for town employees. Councilman Scott confirmed with the Town Manager that the budget going forward did include the 5%.

Councilman Travis Scott made a motion, seconded by Councilman Steve Rabil to approve the budget amendment for Pay Study increases. Unanimously approved.

TOWN OF SMITHFIELD

BE IT ORDAINED by the Town Council of the Town of Smithfield, North Carolina, that the following amendment is made to the budget ordinance for the fiscal year ending June 30, 2025:

Section 1: To amend the General Fund, the appropriations are to be changed as follows:

(See Attachment A)

Section 4: To amend the Water and Sewer Fund, the appropriations are to be changed as follows:

(See Attachment B)

Section 5: To amend the Electric Fund, the appropriations are to be changed as follows:

(See Attachment C)

The Salaries and Wages, FICA, and Retirement in each of the respective funds are to be increased for the pay raises as a result of the salary study. Another budget amendment will be prepared before year end to properly reflect the actual results of the study and operations.

Section 3: Copies of the budget amendment shall be furnished to the Clerk of the Town Council, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 6th day of May 2025 by the Smithfield Town Council.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk

3. Consideration and request for approval to adopt Resolution No. 773 (12-2025) in opposition to House Bill 765

Town Manager Mike Scott explained that House Bill 765, supported by the League of Municipalities, poses significant risks to local governments. The bill could expose municipal officials to lawsuits and civil penalties for their decision-making, even when acting in good faith. Scott emphasized that the legal and financial burden of defending against such lawsuits is problematic, regardless of the outcome. After consulting with the mayor, he recommended opposing the bill-- in conjunction with the League of Municipalities, by resolution in an effort to protect the town's ability to govern effectively.

Councilman Marlon Lee briefly commented on the House Bill 765 resolution, noting that Clayton had addressed the bill in their recent council meetings. He wanted to ensure more detailed language was included in the resolution. Lee's primary intention was to move the item for discussion of the Town's opposition to the bill.

Councilman David Barbour inquired about the legislative deadline for bills, asking whether House Bill 765 was still within the timeframe for consideration. Mayor Andy Moore confirmed that the bill had passed through committee that day, with county commissioners present but not given an opportunity to comment. Moore explained that the bill was still progressing through legislative channels, potentially moving to the Rules Committee. He noted that this was just one of several bills currently threatening municipal interests. Moore emphasized that North Carolina has historically had an excellent municipal system and expressed concern about the potential detrimental impacts of such legislation.

Both Mayor Moore and Councilman Barbour discussed the ongoing monitoring of the bill by the North Carolina League of Municipalities and the County Commissioners Association. They acknowledged the importance of staying informed and actively opposing legislation that could negatively impact local governance.

The conversation reflected a shared concern about preserving municipal autonomy and the potential long-term consequences of the proposed legislation. Mayor Moore thanked Councilman Marlon Lee for pulling the item off of the Consent Agenda for discussion.

Councilman Travis Scott made a motion, seconded by Councilman Steve Rabil to adopt Resolution No. 773 (12-2025) in opposition of House Bill 765. Unanimously approved.

**TOWN OF SMITHFIELD
RESOLUTION NO. 773 (12-2025)
OPPOSING HOUSE BILL 765: AN ACT TO REFORM LOCAL GOVERNMENT DEVELOPMENT IN THE STATE OF NORTH
CAROLINA**

WHEREAS, the Town of Smithfield, through its elected governing body, holds the responsibility of managing land use and development in a manner that reflects the unique needs, values, and priorities of its residents; and

WHEREAS, House Bill 765, a comprehensive 22-page piece of proposed legislation currently under consideration by the North Carolina General Assembly, includes numerous provisions that would significantly undermine the authority of local governments to manage land use within their jurisdictions; and

WHEREAS, HB 765 introduces a range of state mandates and prohibitions that would replace thoughtful local oversight with unregulated or incompatible development, threatening the character of our community and diminishing existing property values; and

WHEREAS, Section 9 of HB 765 eliminates the long-established ability of local governments and developers to negotiate voluntary conditions as part of the Conditional Zoning process—an essential tool in shaping development that fits community needs—and additionally prohibits municipalities from regulating parking or adopting street design standards that exceed the minimum requirements set by the North Carolina Department of Transportation; and

WHEREAS, Section 4(a) of the bill establishes vague and subjective conflict-of-interest rules that bar elected officials from voting on land-use matters if they possess a "fixed opinion," a term undefined in the legislation and ripe for inconsistent application, thus undermining the basic function of representative governance; and

WHEREAS, Section 17(b) imposes new civil penalties on local officials who may unknowingly or inadvertently violate land-use rules, thereby creating an environment of legal uncertainty and exposing public servants to undue risk during the course of their normal duties; and

WHEREAS, Section 10(b) mandates minimum housing density requirements based solely on population size, overriding local zoning decisions and allowing certain development projects to proceed "by right" without the approval of local elected officials or the input of affected residents; and

WHEREAS, these provisions—among numerous others within HB 765—represent a profound intrusion into the rights of communities like Smithfield to chart their own future, protect quality of life, attract sustainable economic development, and reflect the will of their voters; and

WHEREAS, the North Carolina League of Municipalities (NCLM) has urged all city leaders to closely examine the ramifications of HB 765 and to voice their concerns to state legislators in defense of local decision-making authority;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Smithfield hereby formally opposes House Bill 765 in its current form and urges members of the North Carolina General Assembly to reject any legislation that restricts local land-use authority, imposes burdensome and vague legal standards on local officials, or otherwise weakens the ability of municipalities to govern in the best interest of their citizens.

Adopted this 6th day of May, 2025, by the Smithfield Town Council.

ATTEST:

Elaine S. Andrews, Town Clerk

4. FY 2025-2026 Budget Discussions

It was the consensus of the Council to not discuss the budget at this meeting, instead opting to recess this meeting to further budget discussions on Monday, May 12, 2025 at 6:30. Councilman Scott asked Manager Scott if at the next budge session revenue could be discussed. The Manager agreed. Mayor Andy Moore asked the Manager if there were any solid numbers from the County tax evaluation. The Manager stated they still have a considerable number of evaluations under appeal.

Councilmember's Comments:

Mayor Andy Moore commended the staff, particularly Heidi Gilmond, DSDC Director, and the planning committee, for the successful Ham and Yam Festival. He highlighted the positive feedback received about the event and praised the comprehensive effort of all staff members, including the police department. Moore acknowledged that while the event was not perfect, there is always room for improvement. He specifically recognized Heidi for her first time organizing the festival, describing it as a "fantastic event" from start to finish.

The mayor emphasized the collaborative effort, noting the involvement of multiple departments and staff members. He expressed appreciation for the hard work that went into planning and executing the festival, and encouraged continued efforts to listen to feedback and make future improvements.

Councilman Travis Scott offered three primary comments. First, he thanked the utilities team for their response during a recent power outage, specifically praising the pre-planned strategy of powering traffic lights through generators. He noted this preparation likely prevented major accidents and highlighted the importance of having backup power at critical intersections.

Councilman Travis Scott suggested adding generators at additional intersections, specifically mentioning Durwood Stevenson and Buffalo Road as potentially dangerous locations that need coverage. He recommended the utilities team review generator placement to enhance safety during future power disruptions.

Councilman Scott raised concerns about the disappearance of internet commerce trading zone signs from the police department parking lot. He recalled the council's previous designation of this area as a safe location for online transaction exchanges, emphasizing the importance of maintaining this community safety resource.

Lastly, Councilman Scott reported that several planning board members had not been reimbursed since December. He urged staff to prioritize processing these compensation payments, stressing the importance of timely payment for board members' services.

Councilman Sloan Stevens thanked staff for their efforts and successes at the annual Ham and Yam Festival.

Councilman David Barbour echoed Councilman Stevens and the Mayor's appreciation for the Ham and Yam Festival being a good event this year. Barbour offered condolences for Danny Langston, of John Deere who recently passed away suddenly. He offered thoughts and prayers to his family.

Councilman Marlon Lee expressed serious concerns about child safety near the Eva Ennis Splash Pad, specifically on Martin Luther King Jr. Drive. He emphasized the potential danger of children crossing the street, noting the high-speed traffic and lack of safety measures.

Lee urged the council to develop and implement a comprehensive safety plan before the splash pad opens. His primary concern was preventing potential accidents by ensuring children can safely navigate the area, recognizing the likelihood of kids running back and forth across the street.

His comments reflected a proactive approach to community safety, particularly focusing on protecting children in a high-traffic area during the upcoming splash pad season. Lee stressed the importance of having a concrete plan in place to mitigate risks and prevent potential tragic incidents, noting it is "better to be safe than sorry."

Mayor Moore referenced a crosswalk he saw recently at Atlantic Beach, whereby a push button crosswalk feature was utilized that was lit with safety lights. He felt this would be a good idea where budget permits. Councilman David Barbour referenced a crosswalk at Garner Highschool's Freshman Academy where safety arms came down when pedestrians pressed a button. It prohibited traffic coming through while crossings occurred. He also mentioned installing speed bumps as another measure of safety, although he was not sure of the cost involved.

Town Manager's Report:

Town Manager Mike Scott provided three key announcements:

1. *Upcoming Events:*
 - The Embers concert at the amphitheater on May 16 at 7:00 PM
 - Employee picnic on Friday, May 9 at noon at the community park
2. *Town Hall Operations:*
 - Town hall will close after noon on the day of the employee picnic
3. *Public Works Dirt Availability:*
 - A large pile of dirt from the West Smithfield drainage project is available for public use
 - Residents can obtain free dirt before it gets hauled away by contacting staff at the Public Works Department
 - The dirt is described as "good dirt" from the drainage project

Manager Scott also confirmed that the splash pad will open Memorial Day weekend.

Recess until a date and time to be determined by the Town Council

Councilman David Barbour made a motion, seconded by Councilman John Dunn, to recess the meeting until May 12, 2025 at 6:30 for the next budget session. Unanimously approved. The meeting adjourned at approximately 9:25 pm.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk

The Smithfield Town Council met in regular session on Tuesday, May 20, 2025 at 7:00 p.m. in the Council Chambers of the Smithfield Town Hall, Mayor M. Andy Moore presided.

Councilmen Present:

Roger Wood, Mayor Pro-Tem
Marlon Lee, District 1
Travis Scott, District 3
Dr. David Barbour, District 4
John Dunn, At-Large
Stephen Rabil, At-Large

Councilmen Absent

Sloan Stevens, District 2

Administrative Staff Present

Michael Scott, Town Manager
Elaine Andrews, Town Clerk
Ted Credle, Public Utilities Director
Jeremey Daughtry, Fire Chief
Lawrence Davis, Public Works Director
Andrew Harris, Finance Director
Pete Hedrick, Chief of Police
Gary Johnson, Parks & Rec Director
Shannan Parrish, HR Director
Stephen Wensman, Planning Director

Also Present

Robert Spence, Jr., Town Attorney

Administrative Staff Absent

CALL TO ORDER

Mayor Moore called the meeting to order at 7:00 pm.

INVOCATION

The invocation was given by Councilman Travis Scott followed by the Pledge of Allegiance.

APPROVAL OF AGENDA:

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman John Dunn, to approve the agenda as submitted. Unanimously approved.

PRESENTATIONS: None

Town Clerk Elaine Andrews administered the oath of affirmation to all those wishing to speak and offer testimony during the public hearing.

PUBLIC HEARINGS:

- 1. Preliminary Plat - Powell Tract Subdivision (S-25-02):** Swift Creek Road – Lan Development, LLC is requesting approval of the preliminary plat for a 20-lot single family subdivision on 21.24 acres in the R-20A Zoning District. Request to respectfully continue the public hearing for approval.

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman John Dunn to open the public hearing. Unanimously approved.

Planning Director Stephen Wensman presented the Powell Tract subdivision request. He stated that it has expanded to 21.24 acres and now includes 20 lots, an increase from the previous proposal. Each lot now meets the new 30,000 square foot septic system requirement. The development includes a blue line stream with a 50-foot riparian buffer and is located near the airport approach zone, which will necessitate a noise disclosure for residents. A 10-foot buffer has been added along the northern property line, and the plan includes an open space stormwater retention area in the southern portion. The developer added two entrances from Swift Creek Road, with sidewalks on one side of the street that will be maintained by the homeowner's association. Wensman stated that the Town's U.D.O. Section 10.11 requires connectivity to adjacent undeveloped parcels. A street

stub has been provided to the north, but none in the south. To the south, there is a single-family property with a buffered blueline stream. He stated the streets are shown to be 34' wide, back of curb to back of curb with standard curb and gutter.

NCD.O.T. has reviewed the development and prefers a single entrance to the development but does not oppose a second. NCD.O.T. will not be requiring any improvements on Swift Creek Road to support the project. The HOA will maintain any sidewalks.

A mailbox kiosk will be located outside the public right of way connected to the public sidewalk with a pull off parallel parking space in the public right-of-way. The development will be served by Johnston County water services; Duke Energy electric services will serve the lots. The developer needs to provide the town with a statement from Johnston County Health Department that a copy of the plat has been submitted to them and approved for septic systems prior to construction plan approval. The project would be developed in a single phase.

Wensman stated the developer has reserved a location on the south side of the southern entrance for a stormwater detention pond. Detention will be required if the development exceeds 24% impervious. The stormwater management plan will be required with the construction plans. The development will be within the Zone A of the Airport and is located at a point where planes circle around at a low elevation. If approved, the developer should disclose the airport noise with future buyers of lots.

Wensman added that a neighbor to the project, Brooks McCloud, contacted the Planning Office, and he is in opposition to the stub road as he has no plans for future development and intends to put his property in a conservation easement.

Wensman reviewed the finding of fact and staff's opinion for approval of the preliminary plat:

FINDING OF FACT (Staff Opinion):

To approve a preliminary plat, the Council shall make the following finding (staff's opinion in Bold/Italic):

- 1. The plat is consistent with the adopted plans and policies of the town; **The plat is consistent with the adopted comprehensive plan.***
- 2. The plat complies with all applicable requirements of this ordinance; **The plan complies with all applicable requirements of this ordinance with conditions.***
- 3. There exists adequate infrastructure (transportation and utilities) to support the plat as proposed. **There is adequate infrastructure.***
- 4. The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses. **The plat will not be detrimental to the use or development of adjacent properties or other neighborhood uses.***

Wensman made the following recommendation:

Staff recommends approval of the Powell Tract Preliminary Plat with conditions:

- 1. That the subdivision approval shall be contingent on staff approval of the construction drawings and meeting all U.D.O. requirements.*
- 2. Sidewalks shall be maintained by the Homeowners Association in coordination with NCD.O.T..*
- 3. The required street yards shall be provided and the street yard landscaping easement shall be provided along Swift Creek Road to protect the landscaping if on private property.*
- 4. The landscape buffer along the northern edge of the development shall be protected with a landscape easement.*
- 5. The developer shall provide a statement from Johnston County Health Department that a copy of the plat has been submitted to them and approved for septic systems prior to construction plan approval.*
- 6. The developer shall provide a disclosure statement to future buyers of lots about the location of the airport and the potential for airplanes flying overhead and airplane noise.*

Wensman stated staff's recommended motion was to move to approve the Powell Tract Preliminary Plat, Case #S-25-02, with 6 conditions found in the staff report, based on the finding of fact for preliminary plat approval. He asked if there were any questions from the Board.

Planning Director Stephen Wensman incorporated his entire record and provided it to the Council in written form in the May 20, 2025 agenda packet.

Councilman David Barbour asked for clarity on the proposed second entrance. Wensman stated when they proposed this new development, they proposed a second entrance, and in talking with D.O.T., they are okay with it. They said they preferred one, but they will allow two. Barbour also referenced the traffic study information, noting how it was distorted due to the bridge closure at the time. Wensman stated he was not sure, but he thought they took that into consideration. Barbour stated it was mentioned that there could also be some traffic improvements if it was part of the Town's U.D.O. He asked if there were already conditions in place. Wensman stated there was nothing in any of the plans that indicate anything more than what they are proposing. The town has no plans to require turn lanes or anything. Wensman stated if the Town had some grand plans or master street plans, they may consider those as part of a recommendation but we do not have anything. Barbour noted that Swift Creek is a D.O.T. road and is also getting to be a busier road being a major exit off Hwy 42 to the Cleveland community. Barbour stated, maybe not on this project, but in the future could they look into making sure there are controls in place that could be sparked by our U.D.O. Wensman stated perhaps if we had a transportation plan that indicates a plan for the area of some future need, but we don't have that. We don't have any projects in the STI. We have nothing out here.

Councilman Travis Scott thanked Wensman for his presentation. He stated as he understands it from a prior presentation of this project, the residents were extremely concerned about the traffic impact, specifically the hazards in a curve in the road. He asked if D.O.T. addressed the issue in any way. Wensman stated staff asked at the planning board's request, for them to specifically comment on safety concerns, traffic incidents, accidents going back, and they responded—there really were not that many and they didn't think it was an issue. Wensman said that letter was in the agenda packet.

Councilman Scott also asked about the buffer and street yard requirements, specifically the minimum setback from the road to the front of the house, given that the lots are larger than the minimum required size. Wensman stated front yard is 35 and the rear setback is 25 and side yard is 10. Councilman Scott asked so 25 plus 10 would be correct from the back of the house to the property line with the buffer. Wensman stated the buffer would be within that 25-foot setback. That doesn't mean they're going to build up to that setback line. It just means they can, and I believe it's either 30 or 35 in the front. So typically, they build the houses to the front, and then depending how long the houses are, that usually varies on the back end. Councilman Scott stated this was part of his concern because the Town generally does not deal with many subdivisions that include septic systems. Councilman Scott stated he thinks there needs to be some type of requirement so it's consistent and equal through there. If not, you could have houses at various depths in the lots, and that may not be appealing. Councilman Scott asked Wensman for his thoughts on the subject based on his analysis of this project. Wensman stated the planning department has minimum setback requirements. Councilman Scott was concerned with the wells on the property along the north side and how they would be affected by septic tanks. Wensman stated the department of health would look at well locations and there are setback requirements for that. Also, one of the conditions of approval is that the septic sites be approved prior to construction. Councilman Scott also asked if the cul-de-sac size is large enough to meet the standards of an emergency response, saying he thought it would be better as a U shape design. Wensman stated they do meet the emergency service requirements which is a pretty large cul-de-sac. Councilman Scott also wanted to know if the developer was asked to put up a fence on the northern border, and if any natural buffer existing would stay. Wensman stated any natural buffer would stay as much as possible.

Councilman David Barbour asked if there was anything in this proposal that does not meet the Town's U.D.O. requirements. Wensman answered not at this point and they have not yet seen the construction drawings. He added what is being presented at this meeting does meet and exceed standards.

Councilman John Dunn asked if DOT preferred one entrance to control highway entry and reduce vehicle clutter, but didn't find enough concern to make a single entrance necessary, which is why they approved two entrances. Wensman answered yes. Councilman David Barbour expressed concern that two entrances would double the potential for accidents compared to one entrance. He believes DOT likely recommended one entrance due to the road's curve and potential for increased traffic. He suggested two entrances create more opportunities for vehicles pulling out or slowing down, potentially causing safety issues. However, he acknowledged that the two-entrance plan does not violate the town's Unified Development Ordinance.

Mayor Moore asked if there were any further questions for staff. Not seeing any he asked anyone who wishing to speak on the matter to come forth.

Marcus Burrell, attorney for the applicant, addressed the council *he was duly sworn in by the Town Clerk*. He stated that DOT experts determined no significant traffic increase or need for turn lanes. The attorney argued that while adding 20 houses will naturally increase traffic, experts have evaluated the project and determined there won't be a statistically significant traffic increase. He emphasized that for quasi-judicial hearings, only expert testimony can

be considered regarding traffic impact, and the key question is not just whether traffic increases, but whether that increase poses a genuine danger. He stated NCDOT have the experts. Their experts say we do not need a turn lane. Their experts say we are okay with two entrances. Their experts are telling you that this is okay, and as Mr. Wensman stated, this application meets and exceeds all of your U.D.O. requirements. He also stated the developer, Mr. Dalton expressed no objections to the proposed conditions. The applicant also expressed willingness to remove the northern stub road.

Mayor Andy Moore asked Burrell if he agreed with the presentation given by Planning Director. Burrell stated he does, and did not wish to add anything further.

Attorney Burrell asked for testimony from engineer, Jerry Dalton. The attorney asked Jerry Dalton to explain the differences between the original application and the current application, and how those changes impact the development of the area.

Jerry Dalton, the engineer for the project, addressed the Council, *duly sworn in by the Town Clerk*. Jerry Dalton explained the key differences in the subdivision plan. Initially, they used old code with 20,000 square foot lots and a single cul-de-sac. Now, they've incorporated two parcels, increased lot sizes to 30,000 square feet, and added a second entrance. The developer added 10 more acres while only increasing the lot count by two or three. Dalton emphasized the benefits of two entrances, including better emergency vehicle access and circulation. He noted that having two entrances allows less traffic density at each ingress/egress point. The additional acreage helps with impervious surface and runoff management. Regarding the stub road to the north, Dalton said if removed, they would simply absorb the land into larger lots and create a buffer. He stressed that the lots aren't finalized until Environmental Health approves the septic system locations, which may impact house placement. Dalton confirmed the plan meets or exceeds all town U.D.O. requirements and was developed in close consultation with the planning department.

The attorney confirmed that if the stub road is removed, the development would have a cul-de-sac similar to the one on the south side, with just a connector between the two. He noted the buffer, which appears light blue on the maps, borders Swift Creek Road to the west and the northern parcels. Dalton agreed. Burrell added that would be one continuous buffer all the way across the top of the stub to the North Road. Burrell stated there were questions and concerns, especially from the property owner to the north, regarding the location of septic and being close to his well. Burrell asked Dalton, if there has to be compliance with county requirements and setbacks for that. Dalton emphasized that even after council approval, the lots are not finalized until Environmental Health inspects and approves the septic system locations. He explained that the dotted lines showing setbacks represent a large area with flexibility for septic placement. While the council can approve the preliminary plat, the lots aren't truly complete until Environmental Health confirms they are suitable for development.

Attorney Jerry Dalton stated the property is zoned R-20, which allows single-family residences, and confirmed there is no plan or need to rezone the property. Dalton agreed, stating it will be as proposed here tonight, which is going residential. It's going to have 30,000 square feet up from the 20,000 we had initially. And based on the new U.D.O.

Burrell reiterated with Dalton that NCDOT was sufficiently sought and contacted regarding the development. Dalton stated yes, they reviewed historical and recent traffic counts. He stated that DOT typically considers turn lanes when developments reach 20 lots, and since this project does not exceed 20 lots, it meets DOT's standard approval criteria.

The attorney asked Dalton to confirm that the development aims to maintain good relationships with neighboring property owners, keep the blue line stream clear, and design runoff to flow into a stormwater detention area that must be approved by the county. Dalton confirmed that all their plans must be reviewed, both by the county and the town's stormwater consultant. He emphasized that they always meet the requirements, have never asked for exceptions, and consistently comply with the town's standards.

Attorney Burrell asked the Council if they had any questions.

Mayor Andy Moore asked what firm Dalton was with. Dalton stated Dalton Engineering Associates of Clayton. Dalton stated he was the owner and a professional engineer.

Mayor Moore asked if there were any questions from the Council.

Councilman Scott asked about the previous discussion of the stub road, noting that the northern property and southern piece were previously described differently. He expressed concern that the council was not given the full truth about the property's status, specifically asking what actually happened with the southern piece that was

previously said to be sold. Burrell stated I believe it was under contract with someone else that did not go through, and the developer took the opportunity when the original contract fell through to be able to acquire this piece and expand the development.

There was debate about the northern stub road, with some council members suggesting it could be removed. However, Town Attorney Bob Spence advised that the U.D.O. currently requires the stub road and it could not be removed without amending the ordinance. Councilman Barbour agreed that the rules must be followed as they are written and in place now, and we must follow the U.D.O.

Councilman Travis Scott asked if the developer had any plans to sell lots, or was it their plan to develop the property. Burrell answered they were going to develop the properties and sell completed lots, completed houses. Councilman Barbour asked if they were building to their specific design. Burrell answered it was their design houses.

Mayor Moore asked if there was anyone else wishing to speak on this matter.

Angie McClure, a resident across from the proposed development stated she was not a favor of this development. She stated she did not feel the plat design was in keeping with the neighboring properties. She expressed concerns about farmland loss, environmental impacts from septic systems, traffic safety, and stormwater runoff. She questioned why neighboring property owners were not notified of the hearing. Wensman stated property owners contacted lived within 350 feet of the development. Angie McClure asked if the developer withdrew their plans could the U.D.O be changed prior to new plans being brought forth.

Attorney Bob Spence explained that the Unified Development Ordinance (U.D.O.) is like a legislature that sets rules. Changes to the U.D.O. must go through a specific process involving advertisement, planning board review, and careful procedures to ensure fairness and prevent favoritism. He emphasized that the rules are developed for the entire Smithfield area and are designed to address connectivity issues and potential future land uses that cannot be predicted 30 years in advance. Spence noted that while the council could potentially change U.D.O. rules later, any changes must follow a uniform, transparent process to prevent cherry-picking or special treatment for specific developments.

Mayor Moore added to this discussion, stating he was not advocating one way or another. Moore stated the stub road's potential future importance, emphasizing that while the current property owner may not want to develop the land, circumstances could change quickly. He noted the property could be sold or go under contract at any time, and the stub road provides potential future connectivity. Moore pointed out that they don't know what might happen to the property in the near future, and the stub road requirement exists to prevent forcing all future traffic onto the main road. He stressed that the stub road provision is about long-term planning and potential future development, even if the current owner has no immediate plans to develop the land.

Angie McClure asked if the town could require turn lanes. Mayor Moore explained that the town is limited by North Carolina General Statutes in what requirements they can impose on developers. He noted there is current legislation that would further restrict the town's ability to require additional improvements beyond what DOT mandates. Moore emphasized that the town is increasingly being "handcuffed" in terms of what they can require from developers, and both the town and citizens are constrained by these emerging legislative restrictions. He added that there is legislation in the works right now that aims to limit the Board's authority in this regard. He thanked Ms. McClure for her comments and concern.

William Fred McClure Jr., another nearby resident, passionately argued that the development would create dangerous traffic conditions on Swift Creek Road, predicting someone would be killed or injured within a year if turn lanes are not added.

Mayor Moore asked if there was anyone else wishing to speak on this matter. There was no one. He asked the Council if there were any further questions or comments.

Councilman Scott expressed confusion about the stub road requirement, questioning why the UDO mandates a stub road to the north when no similar requirement was made for the southern portion of the property. He acknowledged the UDO's requirement but found the application inconsistent, highlighting his ongoing bewilderment with how these requirements are applied. Wensman stated someone is exploring building on the lot to the south right now. Councilman Scott stated this was not the case the last time this item was heard. Wensman stated that was a misunderstanding. Councilman Scott agreed. Wensman explained that the southern property was previously thought to be sold, but was actually under contract. He noted it's a single-family home property with limited buildable area due to a blue line stream. He confirmed recent activity on the property, including soil testing and a landowner

inquiring about tree removal. Wensman stated they are in communication with the landowner, and a home is expected to be built in the near future.

Councilman Scott acknowledged Mr. Spence's legal explanation but emphasized that council service often involves considering opinions and negotiable factors. He wanted the record to show that the applicant does not want the stub road, and some parties object to it. He suggested the council should take these perspectives into consideration if this case passes.

Mayor Moore asked if there were any further questions. There were none.

Councilman John Dunn made a motion, seconded by Councilman Stephen Rabil to close the public hearing; Unanimously approved.

The Board did not vote on the individual finding of fact for this case.

Motion made by Mayor Pro Tem Roger Wood to approve the Powell Tract preliminary plat case number S-25-02 with 6 conditions found in the staff report based on the findings and facts for the preliminary plat approval.

Councilman Scott added discussion with a suggestion that the council should go on record acknowledging the UDO's requirement for the stub road is not a new issue. He proposed that the council review whether the requirement should be modified to just an easement or remain a permanent street. Councilman Scott added that the issue should come back before the Planning Board and the Council. The mayor stated that he had no objections to that.

The Motion made by Mayor Pro Tem Roger Wood to approve the Powell Tract preliminary plat case number S-25-02 with 6 conditions found in the staff report based on the findings and facts for the preliminary plat approval--was seconded by Councilman John Dunn. The motion carried 4-2, with Councilmen Travis Scott and Marlon Lee voting against approval.

Conditions re-stated:

1. *That the subdivision approval shall be contingent on staff approval of the construction drawings and meeting all U.D.O. requirements.*
2. *Sidewalks shall be maintained by the Homeowners Association in coordination with NCD.O.T..*
3. *The required street yards shall be provided and the street yard landscaping easement shall be provided along Swift Creek Road to protect the landscaping if on private property.*
4. *The landscape buffer along the northern edge of the development shall be protected with a landscape easement.*
5. *The developer shall provide a statement from Johnston County Health Department that a copy of the plat has been submitted to them and approved for septic systems prior to construction plan approval.*
6. *The developer shall provide a disclosure statement to future buyers of lots about the location of the airport and the potential for airplanes flying overhead and airplane noise.*

2. Preliminary Plat – Heritage Townes at Waddell (S-25-03): Samuel O'Brien (Shovel Ready Johnson, Inc) is requesting the preliminary plat of Heritage Townes at Waddell, a 17-unit townhouse development on 1.88 acres of land in the R-8 Zoning District.

Town Clerk Elaine Andrews administered the oath of affirmation to all those wishing to speak and offer testimony during the public hearing.

Councilman Stephen Rabil made a motion, seconded by Councilman David Barbour, to open the public hearing unanimously approved.

Planning Director Stephen Wensman explained the property considered for approval is comprised of three detached single-family lots. There is an existing home and shed that will be removed by the project. An existing three-foot-high metal barbed wire fence runs along the property line. There's an existing 20-foot-wide sanitary

sewer easement that runs north to West that will be replaced and we don't drive. There is an 18-foot-wide road with drainage ditches on the sides with no sidewalks. Wensman stated this was a special use permit request several months ago. This is the second time you've seen this, and that special use permit was approved. This is just the next step in the process in order to actually begin construction. There are three town-house buildings proposed, a three unit, a six unit and an eight unit. Access to the development is from a single drive off of Waddell to a center court area. The developers proposed seven overflow parking spaces in that center courtyard area, and there's also a cluster mailbox. There's a sidewalk that wraps around the outside of the entire development, almost a recreational type amenity. There is a stormwater pond to the northwest.

Wensman continued, he described the Heritage Towns at Waddell development, detailing that individual lots will be sold with common areas for parking, stormwater pond, and open space. Each unit will have distinctive shed roof dormers and fenced front yards. The architectural materials include lap siding, vertical siding, board and batten, and metal corner trim. Units will be 22 feet wide by 28 feet deep, with lot dimensions of 22 by 63 feet deep. Each unit will have three bedrooms and two baths. The development includes a 10-foot-wide type A buffer on sides and rear, a 50-foot street yard, and a 35-foot perimeter building setback.

Planning Director Stephen Wensman explained that the Heritage Towns at Waddell project meets or exceeds the town's 30-foot building separation requirements outlined in the U.D.O. A transportation engineer was sought during the special use permit process, and it was determined to be a low-level traffic impact to Waddell Street with the addition of this development. This was also reviewed by the Town engineer. Trash for the townhouse development will be in roll-out containers, which the developer plans to store in garages. If not stored in garages, the containers must be screened from the public right-of-way. Parking will be two cars per unit, plus seven overflow spaces in the center area. The HOA will maintain all common areas and amenities. The developer has nearly completed construction plans, which include a relocated sanitary sewer line and a monument sign. Wensman noted the project meets the four required findings of fact and recommended approval with one condition: that construction plans meet all conditions of a preliminary plat and the Unified Development Ordinance.

Wensman presented staff's finding of fact:

STAFF FINDING OF FACT (Staff opinion):

The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that (Staff's opinion in Bold/Italic):

1. The plan is consistent with the adopted plans and policies of the town; The preliminary plans are consistent. ***The site is guided in the comprehensive plan for medium density residential which includes townhouse development.***
2. The plan complies with all applicable requirements of this ordinance; ***The preliminary plat is in accordance with the town's Unified Development Ordinance (UDO).***
3. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed; ***There is adequate water, sewer, electric and transportation infrastructure to support the development.***
4. The plan will not be detrimental to the use or development of adjacent properties or another neighborhood uses. ***The plan will not be detrimental. The development will face outward and will be properly buffered as required by the UDO.***

Wensman presented staff's condition and recommended motion:

Planning Staff recommend approval of S-25-03 with the following condition:

1. *That the preliminary plat approval is contingent on staff approval of the construction plans that meet all conditions of the special use permit and Unified Development Ordinance requirements.*

RECOMMENDED MOTION:

"Move to approve the Heritage Townes at Waddell preliminary plat, S-25-03, with one condition based on the finding of fact for preliminary subdivisions."

Mayor Andy Moore questioned if the one condition was necessary—given all developments must comply with the Town's U.D.O. Wensman stated approval was contingent on staff's approval of the construction plans. Mayor Moore asked if there was a time period on the construction. Wensman stated there is not one. Mayor Moore suggested that if the item is approved tonight, that the two-year period of vested rights interest will begin from tonight, if it so pleases the Board.

Mayor Moore asked if there were any questions from Council. Councilman David Barbour asked for confirmation that there were no changes at all since the last time the item was heard. Wensman stated the construction plans are exactly what the developer said they would do.

Mayor Moore asked if there was anyone present wishing to speak on the matter.

The applicant, Sam O'Brien, of Winter Drive, Raleigh, spoke on behalf of the development. He concurred with the testimony given by Planning Director Wensman. He stated he has been working on this project for a little over a year now. He said he was ready to answer any questions. There were no questions from the Board.

No members of the public spoke on this item.

Councilman Scott asked about the trash container arrangement, specifically wondering if a buffered dumpster area was the applicant's choice or a staff recommendation. He questioned whether this would be necessary since the residents planned to store trash containers in their garages. Wensman explained that during the special use permit, a condition was added requiring trash containers to be screened from the street if not in garages. While the developer plans to store containers in garages, they haven't shown a corral or screened area. However, the condition remains in place in case storage plans change. Councilman Scott asked if plans could later change to add a dumpster. Wensman stated since these are single family occupant homes, they all pay for trash and get town roll out containers.

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman Stephen Rabil to close the public hearing; Unanimously approved.

Motion made by Councilman David Barbour to approve the Heritage Town at Waddell preliminary plat S-25-03 with the one condition based on the finding of fact for preliminary subdivision and vested 2-year rights beginning tonight. Seconded by Mayor Pro Tem Roger Wood. Motion carried unanimously.

Condition re-stated:

1. *That the preliminary plat approval is contingent on staff approval of the construction plans that meet all conditions of the special use permit and Unified Development Ordinance requirements.*

CITIZEN'S COMMENTS:

Three citizens addressed the council during this portion of the meeting:

- Lindsay Bean expressed concern about the lack of animal control laws in Smithfield, particularly regarding dog limits and kennels in residential areas. She described a situation with multiple dogs being kept in poor conditions at a nearby property and urged the council to consider passing stricter regulations.
- Stephanie Avery requested that Oak Street between Market Street and Dogwood be changed back to its original name. She also suggested adding speed bumps on Martin Luther King Jr. Street and other areas to slow traffic. Lastly, she asked the council to consider allowing solar panels for citizens and to look into more renewable energy sources for the town.
- Edward Barfield complained about ongoing flooding issues at the intersection of Fourth and Caswell Streets. He expressed frustration that recent work seemed to be focused on the wrong area and questioned why equipment was left idle for days, causing traffic disruptions.

CONSENT AGENDA:

Councilman David Barbour made a motion, seconded by Mayor Pro Tem Roger Wood, to approve the following items as listed on the Consent Agenda; Unanimously approved as listed below:

1. **Consideration and request for approval to adopt Resolution No. 775 (14-2025) adopting policies to comply with the ARPA CSLFRF Award Requirements**
2. **Approval of Minutes**

- a. March 18, 2025 – Regular Session
- b. March 18, 2025 – Closed Session Minutes (Under Separate Cover)

BUSINESS ITEMS:

1. Consideration and request for approval to enter into an agreement with Electrical Consulting Engineers, Inc. in the amount of \$75,000 to design upgrades to the Hospital Road delivery point 1.

Public Utilities Director Ted Credle presented this item, explaining it was part of the town's long-term plan to modernize the electric distribution system. He described the current setup of the Hospital Road delivery point and the need to upgrade it to a more modern, single-yard substation similar to the one on Brogden Road. Credle noted that Duke Energy is phasing out the 115 KVA transmission lines in favor of 230 KVA, necessitating this upgrade.

Credle requested approval to engage Electrical Consulting Engineers, Inc. for initial design services, not to exceed \$75,000. He emphasized this was just the first step in a multi-year, multi-million-dollar project that would likely require a loan in the future. Credle stated he would be happy to answer any questions from the Board.

Councilman Scott asked Ted Crater how long the electric delivery point upgrade project would take, noting it seems to be a longer project than currently planned in the budget. Ted Credle estimated the electric delivery point upgrade project would take three to five years. He explained that most time would be spent on design, regulatory approvals, and coordination with Duke Energy. The actual construction would likely take about a year, with Duke wanting to minimize on-site temporary equipment to less than a year. The preparatory work and regulatory processes could take an additional two to three years before actual construction begins. Scott asked if the money that the Town will save from paying off a power plant debt in July 2025 could potentially help pay for this project. Credle answered yes.

Councilman Scott asked if Credle know of a definitive amount for the project, noting Credle stated "millions". Credle stated once they know the full scope of what it is going to take, then there could be a cost estimate. He added he would bring it back before the Council at every level to ensure the town is not going blindly into an agreement. Councilman Scott asked if the funds requested would come from this fiscal year's allocated budget. Credle stated this has already been approved as part of this year's fiscal budget. Councilman Scott asked if this work would make the system more stable much like the voltage conversion in the south. Credle explained that the long-term goal, 10-20 years from now, is to create a system where during an outage, the entire town's load could be swapped out, resulting in even smaller outages. This is the ultimate objective of the project. The mayor added and agreed that this was part of the original plan. Stabilization redundancy.

Councilman Stephen Rabil asked Ted to clarify a time frame. Credle explained that Duke Energy's timeline has shifted. Originally, they planned for conversion by 2025, but COVID and other towns' conversions caused them to back off. About a year ago, Duke contacted Smithfield to confirm they were still planning the conversion. After discussing the current plan at a conference, a Duke representative (Sam Stevenson) was enthusiastic and promised to set up a meeting. Credle anticipates bringing everyone together in July to discuss the project's scope once they have a consultant.

There was some discussion about the distribution and the switch over. Councilman Travis Scott asked Credle whether he has checked the references for the company doing the work, and found them reputable. Credle stated he knows they have done some work in Clayton and in East Lumberton.

Councilman Stephen Rabil asked if any security concerns were being addressed with this project. Credle addressed security concerns about the electric delivery point, noting its location next to public works and utilities makes it relatively safe and hidden. He candidly admitted that if someone truly wants to cause harm, they will find a way. However, he suggested some low-cost security improvements like better fencing and installing cameras as practical steps to enhance security.

Motion made by Councilman Travis Scott to approve the request based on the presentation and budgeting criteria. Seconded by Councilman Stephen Rabil. Motion carried unanimously.

Mayor Moore emphasized the critical nature of the electric distribution upgrade project, which has been ongoing for a long time. He asked staff to explore grant opportunities and federal funding to help offset costs. Moore acknowledged the project's importance and expressed hope that it will eventually be completed, noting it feels like the project has been in progress for decades.

- 2. Harvest Run Vested Rights Extension Request:** The developer of Harvest Run, is requesting an extension of the vested rights for the project. Harvest Run is a residential development with 96-detached single-family lots and 69-townhouse lots that received conditional preliminary plat approval on December 7, 2021. The two-year vested rights will expire on June 12, 2025, unless extended by the Town Council.

Planning Director Stephen Wensman presented the request from the Harvest Run development for a one-year extension of their vested rights. Wensman described the Harvest Run development, located next to Marin Woods on NC 210, which includes 96 detached single-family lots and 69 townhouse lots. The plan was originally approved on December 7, 2021, with construction plans approved on June 12, 2023. The two-year vesting period would typically expire on June 12, 2025. The developer is requesting a one-year extension to June 12, 2026, though they have not explained why development has not yet begun. Wensman noted the council can extend vesting rights up to five years and is seeking a decision on the request. He asked the Board if there were any questions.

Councilman Travis Scott asked where the project stands right now, and have they broken ground. Wensman explained that the developer has had construction plan approval for a long time. He has spoken with their engineer, questioning whether the project is dead or alive, and the engineer suggested the project is not dead. However, they have not yet started construction and appear to be planning to begin sometime next year.

Councilman Scott asked if they have obtained the permits for sewer capacity for this project. Wensman deferred the question to the developer, who was present to speak on behalf of the request.

Brian Massengill of Angier, NC, the developer addressed the council. He explained that while they remain committed to the project, they are trying to time the market correctly, particularly for the townhome portion. He assured the council that all permits and approvals were in place, but they wanted additional time to ensure the project's success.

Mayor Moore asked if the developer was asking for a one-year extension. Massengill stated yes.

Councilman David Barbour asked the developer to clarify the layout. Massengill stated in the front are the Townhomes and then you cross the creek and the single-family homes are in the back. Councilman Barbour asked why could the project not start with the development of single-family homes in the back. Massengill stated this would not be economical due to the sewer outfall across the back of Marin Woods. It comes though the townhome portion of the project. It wouldn't be economic in the best interest to build to the back and then have to put in infrastructure to get through the town homes with the sewer anyway.

Councilman Travis Scott asked if Massengill has marketed the project in totality to try to sell it. Massengill stated they are under contract with a builder that would not allow them to market it. The builder, Brian Massengill added that they are not a builder-developer, but a development team that has worked with a builder for 30 years, developing over 20,000 lots. They are trying to time the project carefully to minimize market risk. The mayor stated that slowing down to consider things may not be a bad thing.

It was discussed that there were no changes in the project, nor any surrounding development since the initial vested rights were granted.

Motion made by Mayor Pro Tem Roger Wood to extend the vested rights for 12 months for Harvest Run. Seconded by Councilman John Dunn. Motion carried unanimously.

3. Consideration and request for approval to authorize the Mayor to execute a Memorandum of Understanding regarding a regional water system collaboration among municipalities in Johnston County

Town Manager Mike Scott presented this item, explaining it was a continuation of discussions about potentially creating a regional water and sewer authority. He emphasized that signing the MOU would not commit the town to any funding or to joining an authority, but would allow Smithfield to continue participating in discussions.

Mayor Moore discussed the memorandum of understanding for regional water system collaboration, emphasizing that the document does not commit the town to anything substantial. He highlighted that the goal is to continue participating in discussions about regionalization, which is a common topic at state and federal levels. Moore stressed that while regionalization is often discussed, Smithfield would not be bound to anything without further detailed information. He noted the town's proactive approach to water infrastructure expansion and the importance of being at the table for discussions. Moore thanked Councilman Scott and Councilman Stevens for

their work on the committee and suggested that the MOU simply allows Smithfield to continue being part of the conversation without making any financial commitments.

Councilman Scott shared his perspective from serving on the regional water system committee. He emphasized that Smithfield has been a good neighbor regarding water and sewer infrastructure. While the town has successfully expanded its water plant, Scott noted concerns about sewer rates and ownership. He stressed the importance of continuing to work with other communities and the county, maintaining a voice in discussions. Scott highlighted that the current MOU involves no financial obligations and that Smithfield has water capacity to serve its needs. He advocated for being a good neighbor while carefully considering future implications.

Councilman Barbour expressed support for collaborative discussions but cautioned against losing control of the town's water infrastructure. He emphasized that Smithfield strategically developed its water capacity to provide a competitive advantage for builders. Barbour stressed the difference between cooperation and surrender, noting the town's previous loss of the sewer facility. He advocated for being a good neighbor and sharing water resources without surrendering ownership or control of the facilities the town has invested in. Barbour warned against potential future complications and urged careful consideration of any collaborative efforts to ensure the town maintains its strategic advantages.

Mayor Moore agreed with Councilman Barbour's points, noting that Smithfield is already practicing a form of regionalization by providing water to the county through its existing facility. He emphasized the importance of treading carefully in discussions and ensuring the town does not enter into any binding agreements without careful consideration. Moore explained that the MOU allows for continued participation in discussions, particularly for municipalities seeking to expand their water services, while maintaining the town's ability to make future decisions about participation.

Councilman Barbour suggested that if other municipalities need water and come to Smithfield, it creates an opportunity and competitive advantage for the town. He cautioned that full regionalization might eliminate this advantage by sharing resources with everyone. Barbour noted there are costs to consider and raised the question of whether Smithfield has grown enough to share its resources with other communities, acknowledging this is a complex issue that cannot be fully answered immediately.

Councilman Scott explained that discussions among towns in the regional water system initiative focused on understanding potential benefits. He noted that other communities, like Clayton, share similar concerns about infrastructure. Scott emphasized that the current MOU involves no financial commitment and that future conversations will be critical. He stressed the importance of ensuring enterprise funds remain balanced and protecting end-users from potential rate increases. Scott highlighted the need to consider capacity fees and maintain careful oversight while being open to collaborative discussions and maintaining ownership of assets.

Councilman Travis Scott made a motion to adopt the MOU, seconded by Councilman John Dunn. Motion carried unanimously.

4. FY 2025-2026 Budget Discussions

No specific budget discussions took place during this meeting, as a separate budget meeting had been held the previous night.

Councilmember's Comments

Councilman Scott inquired about the status of the Fourth Street stormwater project and expressed concern about road closures without visible work being done. Public Works Director Lawrence Davis explained the delay on the Fourth Street project was due to water issues and rain. They dug a hole for a pipe and needed to wait for it to dry out to properly compress the area. They plan to resume work Wednesday through Friday, with the project expected to be completed by then. He noted they started from Bridge Street because of a larger pipe and a covert inlet, explaining that they must begin at the lowest point and work upward to address the drainage issue. Mayor Moore emphasized that the town budgeted for and planned a comprehensive drainage solution, not just addressing Caswell Street. He suggested that based on staff recommendations, they are fixing the entire process correctly. Moore noted they could have simply focused on Caswell but instead chose to address the broader drainage issue. He recommended that someone contact the citizen who raised concerns to explain the full scope of the project and the reasoning behind the comprehensive approach.

Councilman Travis Scott also asked for an update about the missing sign at the police department for the internet trade zone. Police Chief Hedrick stated the sign is being replaced.

Town Manager's Report

Manager Scott asked Fire Chief Jeremy Daughtry to discuss the Run for the Wall event as well as the smoke detector initiative coming up in June. Daughtry stated that the annual smoke alarm canvas on June 7th, where the fire department will install smoke detectors in several neighborhoods. The Fire Chief spoke about the Run for the Wall event, where motorcycle riders traveling across the country to the Vietnam Veterans Memorial in Washington, D.C. will be staying overnight in Smithfield on May 24th.

Manager Scott also extended an invitation to a retirement party for Jan Ashley, who is retiring from Parks and Recreation after 20 years of service. The event will be held on Thursday, May 29th from 3 to 6 PM at the SRAC.

Councilman Stephen Rabil asked if the Manager knew how long the street sweeper would be out. The Manager stated he was not sure. It's an electrical issue that is currently under repair.

Mayor Pro Tem Roger Wood asked about transferring an old ATV from the police department to the parks and recreation department. Police Chief Hedrick had no objections.

Councilman Marlon Lee expressed frustration with ongoing safety concerns. He mentioned discovering the splash pad was running and questioning why there was no communication about its activation. Lee highlighted the lack of safety features at the park, noting a previous discussion about safety that was not addressed in the current budget. He pointed out a pile of dirt at Smith Collins Park that had been sitting for three weeks, with children playing on it unsafely. Lee also mentioned unresolved issues with street lights being out in East Smithfield. He emphasized his ongoing concerns about safety and the need for more proactive communication and action from the town.

Adjourn

Mayor Pro Tem Roger Wood made a motion, seconded by Councilman John Dunn, to adjourn the meeting at approximately 9:38 pm. Unanimously approved.

M. Andy Moore, Mayor

ATTEST:

Elaine Andrews, Town Clerk



Request for Town Council Action

Consent Agenda Item:	Accept Public Street Maint.
Date:	07/15/2025

Subject:	Resolution to Accept Public Maintenance of Streets in East River
Department:	Planning Department
Presented by:	Planning Director - Stephen Wensman
Presentation:	Consent Agenda Item

Issue Statement

To adopt Resolution 778 (17-2025) accepting public maintenance of Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street in the East River Development.

Financial Impact

The town will need to budget for street maintenance in the East River development. The town will be adding these streets to the Powell Bill database.

Action Needed

Town Council approval of the Resolution accepting the public maintenance of the streets in the East River development.

Recommendation

Staff recommends the Town Council adopt Resolution 778 (17-2025) accepting the public maintenance of Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street in the East River development.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Request for street maintenance
3. Resolution 778 (17-2025)
4. East River Plat



Staff Report

Consent
Agenda
Item: Accept
Public
Street
Maint.

Overview:

The developer of East River has requested public maintenance of Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street in the East River development. The Town Council accepted Sunfish and Croatan Court for public maintenance by Resolution 696 (05-2022) on April 5, 2022.

Requested Public Maintenance of Streets (and sidewalks):

- Sturgeon Street 3,005'
- Sandpiper Street 1,239'
- Sandstone Street 874'
- Shore Court 277'

Total Linear Feet = 5,395'

Section 17-27 and 17-29.

Section 17-27 and 17-29 of the Town Ordinances regulates the acceptance of public streets for maintenance:

Sec. 17-27. - Acceptance of new streets.

- (a) No street, alley or other public way dedicated for public use within the town shall be accepted by the town as a public street and no maintenance or improvement shall be authorized thereon unless the requirements of this section have been complied with.
- (b) Prior to opening any street, alley or other public way, the property owner or developer shall submit a preliminary plan to the planning board and town council for their approval. Such preliminary plan shall show the location of the proposed street, alley or other public way, the right-of-way width, all adjacent property owners, watercourses and such other information as the planning board and town council may require.
- (c) Minimum standards for new streets, extensions of existing streets or alleys for which approval is required shall be as follows:
 - (1) A minimum right-of-way width of fifty (50) feet dedicated for street purposes. In addition, the town council may require a right-of-way width greater than fifty (50) feet if such street is to be used as a major thoroughfare or where greater widths are required by a major street plan.
 - (2) A minimum right-of-way of twenty (20) feet for all service alleys.
 - (3) Streets shall conform to the general street plan or major thoroughfare plan of the town as to location.
 - (4) Streets shall intersect at right angles and the street alignment shall not change more abruptly than a vertical curve of one thousand foot radius except where existing conditions justify a modification of this requirement by the town council.
- (d) If the street plan is approved, the owner or developer shall be required to make, at no cost to the town and prior to the town's accepting such street or alley as a public street, the following improvements:
 - (1) The right-of-way shall be cleared and graded to its final grade for the full width of the right-of-way. Grades shall not as far as practical exceed five (5) percent.

- (2) Streets shall be crowned and adequate street drainage ditches provided in accordance with the street improvement construction specifications of the town.
- (3) Top soil, gravel or other suitable base coarse material shall be put in place for a minimum width of thirty (30) feet, which shall be the minimum width for an improved street. Additional improved street widths may be required for major thoroughfares by the town council; provided, the improved width of alleys need not exceed twenty (20) feet.

Sec. 17-29. - Same—Resolution.

When the requirements of section 17-27 have been met to the satisfaction of the town council and the town manager, the town council may, by resolution, accept such street or alley for public use.

Public Works Inspections:

The Public Works Department has inspected the streets in East River, developed punch lists for repairs, and reinspected and has determined that the streets meet the above standards for acceptance of public streets. The final lift of paving was recently installed.

Recommendation:

Staff recommend the Town Council adopt Resolution 778 (17-2025) accepting the public maintenance of Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street in the East River development.

From: [David DeYoung, AICP](#)
To: [Stephen Wensman](#); [Lawrence Davis](#)
Cc: [Aly Burr](#); [Andrew Nick Larson](#)
Subject: East River Roads and Infrastructure
Date: Tuesday, June 24, 2025 9:44:35 AM

Stephen and Lawrence,

Good morning. Please be advised that all required infrastructure has been completed in the East River Subdivision. As such, we are requesting that the Town accept/take ownership of any streets and associated infrastructure that has not been formally accepted by the Town Council.

Please let me know if you have any questions regarding this request.

Sincerely,

Dave



David DeYoung, AICP
Vice President, RiverWILD Development

e: david@staywild.com
m: 919-901-3178

114 W. Main St, Clayton, NC 27520
www.staywild.com | 919.373.6048



Will to Win | Intentional Adaptability | Live Compassionately | Disciplined Execution

Town of Smithfield Resolution No. 778 (17-2025)

A Resolution to Accept Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street in the East River Development for Town Street Maintenance

WHEREAS, the Town of Smithfield recognizes the importance of maintaining safe and accessible streets for the benefit of its residents; and

WHEREAS, Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street in the East River development are located within the jurisdictional limits of the Town of Smithfield, and have been constructed to meet the required standards for public roadways as set forth by the Town; and

WHEREAS, Town staff has conducted an evaluation of Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street in the East River development and determined that the streets meet the standards for acceptance of public streets pursuant to *Sections 17-27 through 17-29* of the Town of Smithfield code of Ordinances; and

WHEREAS, the Developer has requested the Town accept maintenance of streets and associated infrastructure for Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street in the East River development; and

WHEREAS, the Smithfield Town Council accepted Sunfish Street and Croatan Court in Phases 1 and 2 of the East River development by Resolution in May of 2022; and

WHEREAS, the acceptance of Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street into the Town's Street maintenance inventory will add approximately 5,395 linear feet of roadway, increasing the Town's responsibilities and costs for regular upkeep and repairs while also generating additional revenue through the state's Powell Bill Fund; and

WHEREAS, the Town Council has determined that the acceptance of Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street is in the best interest of the public;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Smithfield as follows:

1. **Acceptance of Streets:** The Town of Smithfield hereby accepts Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street in the East River development, adding approximately 5,395 linear feet, into its network of streets to be maintained by the Town.
2. **Maintenance Obligation:** The Town of Smithfield assumes responsibility for the ongoing maintenance, repair, and general upkeep of Sturgeon Street, Sandpiper Street, Short Court and Sandstone Street in the East River development in accordance with its policies and standards for public streets.
3. **Effective Date:** This resolution shall take effect immediately upon its adoption.

Adopted this 15th day of July, 2025, by the Town Council of the Town of Smithfield.

M. Andy Moore, Mayor

ATTEST:

Elaine S. Andrews, Town Clerk



Request for Town Council Action

**Consent
Agenda
Item:** **Application
for
Temporary
Use Permit**
Date: 07/15/2025

Subject: Bulldog Harley-Davidson

Department: Planning Department

Presented by: Planning Director – Stephen Wensman

Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow Bulldog Harley-Davidson to hold Bikini Bike Wash on July 19th, 2025.

Financial Impact

None.

Action Needed

Council approval of the Temporary Use Permit Application

Recommendation

Staff recommends approval of the Temporary Use Permit Application

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application
3. Map of Area



Staff Report

**Consent
Agenda
Item:** **Application
for
Temporary
Use Permit**

Bulldog Harley-Davidson is requesting to hold Bikini Bike Wash at 1043 Outlet Center Drive on July 19th, 2025. This event will run from 11:00 am to 4:00 pm. Gent's Bounty BBQ food truck will be on-site selling food. Two beers will be given away to customers age 21 and older.



Temporary Use Permit Application

Completed applications must be submitted at least 6 weeks prior to the event by emailing Julie Edmonds at julie.edmonds@smithfield-nc.com or by dropping them off in the Town of Smithfield Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. All required information must be submitted along with this application in order for it to be processed. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

TYPES OF TEMP USE OR EVENT

- ☒ Special Event
- ☐ Town recognized event _____
- ☒ Over 100 people in attendance
- ☐ Live Band or Amplified Sound _____
- ☐ Requires closure or blockage of Town Street
- ☒ Involves Food Trucks
- ☐ Requires Security (potential safety, security concerns)
- ☐ Involves structures larger than 200 square feet and canopies larger than 400 square
- ☐ Involves Town Park property (Call 919-934-2148)
- ☐ Involves Fireworks (Contact Smithfield Fire Department 919-934-2468)

OTHER TEMP USES

- ☐ Modular Office Units
- ☐ Emergency, construction and repair residence
- ☐ Temporary storage facility (portable storage unit)
- ☐ Sale of agricultural products grown off-site
- ☐ Sale of Fireworks
- ☐ Other (please describe) _____

Bikin Bike Wash

Name of Event

1043 Outlet Center Dr Smithfield, NC 27577

Location of Event/Use (exact street address)

APPLICANT:

Name Michelle Winn
Address 1043 Outlet Center Dr
Phone number 919-938-1592
Email address Michelle@bulldogharleydavidson.com
Event date 7/1/9

Event start and end time 11-4 PM
Event set up and clean up time 8AM-4PM

Sound Amplification Type —

Sound Amplification Start and End Times —

Food Trucks (if applicable) 1

PROPERTY OWNER:

Name Carson Baker
Address 1508 Hope Mills Rd, Fayetteville, NC 28304
Phone number 9107348504
Email address Carson@bulldogharleydavidson.com

Will alcohol be sold or served? Y or N
(If yes, please supply an ABC Permit)

Will food or goods be sold? Y or N

Gent's Bounty BBQ

(Each Food Truck Requires Certificate of Inspections by Johnston County)

Environmental Health Department, Proof of Insurance, A Copy of the Vehicle or Trailer Registration and/or ABC Permit, if applicable and must be submitted with this application).

Security agency name & phone, if applicable: _____
(If using Smithfield Police, applicant must contact the PD 168 schedule security.)

Will any town property be used (i.e., streets, parks, greenways)? No

If any town streets require closure, please list all street names. N/A

Are event trash cans needed? Y or N How many? N

Please provide a detailed description of the proposed temporary use or special event:

2 Beers Per Guest

FOOD truck

Temporary Use Submittal Checklist:

1. Completed Temporary Use Permit application
2. Other documentations deemed necessary by the administrator
3. Application fee - \$100
4. Site plan, if required by the administrator

Method of Payment Cash _____ Check# _____ Credit Card _____ Amount \$ _____

Payment Received By: _____

Date: _____

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify that the information contained in this application is true to the best of my knowledge and I certify

that this event/use will be conducted per all applicable local laws. I certify that I have received the attached information concerning the regulations for temporary uses. If an event, I certify that I have notified all adjoining property owners of the planned event.

Michelle Winn

Applicant's Name (Print)

Signature

Date _____

Town Planning Director Signature:

Date:

OWNERS AUTHORIZATION

I hereby give CONSENT to Bulldog HD (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Property Owners Name (print) CFB Powersports, LLC
Address 1043 Outlet Center Dr. Zip 27577
Phone Number 919-938-1592 Email carson@bulldoghardleyjohnson.com
Signature: [Signature] Date: 6/18/25

OWNER'S CONSENT FORM

Name of Event: Bikini Bike Wash Submittal Date: 6/18/25

OWNERS AUTHORIZATION

I hereby give CONSENT to Bulldog HD (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

[Signature]
Signature of Owner

Carson Baker
Print Name

6/18/25
Date

Food Establishment Inspection Report

Score: 99

Establishment Name: GENTS' BOUNTY BBQ LLC

Establishment ID: 6096030139

Location Address: 718 BUCK SWAMP RD

City: GOLDSBORO State: North Carolina

Zip: 27530 County: 96 Wayne

Permittee: WILLIAM VANSKIKE

Telephone: (919) 750-2812

☒ Inspection ☐ Re-Inspection ☐ Educational Visit

Wastewater System:

☒ Municipal/Community ☐ On-Site System

Water Supply:

☒ Municipal/Community ☐ On-Site Supply

Date: 08/22/2024

Status Code: A

Time In: 4:45 PM

Time Out: 5:25 PM

Category#: III

FDA Establishment Type:

No. of Risk Factor/Intervention Violations: 1

No. of Repeat Risk Factor/Intervention Violations: 0

Foodborne Illness Risk Factors and Public Health Interventions

Risk factors: Contributing factors that increase the chance of developing foodborne illness.

Public Health Interventions: Control measures to prevent foodborne illness or injury

Compliance Status		OUT	CDI	R	VR
Supervision .2652					
1	<input checked="" type="checkbox"/> OUT N/A	PIC Present, demonstrates knowledge, & performs duties	1	0	
2	<input checked="" type="checkbox"/> OUT N/A	Certified Food Protection Manager	1	0	
Employee Health .2652					
3	<input checked="" type="checkbox"/> OUT	Management, food & conditional employee; knowledge, responsibilities & reporting	2	1	0
4	<input checked="" type="checkbox"/> OUT	Proper use of reporting, restriction & exclusion	3	1.5	0
5	<input checked="" type="checkbox"/> OUT	Procedures for responding to vomiting & diarrheal events	1	0.5	0
Good Hygienic Practices .2652, .2653					
6	<input checked="" type="checkbox"/> OUT	Proper eating, tasting, drinking or tobacco use	1	0.5	0
7	<input checked="" type="checkbox"/> OUT	No discharge from eyes, nose, and mouth	1	0.5	0
Preventing Contamination by Hands .2652, .2653, .2655, .2656					
8	<input checked="" type="checkbox"/> OUT	Hands clean & properly washed	4	2	0
9	<input checked="" type="checkbox"/> OUT N/A N/O	No bare hand contact with RTE foods or pre-approved alternate procedure properly followed	4	2	0
10	<input checked="" type="checkbox"/> IN OUT N/A	Handwashing sinks supplied & accessible	2	X	0 X
Approved Source .2653, .2655					
11	<input checked="" type="checkbox"/> OUT	Food obtained from approved source	2	1	0
12	<input checked="" type="checkbox"/> OUT	Food received at proper temperature	2	1	0
13	<input checked="" type="checkbox"/> OUT	Food in good condition, safe & unadulterated	2	1	0
14	<input checked="" type="checkbox"/> IN OUT N/A N/O	Required records available: shellstock tags, parasite destruction	2	1	0
Protection from Contamination .2653, .2654					
15	<input checked="" type="checkbox"/> OUT N/A N/O	Food separated & protected	3	1.5	0
16	<input checked="" type="checkbox"/> OUT	Food-contact surfaces: cleaned & sanitized	3	1.5	0
17	<input checked="" type="checkbox"/> OUT	Proper disposition of returned, previously served, reconditioned & unsafe food	2	1	0
Potentially Hazardous Food Time/Temperature .2653					
18	<input checked="" type="checkbox"/> IN OUT N/A N/O	Proper cooking time & temperatures	3	1.5	0
19	<input checked="" type="checkbox"/> OUT N/A N/O	Proper reheating procedures for hot holding	3	1.5	0
20	<input checked="" type="checkbox"/> IN OUT N/A N/O	Proper cooling time & temperatures	3	1.5	0
21	<input checked="" type="checkbox"/> OUT N/A N/O	Proper hot holding temperatures	3	1.5	0
22	<input checked="" type="checkbox"/> OUT N/A N/O	Proper cold holding temperatures	3	1.5	0
23	<input checked="" type="checkbox"/> OUT N/A N/O	Proper date marking & disposition	3	1.5	0
24	<input checked="" type="checkbox"/> IN OUT N/A N/O	Time as a Public Health Control; procedures & records	3	1.5	0
Consumer Advisory .2653					
25	<input checked="" type="checkbox"/> IN OUT N/A	Consumer advisory provided for raw/undercooked foods	1	0.5	0
Highly Susceptible Populations .2653					
26	<input checked="" type="checkbox"/> IN OUT N/A	Pasteurized foods used; prohibited foods not offered	3	1.5	0
Chemical .2653, .2657					
27	<input checked="" type="checkbox"/> IN OUT N/A	Food additives: approved & properly used	1	0.5	0
28	<input checked="" type="checkbox"/> OUT N/A	Toxic substances properly identified stored & used	2	1	0
Conformance with Approved Procedures .2653, .2654, .2658					
29	<input checked="" type="checkbox"/> IN OUT N/A	Compliance with variance, specialized process, reduced oxygen packaging criteria or HACCP plan	2	1	0

Good Retail Practices

Good Retail Practices: Preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Compliance Status		OUT	CDI	R	VR
Safe Food and Water .2653, .2655, .2658					
30	<input checked="" type="checkbox"/> IN OUT N/A	Pasteurized eggs used where required	1	0.5	0
31	<input checked="" type="checkbox"/> OUT	Water and ice from approved source	2	1	0
32	<input checked="" type="checkbox"/> IN OUT N/A	Variance obtained for specialized processing methods	2	1	0
Food Temperature Control .2653, .2654					
33	<input checked="" type="checkbox"/> OUT	Proper cooling methods used; adequate equipment for temperature control	1	0.5	0
34	<input checked="" type="checkbox"/> IN OUT N/A N/O	Plant food properly cooked for hot holding	1	0.5	0
35	<input checked="" type="checkbox"/> IN OUT N/A N/O	Approved thawing methods used	1	0.5	0
36	<input checked="" type="checkbox"/> OUT	Thermometers provided & accurate	1	0.5	0
Food Identification .2653					
37	<input checked="" type="checkbox"/> OUT	Food properly labeled: original container	2	1	0
Prevention of Food Contamination .2652, .2653, .2654, .2656, .2657					
38	<input checked="" type="checkbox"/> IN OUT	Insects & rodents not present; no unauthorized animals	2	1	X X
39	<input checked="" type="checkbox"/> OUT	Contamination prevented during food preparation, storage & display	2	1	0
40	<input checked="" type="checkbox"/> OUT	Personal cleanliness	1	0.5	0
41	<input checked="" type="checkbox"/> OUT	Wiping cloths: properly used & stored	1	0.5	0
42	<input checked="" type="checkbox"/> OUT N/A	Washing fruits & vegetables	1	0.5	0
Proper Use of Utensils .2653, .2654					
43	<input checked="" type="checkbox"/> OUT	In-use utensils: properly stored	1	0.5	0
44	<input checked="" type="checkbox"/> OUT	Utensils, equipment & linens: properly stored, dried & handled	1	0.5	0
45	<input checked="" type="checkbox"/> OUT	Single-use & single-service articles: properly stored & used	1	0.5	0
46	<input checked="" type="checkbox"/> OUT	Gloves used properly	1	0.5	0
Utensils and Equipment .2653, .2654, .2663					
47	<input checked="" type="checkbox"/> OUT	Equipment, food & non-food contact surfaces approved, cleanable, properly designed, constructed & used	1	0.5	0
48	<input checked="" type="checkbox"/> OUT	Warewashing facilities: installed, maintained & used; test strips	1	0.5	0
49	<input checked="" type="checkbox"/> OUT	Non-food contact surfaces clean	1	0.5	0
Physical Facilities .2654, .2655, .2656					
50	<input checked="" type="checkbox"/> OUT N/A	Hot & cold water available; adequate pressure	1	0.5	0
51	<input checked="" type="checkbox"/> OUT	Plumbing installed; proper backflow devices	2	1	0
52	<input checked="" type="checkbox"/> OUT	Sewage & wastewater properly disposed	2	1	0
53	<input checked="" type="checkbox"/> OUT N/A	Toilet facilities: properly constructed, supplied & cleaned	1	0.5	0
54	<input checked="" type="checkbox"/> OUT	Garbage & refuse properly disposed; facilities maintained	1	0.5	0
55	<input checked="" type="checkbox"/> OUT	Physical facilities installed, maintained & clean	1	0.5	0
56	<input checked="" type="checkbox"/> OUT	Meets ventilation & lighting requirements; designated areas used	1	0.5	0
TOTAL DEDUCTIONS:					1



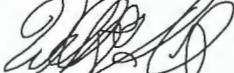
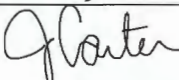
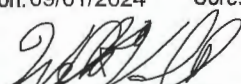
North Carolina Department of Health & Human Services • Division of Public Health • Environmental Health Section • Food Protection Program DHHS is an equal opportunity employer.

Page 1 of Food Establishment Inspection Report, 12/2023



Establishment Name:	GENTS' BOUNTY BBQ LLC			Establishment ID:	6096030139			
Location Address:	718 BUCK SWAMP RD			<input checked="" type="checkbox"/> Inspection	<input type="checkbox"/> Re-Inspection	Date:	08/22/2024	
City:	GOLDSBORO	State:	NC	<input type="checkbox"/> Educational Visit	Status Code:			A
County:	96 Wayne	Zip:	27530	Comment Addendum Attached?	<input checked="" type="checkbox"/>	Category #:	III	
Wastewater System:	<input checked="" type="checkbox"/> Municipal/Community <input type="checkbox"/> On-Site System			Email 1:	gentsbountybbq@gmail.com			
Water Supply:	<input checked="" type="checkbox"/> Municipal/Community <input type="checkbox"/> On-Site System			Email 2:				
Permittee:	WILLIAM VANSKIKE			Email 3:				
Telephone:	(919) 750-2812							

[illegible]

y:  _____
 _____
Priority Foundation: 09/01/2024 Core: 
Authorize final report to
be received via Email:




CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/20/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER  Brian Allen 807 Royall Avenue Goldsboro NC 275342537	CONTACT NAME: Brian Allen PHONE (A/C, No, Ext): 919-778-2300 FAX (A/C, No): E-MAIL ADDRESS: brian.allen.vaahil@statefarm.com INSURER(S) AFFORDING COVERAGE INSURER A : State Farm Fire and Casualty Company NAIC # 25143 INSURER B : State Farm Mutual Automobile Insurance Company 25178 INSURER C : INSURER D : INSURER E : INSURER F :
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COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD INSD	SUB WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:	N	N	93-AP-F122-0	08/15/2024	08/15/2025	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000						
	MED EXP (Any one person) \$ 5,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
							\$
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY	N	N	473 0899-E07-33	05/07/2024	11/07/2024	COMBINED SINGLE LIMIT (Ea accident) \$
	BODILY INJURY (Per person) \$						
	BODILY INJURY (Per accident) \$						
	PROPERTY DAMAGE (Per accident) \$						
							\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> \$
	E.L. EACH ACCIDENT \$						
	E.L. DISEASE - EA EMPLOYEE \$						
	E.L. DISEASE - POLICY LIMIT \$						

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER	CANCELLATION
	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE This form was system-generated on 09/20/2024

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Request for Town Council Action

**Consent
Agenda
Item:** **Application
for
Temporary
Use Permit**
Date: 07/15/2025

Subject: Bulldog Harley-Davidson
Department: Planning Department
Presented by: Planning Director – Stephen Wensman
Presentation: Consent Agenda Item

Issue Statement

The Council is being asked to allow Bulldog Harley-Davidson to hold Christmas in July on July 26th, 2025.

Financial Impact

None.

Action Needed

Council approval of the Temporary Use Permit Application.

Recommendation

Staff recommends approval of the Temporary Use Permit Application.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. Staff Report
2. Temporary Use Permit Application
3. Map of Area



Staff Report

**Consent
Agenda
Item:** **Application
for
Temporary
Use Permit**

Bulldog Harley-Davidson is requesting to hold Christmas in July at 1043 Outlet Center Drive on July 26th, 2025. This event will run from 11:00 am to 4:00 pm. Daisy Dawgs food truck will be on-site selling food. A live band will perform therefore amplified sound will be used. Two beers will be given away to customers age 21 and older.



Temporary Use Permit Application

Completed applications must be submitted at least 6 weeks prior to the event by emailing Julie Edmonds at julie.edmonds@smithfield-nc.com or by dropping them off in the Town of Smithfield Planning Department. All applicants should read the following pages before completing all sections required. Incomplete applications may increase the permit processing time. All required information must be submitted along with this application in order for it to be processed. If a person other than the property owner signs this application, a notarized written authorization from the property owner must be attached.

TYPES OF TEMP USE OR EVENT

- ☒ Special Event
- ☐ Town recognized event _____
- ☒ Over 100 people in attendance
- ☒ Live Band or Amplified Sound BAND
- ☐ Requires closure or blockage of Town Street
- ☒ Involves Food Trucks
- ☐ Requires Security (potential safety, security concerns)
- ☐ Involves structures larger than 200 square feet and canopies larger than 400 square
- ☐ Involves Town Park property (Call 919-934-2148)
- ☐ Involves Fireworks (Contact Smithfield Fire Department 919-934-2468)

OTHER TEMP USES

- ☐ Modular Office Units
- ☐ Emergency, construction and repair residence
- ☐ Temporary storage facility (portable storage unit)
- ☐ Sale of agricultural products grown off-site
- ☐ Sale of Fireworks
- ☐ Other (please describe) _____

Christmas in July
Name of Event

1043 Outlet Center Dr Smithfield, NC 27577
Location of Event/Use (exact street address)

APPLICANT:

Name Michelle Winn
Address 1043 Outlet Center Dr
Phone number 919-938-1592
Email address Michelle@bulldogharleydavidson.com
Event date July 26th

Event start and end time 11-4 PM

Event set up and clean up time 8 AM - 4 PM

Sound Amplification Type Speaker

Sound Amplification Start and End Times 12-3 PM

Food Trucks (if applicable) 1 **Daisy Dawgs**
(Each Food Truck Requires Certificate of Inspections by Johnston County)

PROPERTY OWNER:

Name Carson Baker
Address 1508 Hope Mills Rd, Fayetteville, NC 28304
Phone number 9107348504
Email address Carson@bulldogharleydavidson.com

Will alcohol be sold or served? ☒ Y or N
(If yes, please supply an ABC Permit)

Will food or goods be sold? Y or N

Environmental Health Department, Proof of Insurance, A Copy of the Vehicle or Trailer Registration and/or ABC Permit, if applicable and must be submitted with this application).

Security agency name & phone, if applicable: _____
(If using Smithfield Police, applicant must contact the PD to schedule security.)

OWNERS AUTHORIZATION

I hereby give CONSENT to Bulldog HD (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Property Owners Name (print) CFB Powersports, LLC
Address 1043 Outlet Center Dr. Zip 27577
Phone Number 919-938-1592 Email carson@bulldogharleydavidson.com
Signature: [Signature] Date: 4/18/25

OWNER'S CONSENT FORM

Name of Event: Christmas in July Submittal Date: 4/19/25

OWNERS AUTHORIZATION

I hereby give CONSENT to Bulldog HD (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

[Signature]
Signature of Owner

Carson Baker
Print Name

4/18/25
Date

N.C. Department of Health and Human Services
Division of Public Health
Environmental Health Section

☒ PERMIT

☐ TRANSITIONAL PERMIT

Date: 08/22/2024

Name of Establishment: Daisy Dawgs
Location Address: 131 Fallingbrook Dr
City: Kenly State: NC Zip: 27542
Billing Name: Diane Norton
Billing Address: _____
City: _____ State: _____ Zip: _____
Email Address: dnorton10767@gmail.com
Phone: (919) 980-0826 Fax: _____

Permittee: Diane Norton
Manager/Person in Charge: _____
County: JOHNSTON
Status Code: ☒ I ☐ T ☐ K
Establishment ID: 04051040207
Map #: _____ Parcel ID: _____
Lat: _____ Long: _____
Emergency Phone Number: (919) 980-0826

Permission is granted to operate a Pushcart as defined in G.S. 130A-247(1) and 130A-248, Regulation of Food and Lodging Facilities. See permit requirements in Rules. This permit is not transferable and may be revoked for failure to comply with all requirements.

Wastewater System: ☒ Municipal/Community ☐ On-Site System Capacity 0 Category # ☐ 0 ☐ 1 ☒ 2
Water Supply: ☒ Municipal/Community ☐ On-Site Supply ☐ 3 ☐ 4
Pushcart/Mobile Food Unit operating in conjunction with: NK'S / 04051010107

Restaurant or Commissary Name and ID Number

Conditions/Remarks:

The only hazardous foods that can be sold, served or prepared are hot dog/sausage dog like foods and their condiments. No bare hand contact is allowed with ready to eat foods, must use gloves / tongs / deli paper / etc. Keep hot foods at 135F or above and cold foods at 41F or below at all times. Pushcart must report to commissary on a daily basis when in operation. All food prep, all food storage, condiment storage, trash disposal and dish-washing must take place at commissary. Keep metal stem thermometer, sanitizer and sanitizer test strips available at all times. If going to other counties to operate, that county must be contacted prior to going. Contact this department on a regular basis to notify location of operation. Within 210 days there must be certified food protection manager on duty or points may be deducted on sanitation grade. Cooling food is not allowed on pushcart. At the commissary, wash dishes, food prep, all food storage, single service storage, dump wastewater in approved location and dispose of trash. No menu or equipment changes without approval.

Vins
Tags

☐ ATTACHMENTS

Transitional Permit Conditions

This permit shall expire on _____ and is not renewable. All non-compliant items listed herein and on attached pages (if applicable) must be completed within ☐ 90 / ☐ 180 days. This establishment must close if all noncompliant items are not corrected by the expiration date.

Received By: [Signature]
Manager/Person in Charge
Signed: [Signature]
Division of Environmental Health

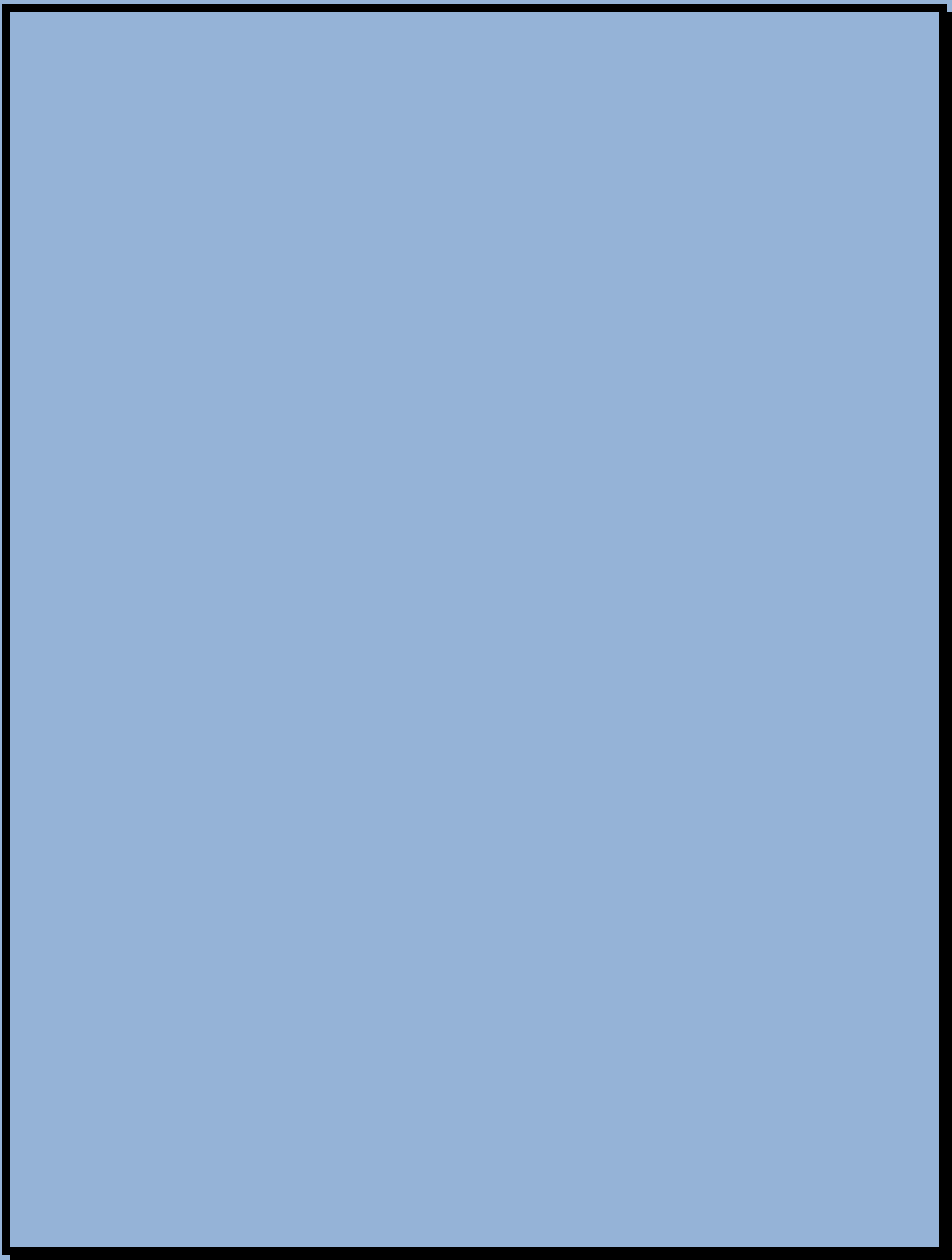
Title: Mgr Date: 08/22/2024
RS#: 1848 Date: 08/22/2024

919-921-0109

Permittee: General Statute 130A-248(b) states "No establishment shall commence or continue operation without a permit or transitional permit issued by the Department. The permit or transitional permit shall be issued to the owner or operator of the establishment and shall not be transferable. If the establishment is leased, the permit or transitional permit shall be issued to the lessee and shall not be transferable. If the location of an establishment changes, a new permit shall be obtained for the establishment. A permit shall be issued only when the establishment satisfies all of the requirements of the rules. The Commission shall adopt rules establishing the requirements that must be satisfied before a transitional permit may be issued, and the period for which a transitional permit may be issued. The Department may also impose conditions on the issuance of a permit or transitional permit in accordance with rules adopted by the Commission. A permit or transitional permit shall be immediately revoked in accordance with G.S. 130A-23(d) for failure of the establishment to maintain a minimum grade of C. A permit or transitional permit may otherwise be suspended or revoked in accordance with G.S. 130A-23. * Preparation: Local environmental health specialists shall issue a permit every three months a change in permit status is indicated. Prepare an original and one copy; but if Original to be left with the owner or operator. 2. Copy for the local health department. Disposition: Please refer to Records Retention and Disposition Schedule 8.B.A. for County/District Health Department which is published by the North Carolina Division of Archives & History. Additional forms may be ordered from: 1632 Mail Service Center, Raleigh, NC 27699-1632. (Courier 32-01-00) EHS 1341 (Revised 07/12) Environmental Health Section.



Business Items





Request for Town Council Action

Business Item: Present
AIA – Sewer Results
Date: 07/15/2025

Subject: Presentation of Completed Work for AIA Sewer Grant
Department: Public Utilities Department
Presented by: Public Utilities Director - Ted Credle
Presentation: Business Item

Issue Statement

Per conditions of the awarded Asset & Inventory Assessment grant (AIA), the NCDEQ requires the recipient to present the completed work to the governing municipal board. This package represents the completed work.

Financial Impact

None. This action closes out the existing sewer AIA Grant for the Town, per grant conditions

Action Needed

Accept the completed work, as presented to Town Council.

Recommendation

Staff recommends Town Council accept the completed work, so the AIA grant can be closed out.

Approved: ☒ Town Manager ☐ Town Attorney

Attachments:

1. **Staff Report**
2. The Approved grant application
3. Executive Summary of Work
4. Sample of Manhole report (1 of 1,711)
5. Updated Asset Management Plan (cover & table of contents **only**)
6. Sewer Model sample of "troubled" Pipe
7. Still shot of sample



Staff Report

**Business Present
Item: AIA – Sewer
Results**

In 2020, the Town applied for and was rewarded the North Carolina Division of Environmental Quality (NCDEQ) Clean Water State Revolving Fund (CWSRF) Asset Inventory and Assessment (AIA) grant in the amount of \$150,000 in regards to the Town's sanitary sewer system.

The intent of this grant was to continue our on-going assessment of the sanitary sewer collection system by updating the individual manhole reports (indicating which manholes needed rehabilitation); updating the existing Town Asset Management Plan; Updating the existing Town sewer model to reflect new Town growth and rehabilitated section of the system; the purchase of magnetic flow meters to identify outflow from three (3) strategic Town lift stations; and the continuation of sewer pipe assessment through use of video camera techniques.

To close out this grant funding, the governing board must be presented the competed work funded by the AIA Grant and acknowledge the work was in accordance with the grant application.

Staff is asking Council to accept the included package, representing the completed work.

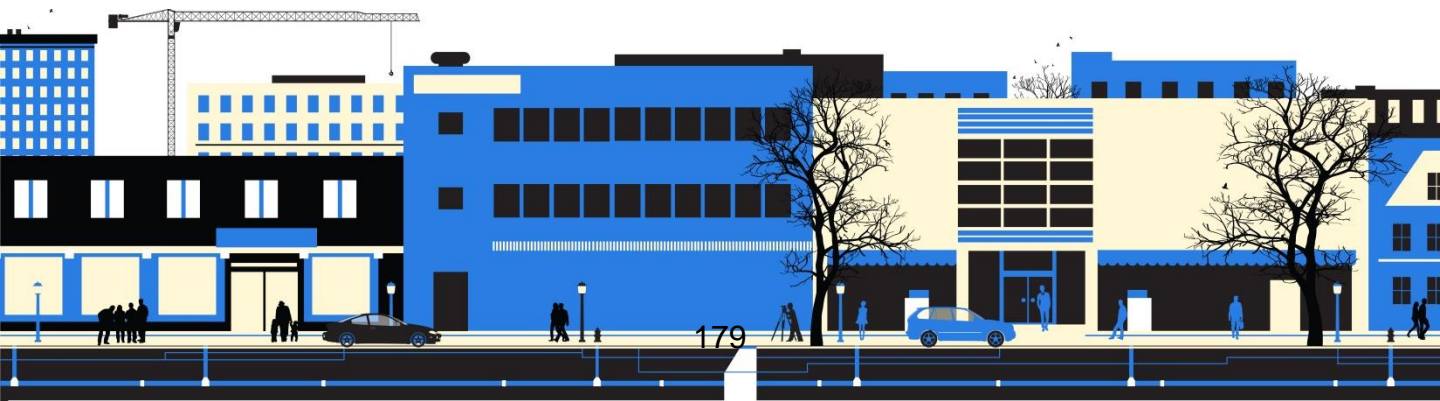
Sewer Asset Inventory & Assessment Grant Application

Smithfield,
North Carolina

September 2020



THE WOOTEN COMPANY



**North Carolina Department of
Environmental Quality**

**Division of Water Infrastructure
Application for Funding**



SMITHFIELD – Sewer System AIA

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Signed Resolution by Applicant

RESOLUTION NO. 663 (12-2020)
BY GOVERNING BODY OF THE TOWN OF SMITHFIELD
SEWER ASSET INVENTORY AND ASSESSMENT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of Asset Inventory and Assessment projects for water and sewer systems, and

WHEREAS, The Town of Smithfield has need for and intends to update an asset management plan for its sewer system described as the *Town of Smithfield Sewer Asset Management Plan*, including asset inventories, condition assessment of critical assets, and other components of a comprehensive asset management program for sewer, and

WHEREAS, The Town of Smithfield intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL FOR THE TOWN OF SMITHFIELD:

That Town of Smithfield, the **Applicant**, will arrange financing for all remaining costs of the project, including matching funds, if approved for a State grant award.

That Michael L. Scott, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the development of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 1st day of September, 2020 at the Town Hall Council Chambers in Smithfield, North Carolina.


(Signature of Chief Executive Officer)

M. Andy Moore, Mayor
(Name and Title)



CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Clerk of the Town Council does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Town Council duly held on the 1st day of September, 2020; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of September, 2020.


(Signature of Recording Officer)

Shannan Parrish, Town Clerk

(Name and Title of Recording Officer)

Funding Application



North Carolina Department of Environmental Quality

Division of Water Infrastructure

Application for Funding



(Last updated: June 2020)

1. General Information

Applicant Name Town of Smithfield	County Johnston	DUNS Number 095124012
Project Name Wastewater Asset Inventory and Assessment Grant Application	Federal Tax ID # 56-6001335	PWSID # (if applicable) N/A
Applicant Type	Total Project Cost \$172,500	Total Funding Requested \$150,000
<input checked="" type="checkbox"/> Municipality <input type="checkbox"/> County <input type="checkbox"/> Water and Sewer District <input type="checkbox"/> Water and Sewer Authority	<input type="checkbox"/> Sanitary District <input type="checkbox"/> Non-Profit Water Corporation <input type="checkbox"/> Other (Specify:)	
Funding Type(s) Requested		
<input checked="" type="checkbox"/> Asset Inventory and Assessment Grant <input type="checkbox"/> Merger/Regionalization Feasibility Grant <input type="checkbox"/> Construction Project	<input type="checkbox"/> Community Development Block Grant for Infrastructure [†] [†] All CDBG-I grants are 100% grants. LMI determination method: <input type="checkbox"/> Survey <input type="checkbox"/> ACS LMI Percentage: _____	
<input type="checkbox"/> Drinking Water (all funding except CDBG-I) <input type="checkbox"/> Wastewater (all funding except CDBG-I) <input type="checkbox"/> Stormwater, stream restoration		

2. System Parameters

Residential Sewer Connections		Residential Water Connections	
4,079		N/A	
Non-Residential Sewer Connections		Non-Residential Water Connections	
1,091		N/A	
Sewer Bill per 5,000 gallons		Water Bill per 5,000 gallons	
\$59.60		N/A	
Percentage of Utility Bills and Rate Increase Percentages			
Year	Percentage of Utility Bills Collected	Rate Increase Percentage	
2020	99.0%	6.4% (\$59.60)	
2019	99.0%	2.3% (\$56.03)	
2018	99.0%	13.1% (\$54.78)	
2017	99.0%	4.8% (\$48.42)	
2016	99.0%	13.0% (\$46.22)	

Complete only if applying for construction projects or CDBG-I (Questions #2 and #3 do not apply to CDBG-I only applicants).


- I am willing to accept funding that includes federal conditions. ☒ Yes ☐ No
- Estimated grant /principal forgiveness (PF) percentage:
☐ 0% ☐ 25% ☐ 50% ☐ 75% ☐ 100%
- If grant / PF funding is not available at the percentage provided above, I am willing to accept a minimal grant amount of*:
☐ 0% (100% Loan) ☐ 25% ☐ 50% ☐ 75% ☐ 100%

*If available grant amount is below the percentage listed above, project will not be funded.

(OVER)

3. Applicant Contact Information	
Authorized Representative Name:	Michael L. Scott
Authorized Representative Title:	Town Manager
Mailing Address Line 1:	P.O. Box 761
Mailing Address Line 2:	
City:	Smithfield
State:	North Carolina
Zip Code:	27577
Physical Address Line 1:	350 E. Market Street
Physical Address Line 2:	
Physical Address City:	Smithfield
Physical Address State:	North Carolina
Physical Address Zip Code:	27577
Phone Number:	(919) 934-2116
E-Mail Address:	Michael.scott@smithfield-nc.com
4. Application Preparer Contact Information	
Firm Name:	The Wooten Company
Contact Name:	Carl Scharfe, PE
Mailing Address Line 1:	120 N. Boylan Avenue
Mailing Address Line 2:	
City:	Raleigh
State:	North Carolina
Zip Code:	27603
Physical Address Line 1:	
Physical Address Line 2:	
Physical Address City:	
Physical Address State:	
Physical Address Zip Code:	
Phone Number:	(919) 828-0531
E-Mail Address:	cscharfe@thewootencompany.com
5. Engineer Contact Information	
Is the engineering firm different from the application preparer?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Engineering Firm Name:	
Contact Name:	
Mailing Address 1:	
Mailing Address 2:	
City:	
State:	
Zip Code:	
Physical Address Line 1:	
Physical Address Line 2:	
Physical Address City:	
Physical Address State:	
Physical Address Zip Code:	
Phone Number:	
E-Mail Address:	

6. Project Description	
Number of New Connections Served by Project (if applicable):	N/A
<p>The proposed project will allow the Town of Smithfield to augment and enhance their current efforts to identify deficiencies and leaks in the sewer system which are resulting in increased I/I flows and associated sewer fee costs. This effort was started with 2016 AIA funds that provided the opportunity for the Town to establish a GIS based (versus paper map) sewer asset management system. The 2020 AIA project funding will allow the Town to continue the previous momentum and inventory and assess sewer assets despite limited Town staff. Proposed work includes using consultants to assist in continuing manhole assessments, sewer line smoke testing and CCTV work, and modeling work to augment to accelerate the rate at which problem areas can be identified, prioritized, updated to the Town GIS database, and be planned as future projects in the CIP. As part of this effort, the Town plans to purchase and install lift station flow meters in the West Smithfield area with the express intent of quantifying I/I volumes associated with rain events.</p> <p>The Town now has sufficient manhole and sewer line locational and elevation data in the current GIS system to build a SewerGEMS sewer system model and run the model to identify gravity sewer lines that may be limited in capacity. In addition, assessment and lift station flow data can be used along with modeling to estimated I/I from different parts of the collection system to help identify and prioritize future projects to be funded in the next Town CIP.</p> <p>The Town started a GIS-based computer database inventory in the last 3 years and the Town hired a GIS specialist and purchased GPS equipment to enter asset data into the GIS database. The Town does require new developers to provide new sewer asset surveys/information to the Town compatible with the new GIS system. However, the rate at which one staff member can go out in the field and perform locational and assessment work on sewer assets is very limited. Continuing the program to obtain asset attribute and conditional data through 2020 AIA funding would allow the Town to continue updating and adding assessment data into the Town GIS database in a timely fashion.</p> <p>More details on the project description can be found in the Narrative Section of this application.</p>	
7. Additional Information for Consideration	
<p>The proposed AIA project also offers the benefit of continuing the process of identifying sources of I/I from the Town versus I/I in the main Johnston County trunk line sewer. CCTV work will help identify or eliminate certain sections of the Town sewer system as a source of I/I to the Johnston County main trunk line. Smoke testing and lift station flow meters in West Smithfield will help complete the assessment of this portion of Town and identify the magnitude of I/I from West Smithfield in relation to the rest of the Town collection system. The SewerGEMS model also has the added benefit of allowing a prediction of sewer needs in portions of Town where growth is anticipated.</p> <p>Smithfield wishes to continue its proven commitment to maintaining and improving its utility system through the pursuit of the 2016 AIA applications to provide the Town staff updated and dynamic information on it wastewater collection system.</p>	
8. Information Related to the Additional Supplemental Appropriations for Disaster Relief Act, 2019 (ASADRA)	
<p>Which storm(s) impacted your system(s)? <input type="checkbox"/> Hurricane Florence <input type="checkbox"/> Hurricane Michael <input checked="" type="checkbox"/> Neither (not applying for ASADRA)</p> <p>My project will:</p> <p><input type="checkbox"/> Enable my facility to prepare for, adapt to or recover from natural disasters</p> <p><input type="checkbox"/> Reduce the likelihood of damage to my facility</p> <p><input type="checkbox"/> Reduce my facility's susceptibility to physical damage or ancillary impacts caused by floods, earthquakes, or fires</p> <p><input type="checkbox"/> Prepare for, adapt to, or recover from a sudden unplanned change in the amount of and movement of water near my facility</p> <p>Describe the impacts these storms had on your system.</p>	

9. Project Budget (for Construction Projects Only)			
	Division Funding Requested	Other Secured Funding Source(s)	Total Cost Amount
Indicate construction costs by line item (e.g., linear feet of different-sized lines)			
<u>Construction Costs</u>			
Contingency (10% of construction costs):			
Construction Subtotal:			
<u>Engineering Costs</u>			
Engineering Design			
Permitting			
Land Surveying Costs			
Engineering Subtotal:			
<u>Administration Costs</u>			
Planning			
Easement Preparation			
Grant Administration (if applicable)			
Loan Administration (if applicable)			
ER Preparation			
Environmental Documentation Preparation			
Legal Costs			
Other			
Administration Subtotal:			
TOTAL PROJECT COST:	\$150,000	\$22,500 (15% local match)	\$172,500
<p>A PE Seal for the estimate <u>must be provided</u> in the space to the right for the application to be considered complete.</p>			

Certification by Authorized Representative







The attached statements and exhibits are hereby made part of this application, and the undersigned representatives of the Applicant certifies that the information in this application and the attached statements and exhibits is true, correct, and complete to the best of his/her knowledge and belief. By initialing each item and signature at the end of this application, he/she further certifies that:

- MS 1. as Authorized Representative, he/she has been authorized to file this application by formal action of the governing body;
- MS 2. the governing body agrees to provide for proper maintenance and operation of the approved project after its completion;
- MS 3. the Applicant has substantially complied with or will comply with all federal, state, and local laws, rules, and regulations and ordinances as applicable to this project;
- MS 4. the Applicant will adopt and place into effect on or before the completion of the project a schedule of fees and charges which will provide for the adequate and proper operation, maintenance, and administration and repayment of all principle and interest on loans (if applicable) of the project;
- MS 5. the Applicant has followed proper accounting and fiscal reporting procedures, as evidenced by the Applicant's most recent audit report, and that the Applicant is in substantial compliance with provision of the general fiscal control laws of the State;
- MS 6. the project budget provided on Page 5 of this application form includes all funding requested from all sources of funding proposed for this project; and
- MS 7. the (Town or County), North Carolina is organized and chartered under the laws of North Carolina. All officials and employees are aware of, and in full compliance with NCGS 14-234, "Director of public trust contracting for his own benefit, participation in business transaction involving public funds; exemptions." (For units of local government only. All others should initial "N/A.")
- MS 8. the Applicant acknowledges that all loans are subject to approval by the Local Government Commission.
- MS 9. in accordance with G.S. 120-157.1 through 157.9, for local government debt to be issued greater than \$1,000,000, the local government must submit a letter to Committee Chairs, Committee Assistant, and the Fiscal Research Division of the General Assembly at least 45 days prior to presentation before the Local Government Commission.

(OVER)

Completeness Checklist*

In addition to this application, the following items must be included for a complete application package; please initial that each item is included in this submittal.

	Resolution by Governing Body of Applicant with Certification by Recording Officer
	Division Financial Information
	Division Fund Transfer Certification
	Applicable Priority Rating System Form with supporting narratives and documentation
	Current Rate Sheets in effect on application deadline for <u>both</u> water <u>and</u> sewer
	PE Seal on project budget (construction projects only)

*All forms are available separately on the DWI website.

****For each application, please provide copies that are bound (e.g., report cover with fasteners, plastic report combs, spiral or 3-ring binders.) No paper clips, staples or binder clasps, for each application. ****

Submittal Information

- For CDBG-I (Fall only), send one (1) original and two (2) copies of the Application.
- For all other programs, send one (1) original and one (1) copy, **either paper or electronic**, of the Application.
- If submitting for both CDBG-I and construction projects, send (1) original and (3) copies of the Application.

Send complete Application package to:

Mailing Address* (US Postal Service only)

Division of Water Infrastructure
1633 Mail Service Center
Raleigh, NC 27699-1633

Physical Address (FedEx, UPS)†

Division of Water Infrastructure – 8th Floor, Archdale Building
512 North Salisbury Street
Raleigh, NC 27604
919.707.9160

†Please allow a week for delivery if mailing via the US Postal Service.

‡For all courier services, please use the physical address, as having a courier deliver to the mailing address will delay package delivery.

Application Signature

Please note: Original signatures are required for each application.



SIGNATURE OF AUTHORIZED REPRESENTATIVE

Michael L. Scott
TYPED NAME

Town Manager
TYPED TITLE

09/28/2020
DATE

Fund Transfer Certification

2016-2017, 2017-2018, & 2018-2019 Financial Statement Report

2019-2020 Annual LGC 129 Notice



North Carolina Department of Environmental
Quality
Division of Water Infrastructure
Fund Transfer Certification
(Not needed for CDBG-I only projects)
(revised July 2020)



§ 159G-37.(b) requires that all local governments applying for funding from the Clean Water State Revolving Fund, the Wastewater Reserve, the Drinking Water State Revolving Fund, or the Drinking Water Reserve for water or wastewater projects certify that no funds received from water or wastewater utility operations have been transferred to the local government's general fund for the purpose of supplementing the resources of the general fund since July 1, 2014. The prohibition contained in § 159G-37.(b) shall not be interpreted to include payments made to the local government to reimburse the general fund for expenses paid from that fund that are reasonably allocable to the regular and ongoing operations of the utility, including, but not limited to, rent and shared facility costs, engineering and design work, plan review, and shared personnel costs.

Applicant's Certification:

I, as a representative of the Town of Smithfield, hereby certify that since July 1, 2014,
(Local Government Unit)
funds received from the water and/or wastewater utility have: (**CHOOSE ONE**)

- ☐ been transferred from the water and/or sewer enterprise fund to the general fund **AND**
were reasonably allocable to the regular and ongoing operations of the utility in
accordance with § 159G-37.(b), **OR**
- ☒ not been transferred from the water and/or sewer enterprise fund to the general fund.

Any transfers must be consistent with the information provided in the Division's Water & Sewer Financial Information Form and must be accurately reflected in the audits as reported by the Local Government Unit the Local Government Commission since July 1, 2014.

Gregory Siler

SIGNATURE OF AUTHORIZED
REPRESENTATIVE OR FINANCIAL OFFICER

9/11/2020

DATE

Gregory Siler
TYPED NAME

Finance Director
TYPED TITLE



**North Carolina Department of Environmental
Quality
Division of Water Infrastructure
Water & Sewer Financial Information Form**
(revised June 2020)



Complete the following information related to your system's enterprise fund. If your enterprise funds are separate for water and sewer, *please supply sheets for the appropriate fund.*

1. Supply the required information below.

☒ Combined System ☐ Water System ☐ Sewer System

Unit Name: Town of Smithfield

Fund Name: Water and Sewer Fund

2. Provide the following information for the past three fiscal years *for which an audit has been completed* and submitted to the Local Government Commission.

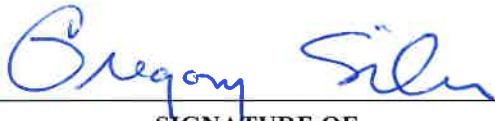
	Fiscal Years		
	2016-2017	2017-2018	2018-2019
Operating Revenues			
Customer Charges	\$7,053,270	\$7,649,922	\$8,501,471
Impact Fees	\$37,194	\$24,320	\$29,878
Other Revenue	\$278	\$33,688	\$107,304
Total Operating Revenues	\$7,090,742	\$7,707,930	\$8,638,653
Expenditures			
<i>Administration</i>			
Salaries			
Other			
<i>Operations</i>			
Salaries	\$1,363,515	\$1,343,318	\$1,438,893
Other	\$3,778,645	\$3,344,237	\$4,306,137
Total Expenditures	\$5,142,160	\$4,687,555	\$5,745,030
Other (do not include depreciation)			
Debt principal	\$379,613	\$608,398	\$1,304,408
Interest	\$71,723	\$104,397	\$87,206
Capital outlay	\$424,488	\$209,466	\$372,707
Capital reserve			
Transfer from (to) other funds			
Other (list): see note below*	\$630,000	\$630,833	\$1,476,045
Total Other	\$1,505,824	\$1,553,094	\$3,240,366
Net Income (Loss)	\$442,758	\$1,467,281	(\$346,743)

(OVER)

*The values in the "Other" column represent a second account within the Water and Sewer Fund that is used to fund equipment purchases and/or other projects that are not part of normal operating costs. The value varies every year. Net income (or loss) is the amount added to or subtracted from the running Sewer and Water fund balance. The Town maintains a Water and Sewer Fund balance at all times that allows for operation of the water and sewer utility for at least 12 months with zero revenues (conservative approach).

3. Certification. Please read and sign below.

I attest that the fiscal information provided in this form, to the best of my knowledge, is accurate, complete, true, and matches audits for the past three years. I further attest that, to the best of my knowledge, if the Town of Smithfield (Local government unit) has made any transfers within the past three years, these transfers are shown in Item #2 of this form.



SIGNATURE OF
FINANCE OFFICER



DATE

Gregory Siler

TYPED NAME

Finance Director

TYPED TITLE

**Town of Smithfield, North Carolina
Water and Sewer Fund
Schedule of Revenues and Expenditures
Budget and Actual (Non-GAAP)
For the Year end June 30, 2017**

	<u>Budget</u>	<u>Actual</u>	<u>Variance Positive (Negative)</u>
Revenues:			
Water sales		\$ 3,573,036	
Sewer sales		3,480,234	
Connection and tap fees		37,194	
Miscellaneous		278	
Total	<u>\$ 6,898,210</u>	<u>7,090,742</u>	<u>\$ 192,532</u>
Non-operating revenues:			
Interest earnings		10,201	
Total	<u>9,000</u>	<u>10,201</u>	<u>1,201</u>
Total revenues	<u>6,907,210</u>	<u>7,100,943</u>	<u>193,733</u>
Expenditures:			
Water treatment plant			
Salaries and employee benefits		613,752	
Other operating expenditures		1,105,673	
Water and sewer distribution			
Salaries and employee benefits		749,763	
Other operating expenditures		2,672,972	
Capital outlay		424,488	
Debt Service		451,336	
Total expenditures	<u>6,277,210</u>	<u>6,017,984</u>	<u>(259,226)</u>
Other financing sources (uses):			
Loan proceeds	-	-	-
Transfer to project fund	(930,000)	(630,000)	300,000
Appropriated fund balance	300,000	-	(300,000)
Total other financing sources (uses)	<u>(630,000)</u>	<u>(630,000)</u>	<u>-</u>
Revenues over (under) expenditures and other uses	<u>\$ -</u>	<u>\$ 452,959</u>	<u>\$ 452,959</u>
Reconciliation from budgetary basis (modified accrual) to full accrual:			
Revenues and other sources over expenditures and other uses		\$ 452,959	

Town of Smithfield, North Carolina
Water and Sewer Fund
Schedule of Revenues and Expenditures
Budget and Actual (Non-GAAP)
For the Year end June 30, 2018

	Budget	Actual	Variance Positive (Negative)
Revenues:			
Water sales		\$ 3,941,234	
Sewer sales		3,708,688	
Connection and tap fees		24,320	
Miscellaneous		33,688	
Total	\$ 6,993,000	7,707,930	\$ 714,930
Non-operating revenues:			
Interest earnings		10,472	
Capital contributions		670,051	
Total	8,500	680,523	672,023
Total revenues	7,001,500	8,388,453	1,386,953
Expenditures:			
Water treatment plant			
Salaries and employee benefits		553,415	
Other operating expenditures		1,010,964	
Water and sewer distribution			
Salaries and employee benefits		789,903	
Other operating expenditures		2,333,273	
Capital outlay		209,466	
Debt Service		712,795	
Total expenditures	6,393,869	5,609,815	(784,054)
Other financing sources (uses):			
Loan proceeds	-	-	-
Transfer to project fund	(630,833)	(630,833)	-
Appropriated fund balance	23,202	-	(23,202)
Total other financing sources (uses)	(607,631)	(630,833)	(23,202)
Revenues over (under) expenditures and other uses	\$ -	2,147,805	\$ 2,147,805
Reconciliation from budgetary basis (modified accrual) to full accrual:			
Revenues and other sources over expenditures and other uses		2,147,805	
Reconciling items:			
Principal repayment on long-term debt		614,655	
Capital outlay		74,140	
Depreciation		(588,461)	
Increase (Decrease) in deferred outflows of resources - pensions		(88,882)	
Increase (Decrease) in deferred outflows of resources - OPEB		32,752	
(Increase) Decrease in net pension liability		79,539	
(Increase) Decrease in deferred inflows of resources - pensions		9,346	
(Increase) Decrease in deferred inflows of resources - OPEB		(171,904)	
(Increase) Decrease in net OPEB liability		96,104	
(Increase) Decrease in compensated absences		(4,031)	
Restricted Intergovernmental (Ex D-2a)		121,449	
Transfer from operating fund (Ex D-2a)		630,833	
Total reconciling items		805,540	
Net income (loss)		\$ 2,953,345	

Town of Smithfield, North Carolina
Water and Sewer Fund
Schedule of Revenues and Expenditures
Budget and Actual (Non-GAAP)
For the Year end June 30, 2019

	Budget	Actual	Variance Positive (Negative)
Revenues:			
Water sales	\$ 4,052,000	\$ 4,300,940	\$ (248,940)
Sewer sales	3,810,000	4,200,531	(390,531)
Connection and tap fees	17,300	29,878	(12,578)
Miscellaneous	75,500	107,304	(31,804)
Total	<u>\$ 7,954,800</u>	<u>8,638,653</u>	<u>\$ (683,853)</u>
Non-operating revenues:			
Interest earnings	9,200	18,140	(8,940)
Capital contributions	500,000	148,087	351,913
Total	<u>509,200</u>	<u>166,227</u>	<u>342,973</u>
Total revenues	<u>8,464,000</u>	<u>8,804,880</u>	<u>340,880</u>
Expenditures:			
Water treatment plant			
Salaries and employee benefits	579,377	580,680	
Other operating expenditures	1,152,591	1,002,027	
Water and sewer distribution			
Salaries and employee benefits	900,389	858,213	
Other operating expenditures	3,462,160	3,304,110	
Capital outlay	517,550	372,707	
Debt Service	1,382,896	1,391,614	
Total expenditures	<u>7,994,963</u>	<u>7,509,351</u>	<u>(485,612)</u>
Other financing sources (uses):			
Transfer to project fund	(1,476,045)	(1,476,045)	-
Appropriated fund balance	1,007,008	-	(1,007,008)
Total other financing sources (uses)	<u>(469,037)</u>	<u>(1,476,045)</u>	<u>(1,007,008)</u>
Revenues over expenditures and other financing sources (uses)	<u>\$ -</u>	<u>(180,516)</u>	<u>\$ (180,516)</u>
Reconciliation from budgetary basis			
(modified accrual) to full accrual:			
Revenues and other sources over expenditures and other uses		(180,516)	
Reconciling items:			
Principal repayment on long-term debt		1,296,222	
Capital outlay		211,419	
Depreciation		(699,416)	
Increase (Decrease) in deferred outflows of resources - pensions		99,334	
Increase (Decrease) in deferred outflows of resources - OPEB		2,423	
(Increase) Decrease in net pension liability		(128,020)	
(Increase) Decrease in deferred inflows of resources - pensions		10,240	
(Increase) Decrease in deferred inflows of resources - OPEB		(68,098)	
(Increase) Decrease in total OPEB liability		46,203	
(Increase) Decrease in compensated absences		1,305	
Restricted Intergovernmental (Ex D-2a)		63,227	
Other Reimbursement (Ex D-2b)		167	
Johnston Co - Capital Contribution (Ex D-2c)		3,250,000	
Transfer from other funds (Ex D-2a, D-2b, D-2c)		1,476,045	
Total reconciling items		<u>5,561,051</u>	
Change in Net Position		<u>\$ 5,380,535</u>	

Debt Service Calculation

Enter information from the LGC 129 form. For other annual debt service not listed on LGC 129, please provide a description in the lines below.

System Name: Town of Smithfield System Type: Drinking Water

	← I acknowledge that my system currently has no debt related to my water or sewer system and check this box in lieu of submitting a LGC 129 form. Signature Needed if above box if Checked →
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Date of Issue	Description	Check if not on LGC 129	Due	Principal	Interest	Percentage for System Type	Calculated Principal	Calculated Interest	Calculated Total
3/1/2016	WATER & SEWER		9/1/2019	\$69,605.05	\$13,451.89	40%	\$27,842.02	\$5,380.76	\$33,222.78
			3/1/2020	\$70,839.26	\$12,217.68	40%	\$28,335.70	\$4,887.07	\$33,222.78
4/14/2016	WATER & SEWER		10/14/2019	\$58,072.47	\$7,598.67	40%	\$23,228.99	\$3,039.47	\$26,268.46
			4/14/2020	\$58,670.62	\$7,000.52	40%	\$23,468.25	\$2,800.21	\$26,268.46
								Total Annual Debt Service:	\$118,982.46

**STATE OF NORTH CAROLINA
LOCAL GOVERNMENT COMMISSION
ANNUAL PRINCIPAL AND INTEREST REQUIREMENTS**

Run Date: 8/17/2020

TOWN OF SMITHFIELD NON GENERAL OBLIGATION

2020-21

UNIT

Fiscal Year

DATE OF ISSUE	DESCRIPTION	Outstanding at July 1	DUE	PRINCIPAL	INTEREST
08/15/2007	ELECTRIC SYSTEM	\$ 2,416,041.76	08/15/20	\$ 272,761.71	\$ 69,823.61
12/28/2007	RECREATION	1,800,000.00	11/15/20	225,000.00	53,436.00
01/31/2008	RECREATION	1,200,000.00	01/28/21	150,000.00	35,624.00
03/01/2016	WATER & SEWER	907,548.54	09/01/20	69,605.05	13,451.89
		-	03/01/21	70,839.26	12,217.68
04/14/2016	WATER & SEWER	737,734.63	10/14/20	58,072.47	7,598.67
		-	04/14/21	58,670.62	7,000.52
03/22/2017	WATER	1,199,278.69	09/23/20	144,664.95	12,172.68
		-	03/23/21	146,133.30	10,704.33
Totals		8,260,603.62		1,195,747.36	222,029.38

Total Bond Principal and Interest Requirements:

1,417,776.74

Application Narrative Supporting Documents

1. Top 3 System Challenges and Proposed Mitigation Strategies through AIA Implementation

Challenge 1: Asset Assessment with Limited Staff

The Town of Smithfield collection system consists of 19 lift stations, 1,702 manholes, 87 miles of gravity sewer, and 6 miles of sewer forcemain. The Town also has seven (7) sewer system valve connection points with Johnston County. Like the Town's water system, the sewer system is divided into three sections (Smithfield, West Smithfield, and South Smithfield). A map of the existing wastewater system, taken from the 2018 Asset Management plan (AMP), can be found in the Supporting Documents (Figure 5.1).

The Town of Smithfield historically used paper maps and the knowledge of long-time operating staff to identify and correct water system problems. In 2016, the Town secured AIA grant funding and used that funding to convert the Town's previous paper maps and CADD-based record keeping for the asset inventory system to a GIS-based system. The Town purchased GPS field equipment and hired a dedicated staff technician to systematically record GPS location coordinates for sewer and water assets to enter this data into the Town's GIS system (i.e. convert CADD data to locational data in the database). Data continues to be entered into the GIS system including remnant CADD-based information and new sewer system assets as they are installed. In 2017, the Town also hired a consultant to survey manhole locations throughout the Town. This survey data has been added to the Town's GIS system. The work included developing a baseline condition assessment for manholes using NASSCO criteria in order to allow for manhole condition assessment over time. At the time of the 2017 manhole assessment, 1,467 inspections were completed (and ratings made) of the 1,660 manholes present. The 2018 AMP included the results of the manhole assessments and this report is provided as a separate CD in this grant application. Update of the GIS database with new manholes has continued after the 2018 AMP such that the total manhole count, at present, is 1,702 manholes in the system.

The 2017 assessment work included identification of manholes requiring more immediate action (rating of 5) which are shown in the GIS-based Manhole Rating Map in the Supporting Documents. Based on this rating, the Town rehabilitated the manholes shown on the map at an approximate cost of \$92,850. The Town also identified 40 manholes in the floodway (and thus susceptible to inflow/infiltration), which are shown in the Manhole Flood Map provided in the Supporting Documentation section. The Town initiated a rehabilitation program to start addressing these manholes and has so far raised or sealed about half of these manholes (see Manhole Floodway Improvements Map in the Supporting Documents). The Town expended approximately \$63,533 dollars on these manholes and intends to continue rehabilitating additional manholes in the floodway.

The Town continues in their attempt to assess the manholes not assessed previously and to update assessments, however the speed at which this is progressing is limited by having one staff member. Of particular concern is to continue assessing manholes not previously assessed and tracking the condition of sewer manholes via the NASSCO rating system. A map showing the manholes that have been assessed and those yet to be assessed is included in the Supporting Documents. The **first** area where 2020 AIA grant funds would be used is to assess

the remaining manholes not yet assessed; update the GIS for those manholes already rehabilitated; and to perform a second round on the entire manhole inventory. The AIA funds will provide an accelerated schedule for finishing manhole assessment and updating manhole assessments, so that the Town can continue to prioritize and allocate resources in the CIP based on physical data evaluation rather than by staff perceptions of the system.

A **second** area where AIA funds is to be used is for sewer line assessment via smoke testing and CCTV work. The Town historically performed smoke testing in 2008 and 2010 SSES efforts and sewer line CCTV and pipe lining rehabilitation efforts in 2016 – 2017 (“Fix and Find”). These areas are shown in Figure 6.1 from the 2018 AMP (see Supporting Documents). West Smithfield has historically had I/I issues. The Town has noted significant I/I problems in the sewers upstream of LS-4, LS-5, and the Grinder LS area. The Town proposed to do smoke testing in the gravity sewers that flow to these lift stations. As shown in Figure 6.1 in the Supporting Documents, these areas were not included in historical smoke testing work in 2008 and 2010. In terms of CCTV work (and looking at Figure 6.1 again), the Town would target the central portion of Smithfield where past work such as CCTV (yellow highlights), fix and find (pink/marron highlights) and SSES work (red ringed manholes) have not been performed as of yet. The initial areas considered for CCTV would be gravity lines that feed into the Johnston County trunk sewer in the vicinity of Manholes 471, 548, 599, and/or 723 (see Figure 6.1).

A **third** area where AIA Funds would be utilized is sewer system modeling. The Town now has the majority of the collection system sewer line location and size data and manhole locational and invert data in the GIS system. This information, coupled with lift station assessment data from the 2016 AIA work, allows for SewerGEMS modeling. This software can be used to model sewer flows in each sewer line segment and evaluate existing sewer line capacities for current and future needs. The SewerGEMS model provides a percentage of capacity utilized by the sewer segment under dry and wet conditions and the results can be used to prioritize sewer line projects to be added to the sewer CIP project list (as can be detailed in an updated AMP). This modeling is a logical next step in sewer assets assessment now that the GIS data is largely in place.

Using manhole locational data and pipe sizes and inverts into the manhole, the SewerGEMS model is built. Lift station pump curve data, wet well inverts and water level on/off elevations, and forcemain information are also input into the model to simulate lift station operation. To simulate sewer flows, individual customer water/sewer billing data (located by customer address) are used to determine average daily flows from each customer. Then these flows are assigned to the nearest manhole in the sewer system for all customers. Assigning average daily flow to each manhole in the model rather than to the pump station into which it drains provides more accurate results. Once all the customers are assigned to a manhole, then the model can be run. The model calculates the flows in each sewer line segment in the system and determines the percentage of flow of the pipe capacity (based on pipe size and slope). The flows into each lift station is also simulated. Multiple scenarios, such as the following can be tested:

- Dry Weather Average Flow – the flows calculated from customer meter data (base average flow).

- Dry Weather Maximum Flow – in the absence of hourly customer data, a typical peaking factor for maximum day flow can be applied based on typical diurnal curves for sewer systems.
- Wet Weather Average Flow - As discussed in **Challenge 2**, the Town is prone to I&I in the collection system. Based on I&I flow billing from Johnston County, an estimate of total I&I can be performed. This total I&I average can then be assigned to the active manholes in the system and pipe flow evaluated.
- Wet Weather Maximum Flow – increase customer flows based on a peaking factor from I&I billing data from Johnston County and/or lift station metering data.

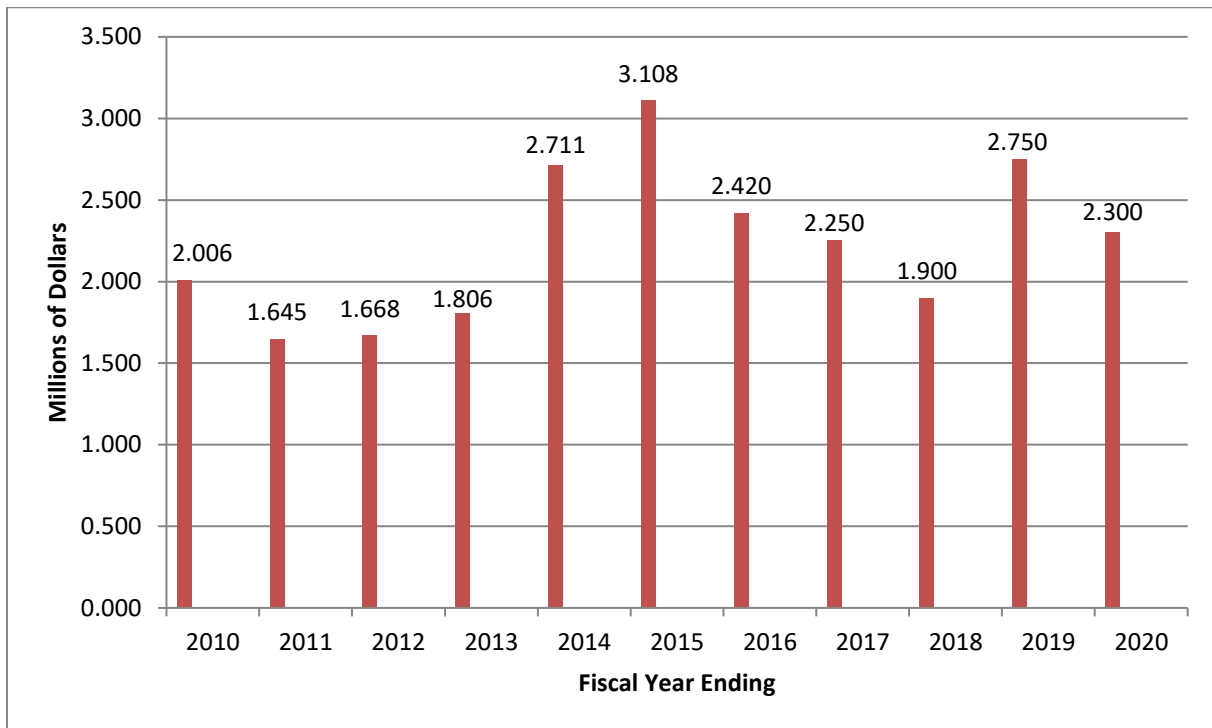
Capacity available from modeling is then compared to the Minimum Design Criteria established by NCDEQ. These criteria establish that gravity sewers must be designed to flow at half full at the average daily flow. Accordingly, any segment that has utilized capacity at or approaching 50% at the average daily flow is cause for concern, as the segment is utilizing most, if not all of its designed capacity. Typically, line segments are color coated based on capacity utilized (green 0-25% of capacity, yellow 25-50% of capacity, orange 50-75% of capacity and red for 75-100% of capacity). An example output from the modeling is shown in two figures in the Supporting Documents. Using this methodology, lines needing work can be identified and added to the CIP.

An evaluation of lift station pump run hours (with knowledge of the pump capacity from wet well drawdown tests) can be used to help check the model and help determine I/I flows for the pump station sub-basin. The dry weather base flow values from the modeling could be compared with lift station run times and pump flows during storm events as one way to determine I/I in the sub-basin served by the lift station. In addition, pump station discharge flow meter data on select stations (see **Challenge 3**) can be directly compared to model data to help calibrate those sub-basin areas of the model.

Challenge 2: High I/I in the Sewer System

The Town of Smithfield owns and maintains approximately 87 miles of gravity sanitary sewer lines and 6 miles of sanitary force mains with 19 lift stations. The Town of Smithfield collection system discharges to main trunk lines and a wastewater treatment plant owned by the Johnston County (See Existing Wastewater System Map in Supporting Documents). The Town is currently contracted with Johnston County for treatment of their wastewater. Periods of increased rainfall lead to significantly increased wastewater flows in the collection systems which are reflected in payments to Johnston County for wastewater treatment. A graph of the expenditures paid per year for the last 10 years is attached. The ongoing issues associated with I/I and the continuing payments to Johnston County have led to a substantial drain on Town resources. A complicating factor is that the fraction of I/I generated from the Smithfield collection system versus that generated from the Johnston County trunk lines is not easy to determine at present because of the multiple connection points in the system. The annual expenditure on paying for the I/I volume drains financial resources that could be spent on other water/sewer asset infrastructure needs in the Town. The Town is committed to reducing this I/I volume.

Sewer Treatment Costs (Millions) Paid to Johnston County



As detailed in Challenge 1, the Town has conducted historical I/I mitigation efforts in the past through sanitary sewer evaluation studies (SSESs) involving smoke testing and CCTV work, fix and find pipe lining projects, and the more recent manhole raising and sealing. Although this approach is making progress in assessing and addressing I/I, there are significant portions of the system that are not currently assessed (as indicated in **Challenge 1**).

The AIA grant funding would be used to perform additional assessment through smoke testing and CCTV methods to accelerate the rate at which I/I problem areas can be identified, prioritized, added to the asset management data base and be planned for in the CIP. The work would be focused on West Smithfield and the older areas of Town and any other areas known to staff. Modeling of the sewer system and flow monitoring at lift stations (in West Smithfield) would be used in addition to the CCTV and smoke testing effort to further identify and quantify progress in addressing I/I flows.

Metering flow data for the lift stations serving West Smithfield will be used to quantify flow increases at the lift stations due to rain events. It will be possible to look at normal dry weather lift station volumes versus high flow and compare to rainfall volume. The Town would install the meters at LS-1, LS-4, and LS-5 and integrate flow data reporting from these meters and upgrade the SCADA systems at these lift stations to allow a detailed peak day and hour flows evaluation in relation to the rain events. These flows can then be compared on a percentage basis to the overall I/I billing charges from Johnston County to gauge the estimated percentage of I/I flow from

West Smithfield as compared to the rest of Smithfield's service area. Based on this percentage, the cost efficiency of addressing I/I in West Smithfield (versus other parts of Town) can be assessed.

The modeling effort described in **Challenge 1** will be helpful in the I/I analysis in two ways: First, the average dry weather flows can be summed and compared to the total charges paid to Johnston County to better quantify the volume of I/I going to Johnston County as a percentage of the total flow. Just as importantly, the estimated flows in the various pipe segments in the system can help focus efforts where the billing data says the majority of flow is occurring. Second, the modeling can be used in conjunction with lift station metering in West Smithfield to confirm the areas that have high infiltration (versus inflow) by having a good estimate of base flow in the sewer system from two sources (flow data and sewer billing flow). This is valuable because LS-1 is a high flow lift station based on staff historical knowledge.

Smoke testing, CCTV, and lift station flow data and sewer modeling results will need to be interpreted, evaluated, and summarized in a brief report. This report will help prioritize and cost the next round of sewer improvements. A portion of the AIA grant funds would be used to update the 2018 AMP to guide the Town in updating the CIP as the Town proceeds forward addressing the I/I problem.

Challenge 3: Lift Station Flow Metering

The Town has numerous lift stations in the collection systems. Several of these stations experience high pump run times during storm events. It would be advantageous to add flow meters on the discharge of many of the lift stations, but for the AIA funding, addition of flow meters is proposed for LS-1, LS-4, and LS-5 in order to assess the I/I flow into these lift stations as associated with rain events in the sewer basin. Based on historical pump run times and operator knowledge, the Town has identified these lift stations as candidates for flow metering. These lift stations are located in the West Smithfield section of the Town and have historically had high wet well operating levels and high pump operating hours during storm events. Historical SSES studies (2008) also identified the West Smithfield area as having I/I issues. As indicated in **Challenge 1**, the Town has pursued manhole raising and sealing on manholes upstream of LS-1 and adjacent to the Neuse River (see Supporting Documents). The next effort will be to quantify the changes at LS-1 (through metering) and continue to go upstream in the West Smithfield basin (LS-4 and LS-5) to assess I/I further up into the basin. The goal would be to use the AIA grant funding to purchase the three flow meters for permanent installation on the pump station discharge pipes **with the express intent** of evaluating and quantifying I/I flow data. Smoke testing would also be performed in conjunction with metering. Some or all of the Town's AIA grant matching funds would be used to cover a portion of the expense of the new meters and meter vaults to be installed and SCADA system changes.

2. [Previous Capital Improvements Plan or Asset Management Plan Funding and Information Utilization](#)

The proposed project will allow the Town of Smithfield to continue to advance its Asset and Inventory program for the sewer collection system. Using 2016 AIA funding, the Town previously completed a Water and Sewer

System Asset Management Plan (AMP) in 2018 which outlined sewer system assets and their condition and provided an a Capital Improvements Plan (CIP) for the Town's water and sewer utility. In addition to the AMP, historically Smithfield completed Sanitary Sewer Evaluation Studies (SSESs) of the West Smithfield and South Smithfield sewer basins (2008 and 2010), implemented a one-time fix and find sewer line effort (~ \$900,000), and surveyed the sewer system manhole locations and performed NAASCO assessments for the majority of the manholes. A CD containing the August 2018 Water and Sewer Asset Management Plan has been provided as back-up documentation with this AIA grant application.

At the completion of the 2020 AIA project, the Town anticipates having a prioritization of sewer deficiencies for the areas where smoke testing and CCTV work will be performed and additional manhole assessments to supplement existing data. In addition, a sewer model will be developed and used to assess existing sewer capacities throughout the Town and to aid in evaluating I/I. Finally, flow meters at key lift stations will be installed to assess I/I magnitude flowing into those lift stations.

3. **Utility's** Asset Management Team

Smithfield's internal asset management team will comprise of several members, each representing specific roles to ensure the plan is created and maintained. The Wooten Company will be the Town's engineering consultant. The team will be comprised of six (6) internal members including the Town Mayor, Town Manager, Financial Director, Public Utilities Director, Engineering Technician, and the Sewer System Operator.

M. Andy Moore, Mayor, will serve as the chief elected official for the team and will guide the general direction of the plan through the direct guidance of the Town's Finance Officer and Public Utilities Director.

The Town Manager will act as the main communication key between staff and the Town Council. The current Town Manager, Michael L. Scott, has 36 years in municipal government in both North Carolina and Iowa. This experience began as a police officer in Iowa; working his way through the force to become Police Chief; relocating to Smithfield in 2009 as Police Chief; and serving the last 4-1/2 years as the Town Manager of Smithfield. As an experienced senior-level manager, Mr. Scott has been responsible for budgeting municipal operations valued over \$90,000,000. He has maintained federal, state, and private grants exceeding awards of \$900,000 which mostly recur annually. As a leader, he established proactive police units focused on Street Crimes and Gang Intervention; and as a Town Manager he initiated a broad-based customer service survey, recurring every 3 years, to seek out citizen input regarding the level and quality of civic services throughout Smithfield.

The Town's Finance Director, Greg Siler, will be responsible for tracking sewer fund revenues (billings) and expenditures, changes in fees paid to Johnston County, sewer fund operating ratios, sewer rates, and depreciation. Review of these financial aspects will provide feedback to the team to gauge how the asset management is progressing from a financial perspective and allowing for more accurate capital outlay and budget allocations. Mr. Siler has been the Town Finance Director for the past 3 years. In that time, he has assisted in the acquisition and management of over \$10 million in State funding, related to utility infrastructure. He brings more than 13

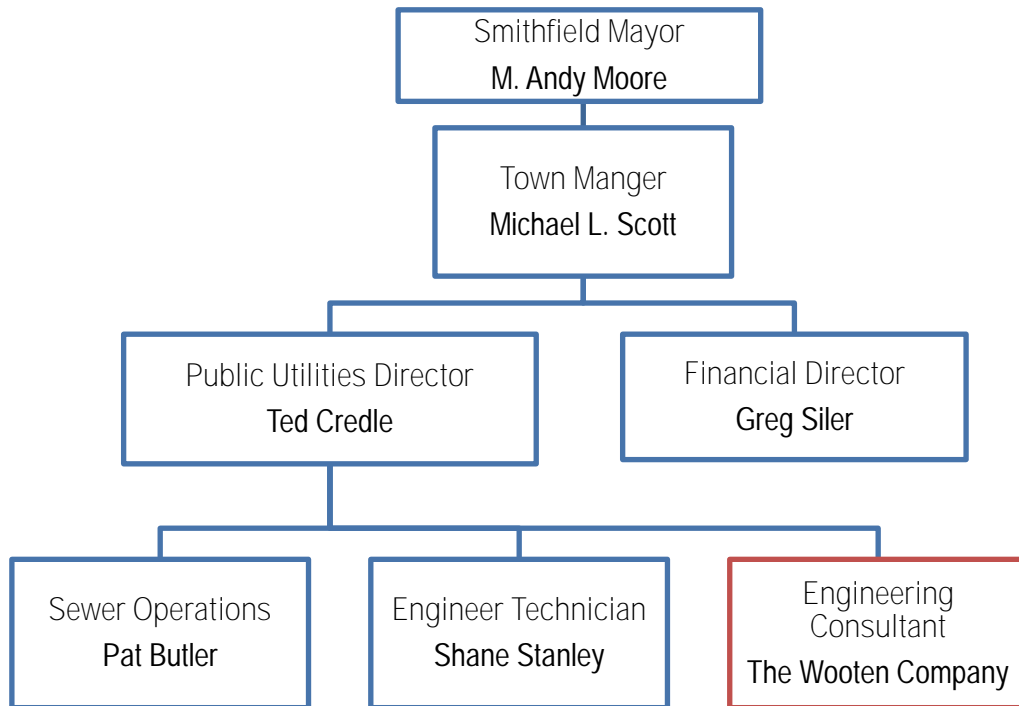
years of experience managing municipal financial budgets. Mr. Siler has assisted in the creation of Capital Improvement Plans for both Smithfield, NC and Hillsborough, NC. He is well versed with the long-range planning needed to create a municipal Capital Improvement Plan for utility infrastructure.

The Town's Public Utilities Director, Ted Credle, will have the most direct interaction with the staff. Overseeing the progress of the work including smoke testing, CCTV, manhole assessment, flow measuring work, asset management plan updating, attribution of the data in the database, along with the generation of work orders, the Utilities Director will serve as the QA/QC manager of the data as well as coordination of the assigning of work order tasks. Mr. Credle has over 20 years managing budgetary issues related to utility funding and asset management. He has been part of teams that have applied for, and been granted, funds in excess of \$20 million from the NC Clean Water State Revolving Fund. In 2010, he began the Durham County sanitary sewer collection system mapping and rehabilitation program which spent over \$500,000 annually on asset management, infrastructure rehabilitation, and system upgrades. He has managed Capital Improvements Plans and projects for over 10 years and in values exceeding over \$100 million.

Sewer System Operator, Pat Butler, will be utilized to update and maintain the daily maintenance records for the Town's scheduled operations such as lift station inspections, line jetting, manhole inspections, and responding to customer questions in the field.

Engineering Technician, R. Shane Stanley, is responsible for the GPS field data collection in order to verify/update the spatial locations of the water and sewer municipal assets for the Town of Smithfield and for updating the GIS Database. Using a variety of tools and software, he records the Geospatial Asset, also known as "Features", within the system along with their descriptive properties, "Attributes", of these features. Mr. Stanley maintains the positional properties and their attributes by utilization of the Asset Management Operating Software mapping software. Mr. Stanley brings five years of field experience with asset management and maintenance.

The Wooten Company will assist the Town in initially identifying and prioritizing the assessment work areas, conducting and evaluating field smoke testing, evaluating CCTV results, NASSCO rating of manholes, updating the water asset management plan to include the sewer assets evaluated, and providing recommendations for sewer projects to include in the CIP.



The Town has operated its water and sewer system with a typical operating ratio of 1.0 or slightly higher. These rates are primarily established based on historical trends of the system and direct input from both the financial and operational directors of the systems.

Moving forward with using their software-assisted platform, the Town staff will have an increased ability to continue the successful operation and management of their systems while increasing the input and access to information pertaining to their systems.

4. Rate Setting Practices by the Utility

The Town utilizes 4 sewer billing rate structures which cover residential, non-residential, inside, and outside customers. The number of rate structures and frequency of billing adds stability and accuracy to predicting annual sewer revenues. Residential customers account for the largest portion of billed water usage (excluding purchases by Johnston County), representing 77% of the Town's total billed water consumption, while the commercial customers account for a close second total usage representing 21%.

The Town currently uses a uniform rate structure for all sewer customer billing classes. Every year, the Town completes spring budget preparation and look at needs for the upcoming fiscal year. This process also includes discussion of current user consumption/complaints, and anticipated revenues and expenditures for operating the system. Rates are then reviewed and modified as necessary using a tiered rate system to balance revenues and expenditures. The proposed rates are then presented to Town Council for approval.

Smithfield has historically maintained an average operating ratio of approximately 1.0 or greater. The Town conducted a detailed rate study for water and sewer utility rates in June 2016 (Wooten) to determine required rate changes to cover O&M costs, capital outlay, debt service requirements, and forecasted expenditures. The study recommended that the Town institute a series of three rate hikes over a 6-year period (rate hikes every two years) to raise sufficient revenues for current operations and future near term projects. The Town Council adopted these rate increases in fiscal year 2016/2017 and has implemented these rate increases and the third rate increase is reflected in the most current water and sewer rates listed in Tab 6 of this application.

5. Development of Future Infrastructure Projects and Prioritization

Smithfield operates its sewer collection system based on operator knowledge, paper maps and within the last 3 years a GIS database (started with 2016 AIA funding). The Town has also downloaded true locational data of the Town's manholes and lift stations based on survey conducted using the 2016 AIA funding. By utilizing outside resources to continue and supplement the asset inventory, the grant funding will allow the Town to continue to update the GIS database for system manholes and lift stations. The AIA grant study will allow this action to continue in a quicker time frame than with limited Town Utility staff. The smoke testing and CCTV work will be used in areas not previously studied in past SSES studies to assess additional areas prone to I/I. Additional manhole assessment will further aid determining the areas needing manhole rehabilitation so these can be included in future CIPs. The sewer model will be used to further identify gravity sewer capacity limitations and identify critical sewer line work projects to add to the CIP for capacity reasons. The modeling can also be used to aid I/I evaluation. The updated GIS database will allow staff to effectively assess the sewer assets in the Town and developing a more effective preventative maintenance plan for the system.

6. Maintenance and Updating of the Assets Inventory

Through the use of the financial assistance provided through the AIA program, Smithfield will work with their engineering consultant to update the sewer asset inventory and asset management plan and continue to populate the GIS database. This information will be added to the previously collected sewer system data from the previous AIA funding. The Town has a dedicated staff member to maintain and update the data in the database. The assistance provided through the AIA will significantly expedite the collection and assessment and database update process. This information collected/evaluated with the grant funding will be used to update the 2018 Water and Sewer Asset Management Plan. The Town does require new developers to submit survey and asset data on new developments which is compatible with the Town GIS system.

7. Utility System Operating Ratios

The Town of Smithfield's average Operating Ratio (OR) for the most previous 3-years is greater than 1.00 based on the 2017-2019 Financial Statement Reports. Excerpts of the Water and Sewer Fund for each year are included herein. Summarized information is provided below.

$$OR = \frac{\text{Operating Revenues}}{(\text{Total Expenditures} + \text{Debt Principle} + \text{Interest} + \text{Capital Outlay})}$$

Town of Smithfield**Water and Sewer Operating Ratio****WATER AND SEWER FUND**

Financial Statements	Operating Revenues	Total Expenditures	Debt Principle	Interest	Capital Outlay	Operating Ratio
2013	\$ 7,090,742	\$ 5,142,160	\$ 379,613	\$ 71,723	\$ 424,488	1.18
2014	\$ 7,707,930	\$ 4,687,554	\$ 608,398	\$ 104,397	\$ 209,466	1.37
2015	\$ 8,638,653	\$ 5,745,030	\$ 1,304,408	\$ 87,206	\$ 372,707	1.15
Average						1.23

The table above indicates that the Town has maintained an operating ratio above 1.0 for the last three years.

8. Additional Realized Benefits from AIA Award

The Town of Smithfield has been faced with aging infrastructure and failing sewer collection pipes as indicated from increasing I/I flow. The challenges of addressing these issues is having the financial means and being able to identify and fix the deficiencies. The Town has shown the drive and willingness to update and maintain its infrastructure utilities as displayed by the undertaking of past sewer collection system studies, find-and-fix projects, and development of a GIS database in the last 3 years.

Using the AIA funds to build and run a sewer model for the Smithfield system will provide the benefit of assessing the existing sewer line capacities. However, an added benefit will be that once the base model is completed, the impact of new proposed developments or other growth plans in certain areas of Town on the sewer system capacity can be assessed in significant detail. The model thus allows the Town to help plan sewer system growth.

Smithfield now requests the financial assistance provided through the AIA program to continue this momentum and properly evaluate, document, and forecast the features within its sewer collection system. Successful completion of the project will allow the Town to increase its understanding of the system by adding to its GIS database. The manhole assessments, smoke testing and CCTV work, lift station flow monitoring, and modeling work will aid the Town in correcting I/I deficiencies in an effort to lower the current fees paid to Johnston County for treatment of their wastewater. The study funds will also be used to update the 2018 AMP to provide a blueprint to prioritize future capital projects to be added to the CIP.

The AIA project scope includes:

Field Condition Assessment

- Manhole Assessments
- Sewer line evaluations via smoke testing and CCTV
- Continue to collect GPS data (from field assessments) and download into the GIS database

Sewer System Modeling

- Build SewerGEMS model and run model to assess gravity sewer line capacities and help assess I/I.

Equipment Purchase

- Lift Station Flow Meters (~ \$15,000) for I/I evaluation

Capital Improvements Plan and Update Asset Management Plan

- Update the 2018 Water and Sewer Asset Management Plan and CIP

SUPPORTING DOCUMENTS

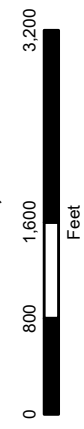
1. Town of Smithfield Wastewater System Map (from 2018 AMP)
2. Manhole Rating Map
3. Manhole Flood Map
4. Manhole Floodway Improvements Map
5. Assessed Manholes Map
6. Historical Wastewater System Evaluations/Improvements (from 2018 AMP)
7. Example Sewer Model Dry Weather Figure (Town of Benson)
8. Example Sewer Model Wet Weather Figure (Town of Benson)
9. 2018 Asset Management Plan (on CD)

Figure 5.1
Existing
Wastewater System Map
Town of Smithfield
Johnston County, NC
August 2018

- Legend**
- Smithfield Manhole
 - Johnston County Manhole
 - Master Meter
 - WW Lift Station
 - WWTP (Johnston County)
 - Smithfield Gravity
 - Johnston County Gravity
 - Smithfield Force Main
 - Johnston County Force Main
 - Interstate
 - US Route
 - NC Route
 - Ramp
 - Street
 - Stream
 - River/Pond
 - Parcel
 - Smithfield
 - Seima
 - Smithfield Water District
 - South Smithfield Section
 - West Smithfield Section

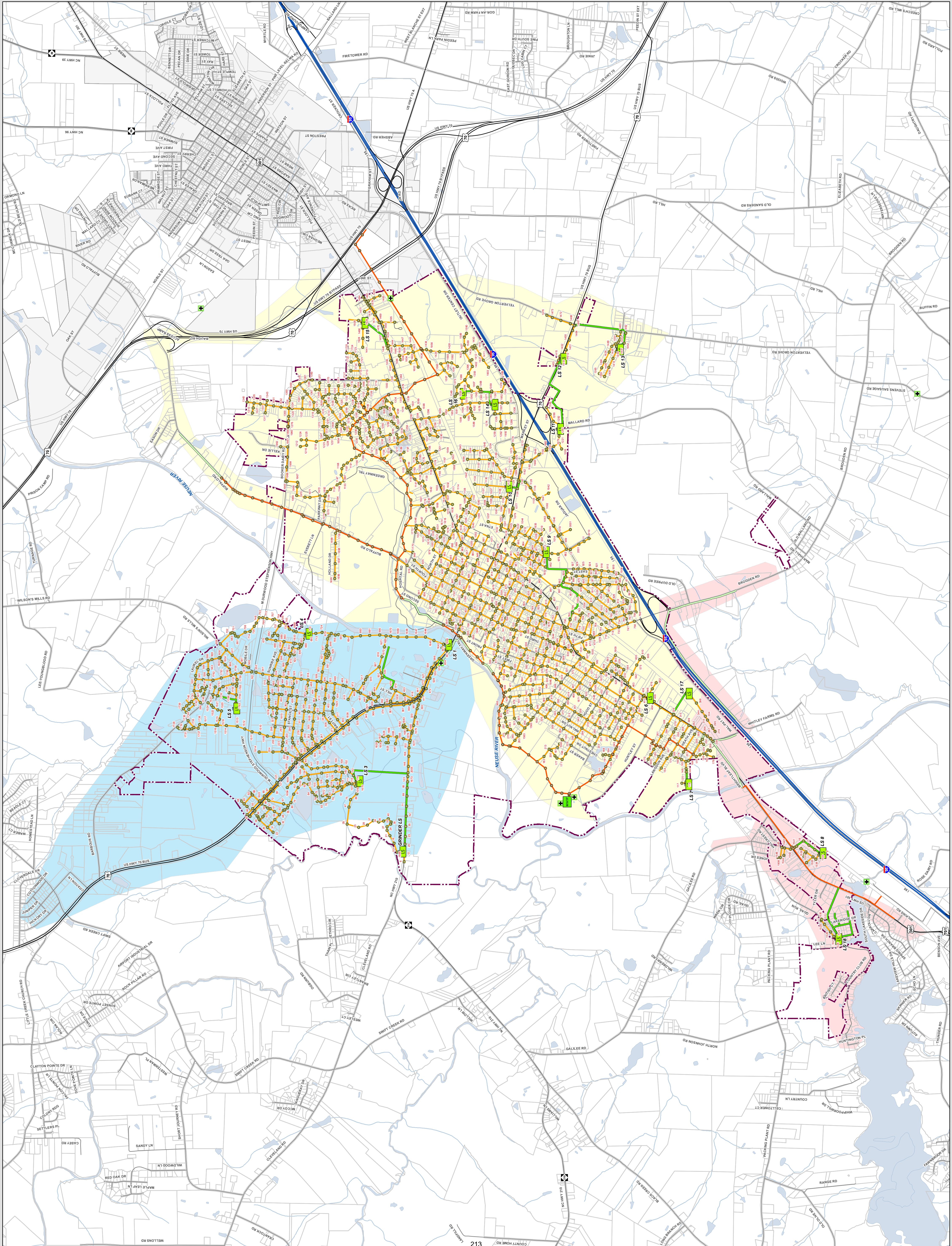


1 inch = 1,600 feet



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TOWN OF SMITHFIELD
W&S UTILITIES

Date: 9/21/2020

Manhole Rating Map

Legend

MANHOLE

- `<all other values>`

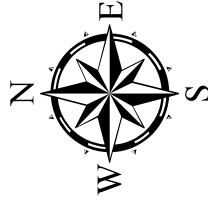
Rating

5 ●

centerli

ichydro Clip1

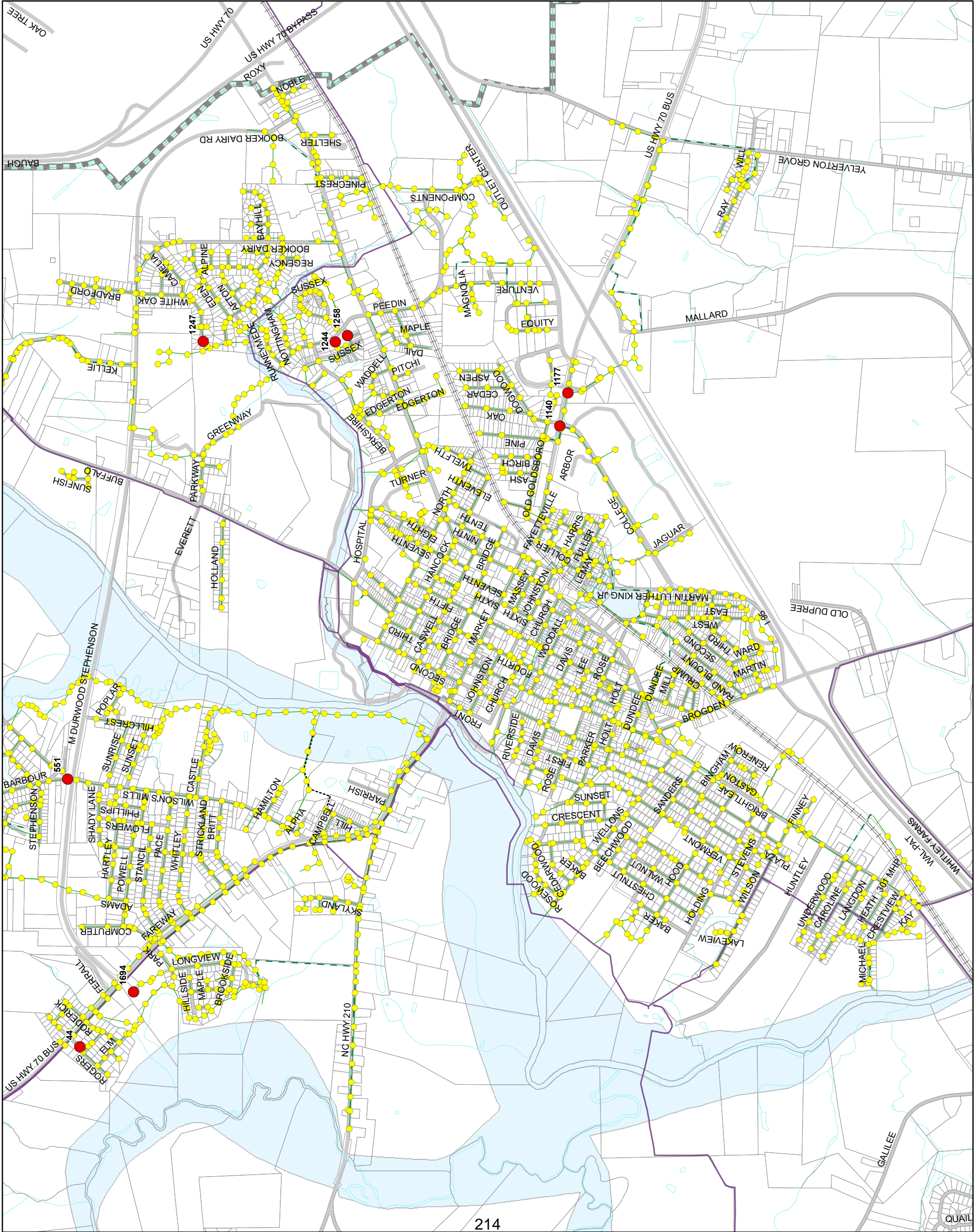
2018_Flood_Zone

 Floodway etj line

1 in = 2,000 feet

0 1,000 2,000

4,000 Feet



TOWN OF SMITHFIELD
W&S UTILITIES

Date: 9/21/2020

Manhole Flood
Map

Total Manholes in System	1702
Manholes in Floodway	40

Legend

Manhole_FW

MANHOLE

MANHOLE

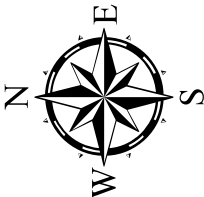
rail

jchydro_clip1

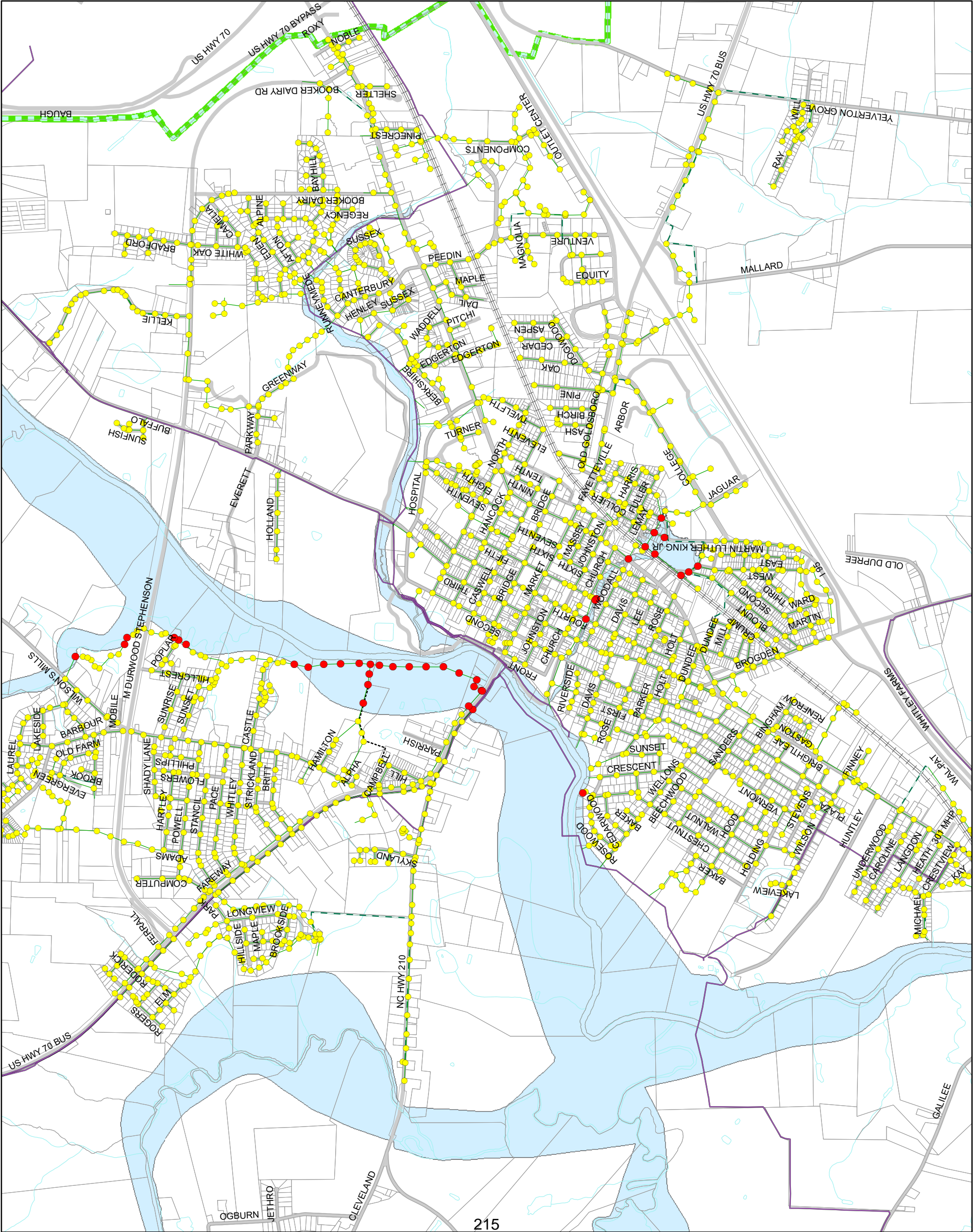
2018_Flood_Zone

Floodway

etj_line



1 in = 2,000 feet



TOWN OF SMITHFIELD
W&S UTILITIES

Date: 9/21/2020

Manhole Floodway
Improvements Map

Manholes in Floodway Raised 4'- 6'	16
Manholes in Floodway Sealed	3

Legend

- MH_Flood_Improvement
- Rim_Height_Raised
- Rim_Sealed

MANHOLE

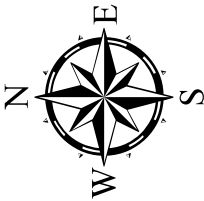
- MANHOLE

- rail

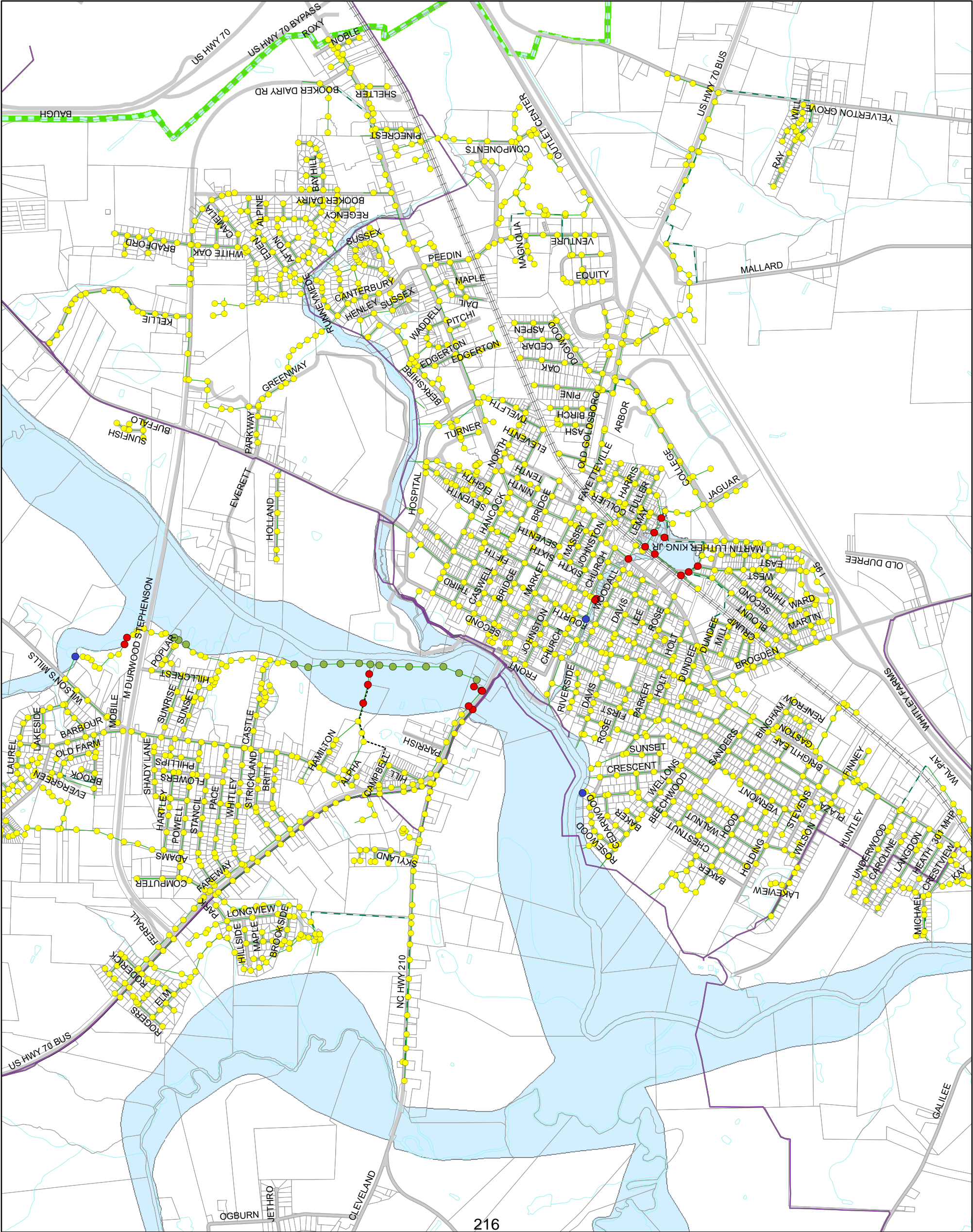
- jchydro_Clip1

2018_Flood_Zone

- Floodway
- etj_line



1 in = 2,000 feet



TOWN OF SMITHFIELD

W&S UTILITIES

Date: 9/28/2020

Manhole Assessment Map

Assessment Status	
Assessed-	1487
Not Assessed-	215
Total-	1702

Legend

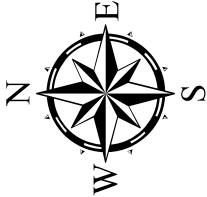
Manholes

- Manholes Assessed
- Manholes Not Assessed

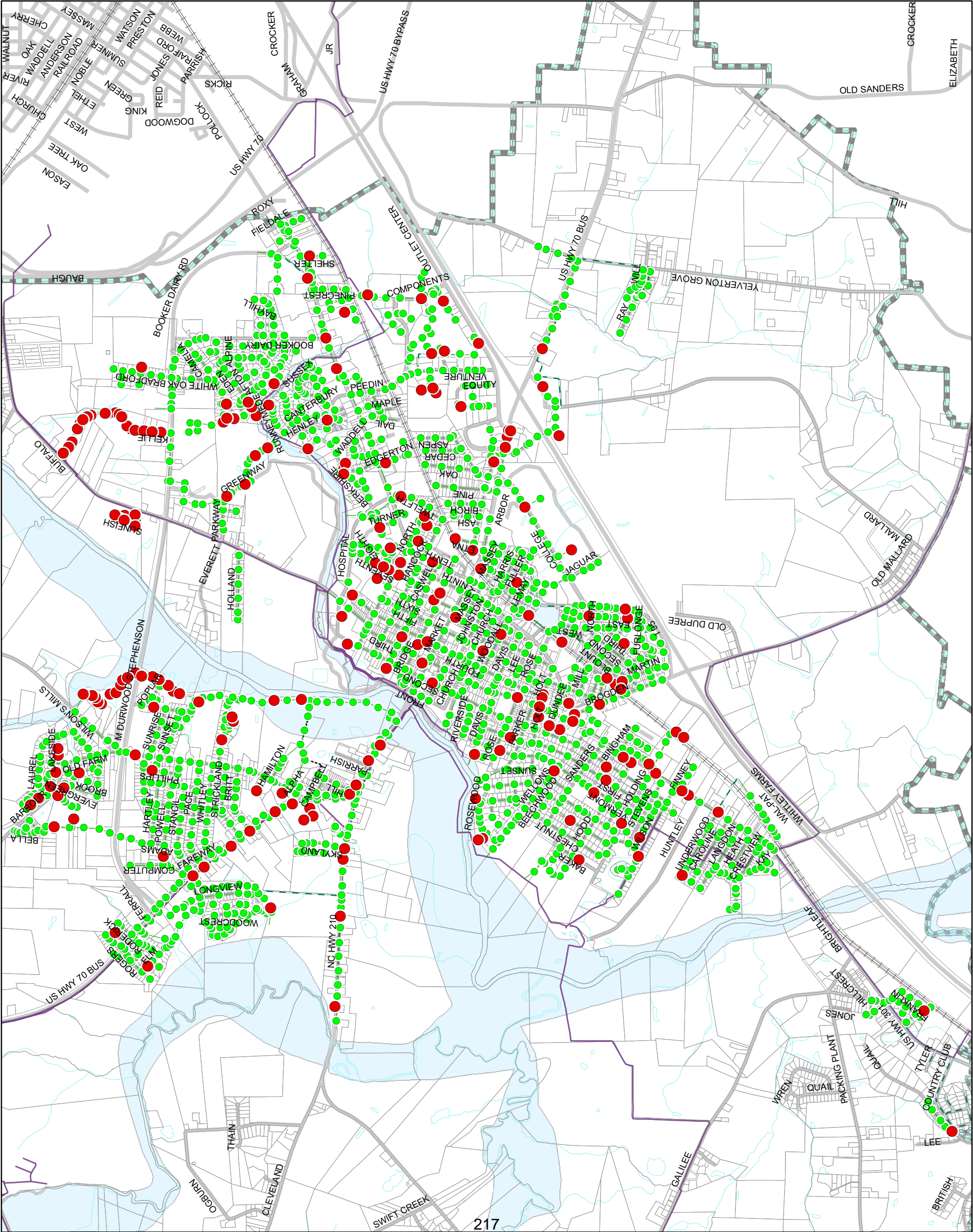
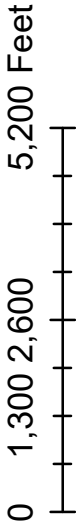
- centerli
- rail
- ichydro_Clip1

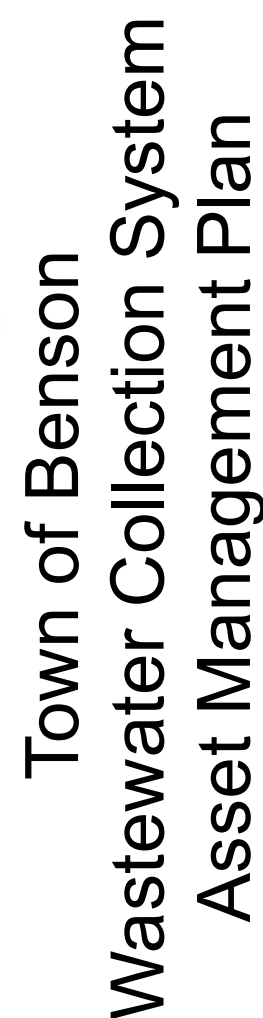
2018__Flood_Zone

- Floodway
- etj_line

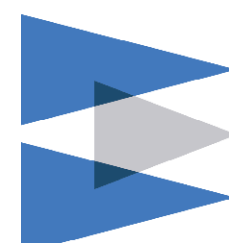
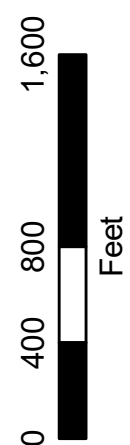
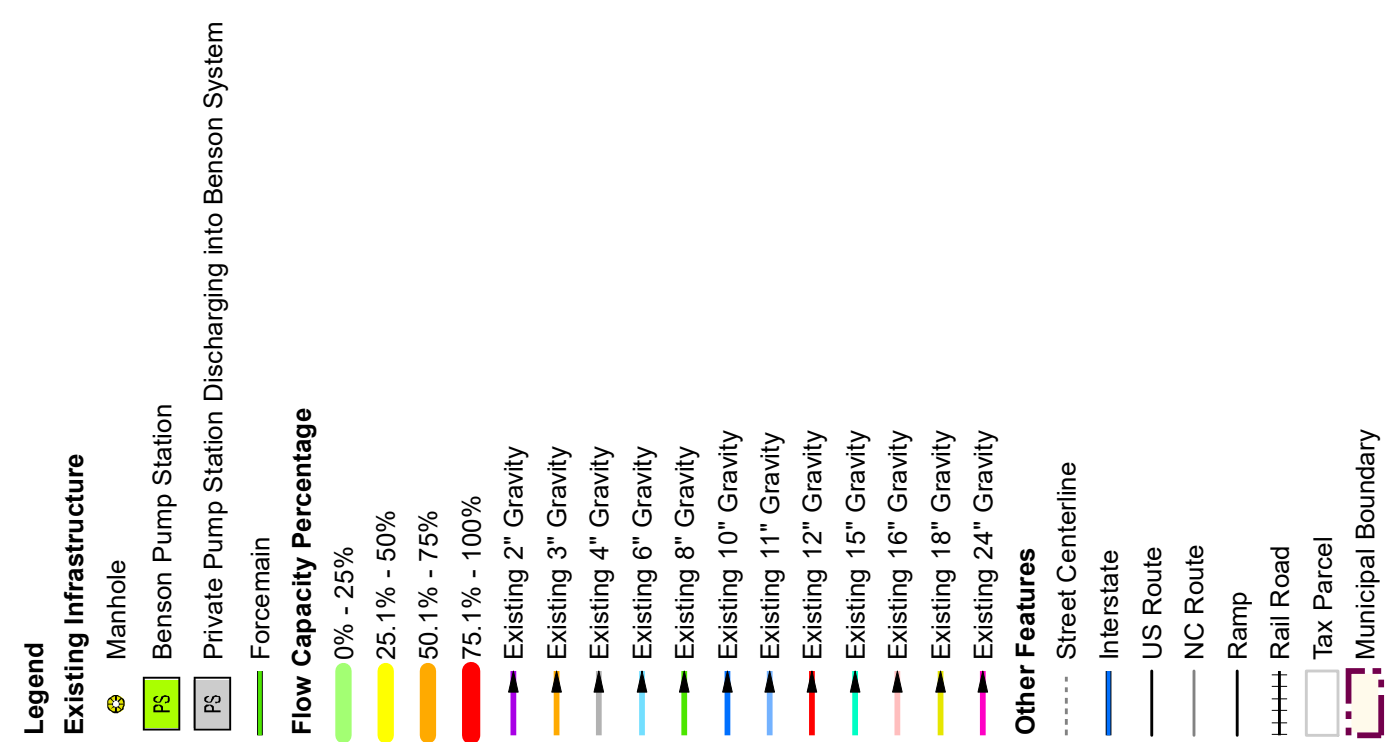


1 in = 2,600 feet



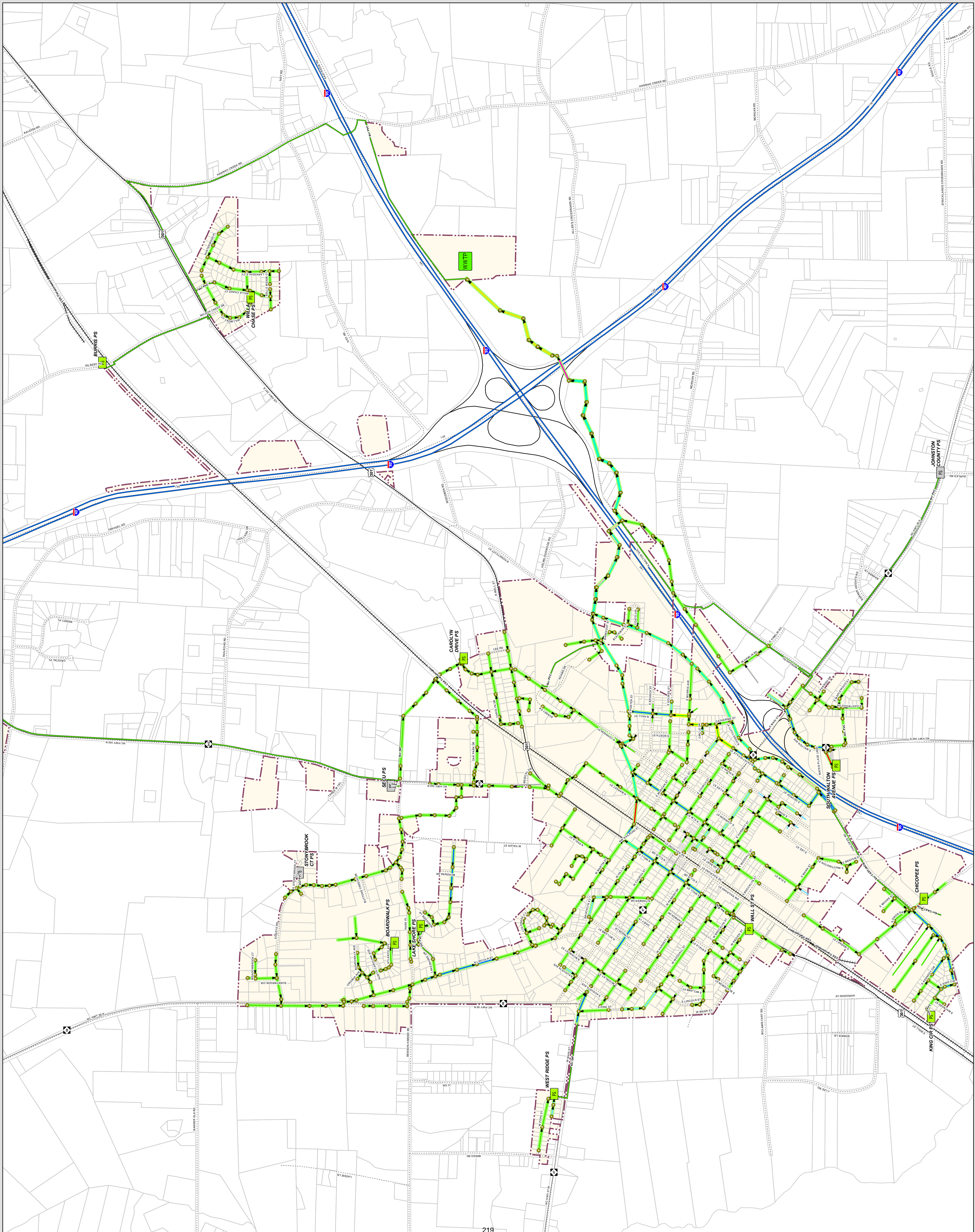


Hydraulic Model
Scenario: Dry Weather Average Flow
December 2018



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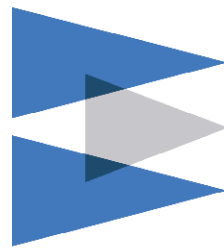
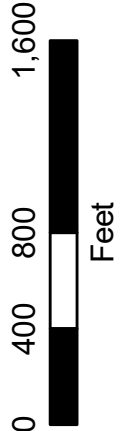
Town of Benson Wastewater Collection System Asset Management Plan

Hydraulic Model

Scenario: Wet Weather Maximum Flow

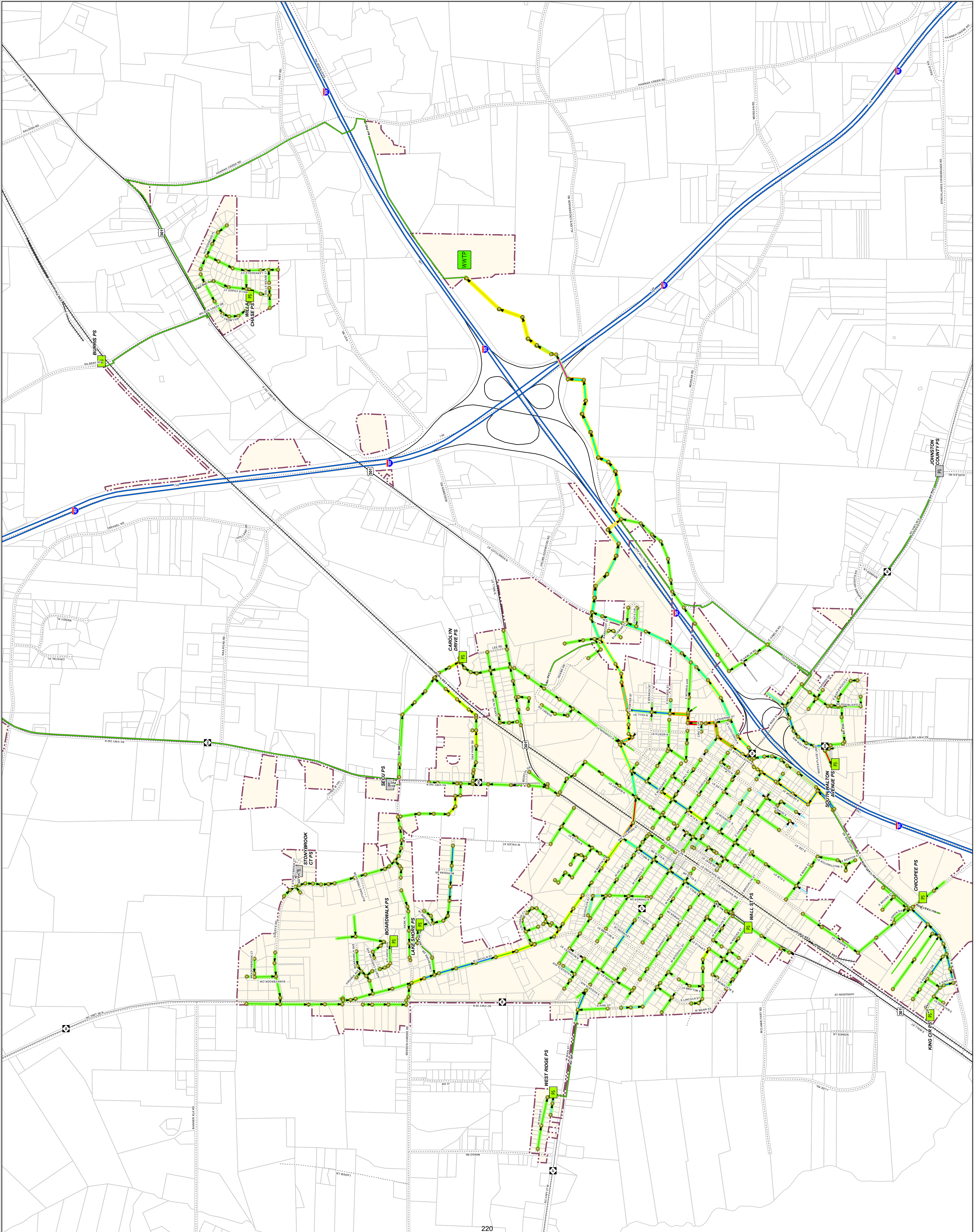
December 2018

- Legend**
- Existing Infrastructure**
 - Manhole
 - Benson Pump Station
 - Private Pump Station Discharging into Benson System
- Flow Capacity Percentage**
 - 0% - 25%
 - 25.1% - 50%
 - 50.1% - 75%
 - 75.1% - 100%
- Other Features**
 - Street Centerline
 - Interstate
 - US Route
 - NC Route
 - Ramp
 - Rail Road
 - Tax Parcel
 - Municipal Boundary



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Affordability Information Form

Enter Name of Applicant: **Town of Smithfield**

STEP 1: Residential Users (Connections)
 How many residential connections does your system contain? **4,079**
 Move to Step 2.

STEP 2: Local Government Unit (LCU) Economic Indicators
 Enter your local government unit parameters and service area coverage as shown below.

	LGU/County #1	LGU/County #2	LGU/County #3	LGU/County #4	Total	State Benchmarks are:	Is LGU Indicator Worse than State Benchmark?	
Dropdown Menu for LGU →	Smithfield							
Dropdown Menu for County →								
Enter Name of LGU Entity (if not listed above) →								
LGU Coverage (% of service area)	100%				100.0%			
Population:	12,117							
Population Change	6.69%				6.69%	<=	4.42% No	
Poverty Rate	21.2				21.2	=>	14.0 Yes	
Median Houshousehold Income	\$36,579				\$36,579	<=	\$52,413 Yes	
Unemployment	3.7				3.7	=>	4.0 No	
Total Appraised Value of Property	\$1,105,129,444							
Calculated Prop. Val. per Capita	\$91,205	\$0	\$0	\$0	\$91,205	<=	\$107,620 Yes	
							# of LGU Indicators worse →	3
							than State Benchmark	

Move to Step 3.

STEP 3: Existing Revenues
 Enter the following information below.

Operating Revenues _{Water & Sewer} :	\$8,638,653
Total Expenditures _{Water & Sewer} :	\$5,745,030
Debt Principal _{Water & Sewer} :	\$1,304,408
Interest _{Water & Sewer} :	\$87,206
Project Cost:	\$172,500
Calculated Operating Ratio _{Future} :	1.21

Move to Step 4.

Step 4. Enter the following Water/Sewer Utility information:

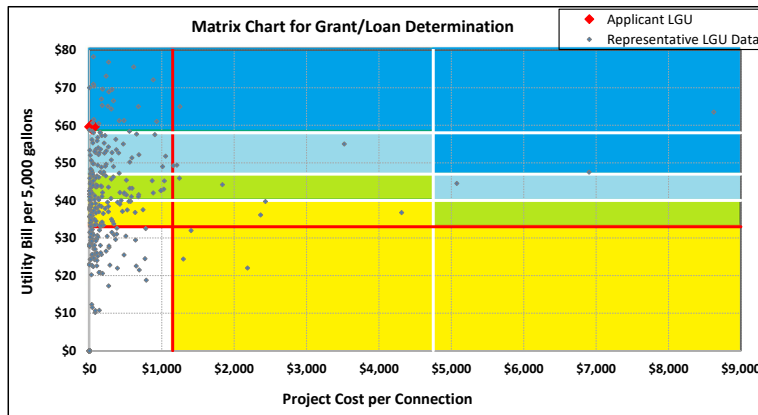
Is your project a water or wastewater project?	Wastewater
Current water or sewer bill for 5,000 gallons*:	\$59.60
Number of non-residential connections:	1,091
Calculated Total number of connections:	5,170
Calculated Project Cost per Connection:	\$33.37

Step 4 Grant Determination =

100%

Matrix Color Scheme	
Grant%	Loan%
100%	0%
75%	25%
50%	50%
25%	75%
0%	100%

Step 4 Matric data point is truncated:
 \$9,000 (X-axis), \$80 (Y-axis)



* Representative LGU Data plotted using Project Cost in Step 3.

Current Rate Sheets

TOWN OF SMITHFIELD
FY 2020-2021 Adopted
DEPARTMENTAL FEE SCHEDULE

Property Tax Rate

Rate.....	\$0.57/\$100 valuation
Downtown Smithfield Tax District	\$0.19/\$100 valuation
Smithfield Fire District.....	\$0.12/\$100 valuation

Administrative Services

Miscellaneous Fees and Charges

Fee for document reproduction(s)	
Black & White 8.5 x 11 Copies.....	\$.10/per page
Color 8.5x 11Copies.....	\$.15/per page
Black & White 8.5 x 14 Copies.....	\$.20/per page
Color 8.5 x 14 Copies	\$.25/per page
CD Copy.....	\$1.50
This fee is for the cost of the CD	
Reproduction of a video copy of any Town Council Meeting.....	\$2.00
This fee is for the cost of the DVD only	

Large Pile(s) of Debris Pickup.....\$80.00 (per truck load = 8 cubic yards)

Churches /Non-Profit

Standard Pickup, Monthly Fee\$16.24 (two roll-out containers)
 Additional Solid Waste Roll-out Container (standard pickup) \$16.24 (each container)
 Backyard Pickup, Monthly Fee\$20.24 (two roll-out containers)
 Additional Solid Waste Roll-out Container (backyard pickup)\$20.24 (each container)
 Yard Debris Collection, Monthly Fee\$10.00 (required)
 Large Pile(s) of Debris Pickup \$80.00 (per truck load = 8 cubic yards)

Public Utilities Services

Residential Electric Deposit\$200.00
 Residential Electric Deposit - High Risk\$400.00
 Business Deposit2x (times) the monthly avg. bill for this location
 Water Deposit.....\$50.00

Water Deposit (high risk)\$100.00
 Utility Phone Payment Convenience Fee2.5% of the total bill
 Returned Check Charge.....\$35.00
 Connection Fee when first 2 attempts are unsuccessful\$50.00
 Reconnection(9 a.m. to 4 p.m.) \$50.00
 Reconnection after Hours\$70.00
 Special Use Meter Reading & Billing
 (i.e. water for filling pools)\$35.00
 Meter Reread: 2 per calendar year at no cost, additional reread (if no error found) \$25.00 per occurrence
 Electric Meter Tampering Investigation Charge.....\$500.00

Initial and Transfer Service Fees

Utility Account (7% NC sales tax added to service charges)\$25.00
 Water/Sewer\$25.00

Water Meter Set

3/4"\$95.00
 1"\$250.00

Landlord Transfer Fee.....\$25.00

Credits

Water Heater Load Management (12 Months) \$6.00/month
 Air Conditioner Load Management Credit (June, July, August, September) \$10.00/month

Sewer Tap Fees (Base fee)

Service Size	In Town	Out of Town
4 "	\$ 695.00	\$ 1040.00
6 "	\$ 760.00	\$ 1140.00

Water Tap Fees (Base fee)

Meter Size	In Town	Out of Town
3/4 "	\$ 700.00	\$ 1050.00
1 "	\$ 745.00	\$ 1120.00
1 – 1/2 "	\$ 1840.00	\$ 2760.00
2 "	\$ 1900.00	\$ 2850.00
4 "	Cost figured at time of application	Cost figured at time of application
6 "	Cost figured at time of application	Cost figured at time of application

System Development Fees

Meter Size	Water	Sewer	Total Fee
5/8 "	\$ 420.00	\$ 230.00	\$ 650.00
3/4 "	\$ 650.00	\$ 350.00	\$ 1,000.00
1 "	\$ 1100.00	\$ 600.00	\$ 1,700.00
1 – 1/2 "	\$ 2200.00	\$ 1200.00	\$ 3,400.00
2 "	\$ 3500.00	\$ 1900.00	\$ 5,400.00
4 "	\$ 11000.00	\$ 6000.00	\$ 17,000.00
6 "	\$ 22000.00	\$ 12000.00	\$ 34,000.00

Irrigation (using split yoke)

3/4" (requires meter set)\$200.00
 Other Actual Cost plus 10% + meter set

Fire Sprinkler Fees

Size Connection	Monthly Fee	Service	Rate
6"	\$10.00	SP	SP1
8"	\$15.00	SP	SP2
10"	\$20.00	SP	SP3
12	\$25.00	SP	SP4

Water Rates

Basic Charge

Inside City Customers (All) \$11.13
 Outside City Customers (All) \$19.86

Consumption Rates (per 1,000 gallons):

<u>Residential Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 4,000 Gallons	\$4.19	\$8.38
Next 6,000 Gallons	\$5.22	\$10.44
All Over 10,000 Gallons	\$6.13	\$12.26

<u>Commercial Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 10,000 Gallons	\$4.76	\$9.52
Next 90,000 Gallons	\$5.68	\$11.36
All Over 100,000 Gallons	\$6.70	\$13.40

<u>Residential Irrigation Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 3,000 Gallons	\$6.46	\$12.92
Next 17,000 Gallons	\$7.16	\$14.32
All Over 20,000 Gallons	\$8.05	\$16.10

<u>Commercial Irrigation Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 3,000 Gallons	\$6.46	\$12.92
Next 27,000 Gallons	\$7.16	\$14.32
All Over 30,000 Gallons	\$8.05	\$16.10

<u>Industrial/Institutional Customers</u>	<u>Inside City</u>	<u>Outside City</u>
<u>Usage</u>	<u>Rate</u>	<u>Rate</u>
First 25,000 Gallons	\$4.76	\$9.52
Next 75,000 Gallons	\$5.68	\$11.36
All Over 100,000 Gallons	\$6.70	\$13.40

Johnston County Wholesale Rate

\$2.35 per 1000 Gallons

Sewer Rates**Basic Charge**

Inside City Customers (All) \$13.95

Outside City Customers (All) \$27.90

<u>Consumption Charges</u>	<u>Inside City</u>	<u>Outside City</u>
	<u>Rate</u>	<u>Rate</u>
Residential Customer	\$9.13	\$18.26
Non-Residential Customer	\$11.65	\$23.30

Michael L Scott, Town Manager
Andrew Harris, Finance Director
Shannan Parrish, Human Resources
Elaine Andrews, Town Clerk
Beth McKeel, Admin Assistant
Telephone: 919.934.2116



350 East Market Street
Post Office Box 761
Smithfield, NC 27577

Fax: 919.989.8937

Date: July 11, 2025
To: Whom It May Concern
From: Ted Credle, Public Utilities Director
Re: Executive Summary: E-AIA-W-21-0231

Sir or Madam:

In 2020, the Town of Smithfield applied for the North Carolina Department of Environmental Quality (NCDEQ) Division of Water Infrastructure (CWI) Asset Inventory and Assessment (AIA) funding. The intent of this application was to assist the Town in further identifying possible sources and locations of inflow and infiltration (I&I) into the sanitary sewer collection system. An increase in I&I had a negative economic impact on the enterprise fund balance and there was no obvious cause for the problem. With mounting economic pressures, the Town applied for, and was granted, full funding to begin the process of locating and assessing the Town sanitary sewer infrastructure; for the purpose of identifying sources of I&I and setting a plan to address these issues.

The specific project proposed to hire a contractor to update the condition of every sanitary sewer manhole in the Town collection system, based on a widely used industry standard, the National Association of Sewer Service Companies (NASSCO) assessment system. This data would be incorporated into the newly updated Town GIS database and would give the Town a more accurate assessment of the infrastructure. Camera testing (CCTV) was also proposed in certain, high-trouble areas to help identify why these areas may have recurring pipe blockage issues. Lastly, it was proposed that the Town would purchase magnetic flow meters to be used at strategic lift stations to assess flow conditions during dry and wet conditions; which would help narrow down the search for the source(s) of the I&I.

In the spring of 2022, the hired contractor completed the updated assessment of the Town's 1,711 sewer manholes. The contractor performed a NASSCO assessment of each structure. By the fall of 2022, the Town had incorporated the data into the Town service area map (GIS) and had a list of manhole structures that were prioritized to be rehabilitated. In the fall of 2023, another contractor was hired to video certain trouble spots in the Town; looking for possible causes of blockages and odor. Video evidence did not find blockages, but did lead to the discovery of a large root infestation issue; as well as, three distinct areas that had pipe separation and/or collapses. In the spring of 2021, the Town's consulting engineer undertook an updated assessment of the lift stations and the Utilities Department asset management plan. Lastly, in the spring of 2023, the magnetic flow meters were purchased to assist the Town in identifying where wet weather has the greatest impact in the Town's sanitary sewer collection system.

So what is next? The Town has already taken steps to affect change. The identified collapses/breakages were repaired immediately. A contractor was brought in to affect root control through the application of a chemical (Diquat Dibromide), which kills roots and guards against root re-intrusion for 2 years. A second contractor was hired to rehabilitate the worst manholes in the system. Due to the economic cost of rehabilitation, only a small percentage were actually rehabilitated; but, a list has been created and this list will continue to be followed annually, through a program the Utilities Department has established. The flow monitors will be deployed as part of lift station improvements, which also increase the pump capacity, in accordance with Town growth in the service area. As mentioned previously, the GIS database has already been updated with the locations and assessment of every manhole the Town has – which assists the Department in shortening response time and setting a preventive maintenance schedule.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ted Credle".

Ted Credle
Public Utilities Director



Smithfield Public Utilities Manhole Inspection Report

Manhole Facility ID 775		Header Information		Rating 4	
		Northing: 635811		Easting: 2194240	
				Elevation: 0	
Surveyor: Ross	Certificate Number:	System Owner: Smithfield	Customer: Smithfield	Date Inspected: 11/22/2021	City: Smithfield
Location: 809 MARTIN ST		Location Details:		Purpose: SSES	
Weather: Dry	Pre-Cleaning: Not Known	Project Area: Basin 1	Runoff Potential: None	Surface: <input checked="" type="checkbox"/> Asphalt <input type="checkbox"/> Collar	
Inspection Status: InspectionComplete	Access Type: Manhole	Location Code: Light Highway	Surcharge Evidence: Not Known	<input type="checkbox"/> Grass <input type="checkbox"/> Gravel	
Rim to Invert: 5	Rim to Grade: 0	Additional Information:			

Manhole Structure

Cover Type: <input checked="" type="checkbox"/> Solid <input type="checkbox"/> Bolted		Cover Shape: Circular	Cover Diameter: 1.96	Cover Material: Cast Iron	Cover Condition: <input checked="" type="checkbox"/> Sound <input type="checkbox"/> Missing	
<input type="checkbox"/> Vented <input type="checkbox"/> Inner		Cover Fit: Good	Hole Diameter:	Hole Number:	<input type="checkbox"/> Cracked <input type="checkbox"/> Corroded	
<input type="checkbox"/> Gasket <input type="checkbox"/> Locking					<input type="checkbox"/> Broken <input type="checkbox"/> Bolts Miss.	
Cover Insert: None	Ring Type: Solid	Ring Height: 0.76	Clear Opening: 1.86	Frame Beaing Depth:	Frame Bearing Width:	
Frame Material: Cast Iron	Frame Depth:	Frame Seal: None	Offset Distance:	Frame Inflow:		
Ring Condition: <input checked="" type="checkbox"/> Sound <input type="checkbox"/> Corroded		Frame Condition: <input checked="" type="checkbox"/> Sound <input type="checkbox"/> Corroded		Seal Condition: <input checked="" type="checkbox"/> Sound <input type="checkbox"/> Loose		Insert Condition: <input type="checkbox"/> Sound <input type="checkbox"/> Leaking
<input type="checkbox"/> Crack <input type="checkbox"/> Bad Install		<input type="checkbox"/> Crack <input type="checkbox"/> Missing		<input type="checkbox"/> Cracked <input type="checkbox"/> Offset		<input type="checkbox"/> Bad Fit <input type="checkbox"/> Fell In
<input type="checkbox"/> Broken <input type="checkbox"/> Other		<input type="checkbox"/> Broken <input type="checkbox"/> Coated		<input type="checkbox"/> Broken		<input type="checkbox"/> Crack
Chimney Material: Brick	Chimney I/I: None	Chimney Depth: 2.44	Cone Type: Conical centered	Cone Material: Brick		
Wall Diameter: 4	Wall Material: Brick	Step Material:	Step Number: 0			
Chimney Lining:	Cone Lining:	Wall Lining:	Bench Lining:			
	None-No Coating	None-No Coating	None-No Coating			
Bench Present: Yes	Bench Material: Concrete(non-reinforced)		Channel Installed: Yes	Channel Type: Formed	Channel Exposure: Closed	

Photos

Ground Cover Picture



Invert Picture



Piping

Pipe Number	Clock Position	Pipe Direct.	Pipe Material	Pipe Shape	Pipe Width	Seal Condition	Special Condition	Percent Flow
1	6	OUT	Vitrified Clay Pipe	Circular	8	SOUND		0
2	12	IN	Vitrified Clay Pipe	Circular	8	SOUND		0

Defects

Distance	Code		Cont Defect	Value			Joint	Circumferential Location		Image Reference	
	Component	Defect Code		S/M/L	Value			%	At/From		To
					1st	2nd					
4.74	B	Roots Medium			0	0	0		6	6	3d-6d23-4ab2-ae9f-994cb04978
Remarks											
5	WI	M,Roots Tap,R	S1		0	0	0		6	6	e9-5bc4-4b2b-8927-75c0dcc161
Remarks											
5	WI	M,Roots Tap,R	F1		0	0	0		6	6	d1-8acc-4157-b01c-3146d77b59
Remarks											



O&M,Roots Tap,RTB



O&M,Roots Tap,RTB



O&M,Roots Medium,RMB

**WATER AND SEWER
ASSET MANAGEMENT PLAN
UPDATE**



**TOWN OF SMITHFIELD
NORTH CAROLINA**

FEBRUARY 2023

Wooten
LICENSE NO.: F-0115
TWC 2698-CH

**WATER AND SEWER
ASSET MANAGEMENT PLAN
UPDATE**

**TOWN OF SMITHFIELD
NORTH CAROLINA**

February 2023



GB Versteeg 02-12-2023

**GENEVIEVE B. VERSTEEG, P.E.
PROJECT ENGINEER**

**THE WOOTEN COMPANY
120 N. BOYLAN AVENUE
RALEIGH, NORTH CAROLINA 27603
TEL: (919) 828-0531
FAX: (919) 834-3589**

Business License F-0115

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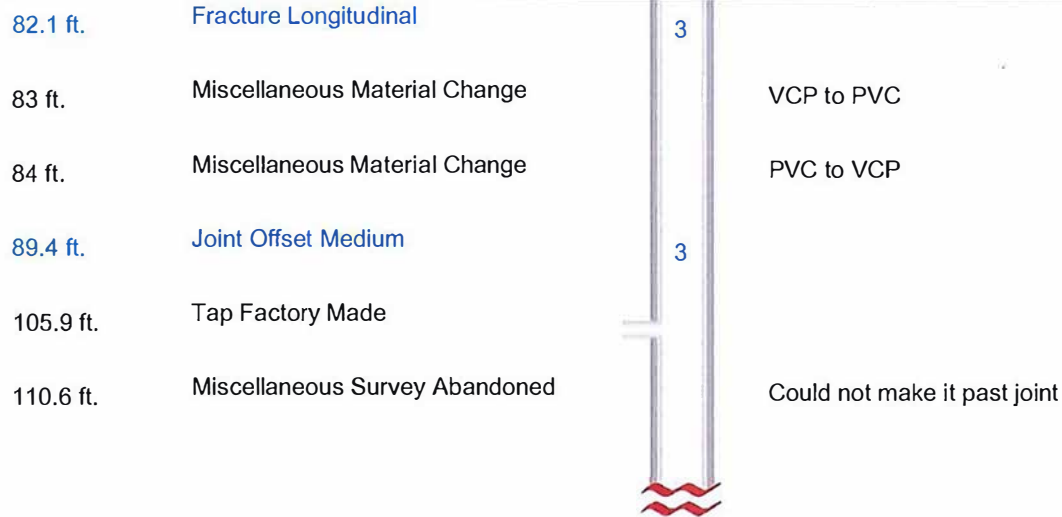
Defect Listing Plot

Pipe Segment Reference 0749	City Smithfield	Street 4th St	Material Vitrified Clay Pipe	Location Code	Pipe Use Sanitary Sewage Pipe
Upstream MH 0749	Total Length	Year Constructed	Shape Circular	Location Details	
Downstream MH 0770	Length surveyed 110.6	Year Renewed	Height 6	Width	Pipe Joint Length
SPR 33	MPR 0	PO Number		Customer Town of Smithfield	
SPRI 3.7	MPRI 0	Work Order Number 8661-1		Purpose Routine Assessment	
QSR 5336	QMR 0000	Direction Downstream	Date 03/15/2024	Media label	
OPR 33	Surveyed By Eddie	Pre-Cleaning Light Cleaning	Time 10:08	Weather Saturated	
OPRI 3.7	Certificate Number U-614-06021651		End Time 10:32	Additional Info	
Date Cleaned 03/15/2024					



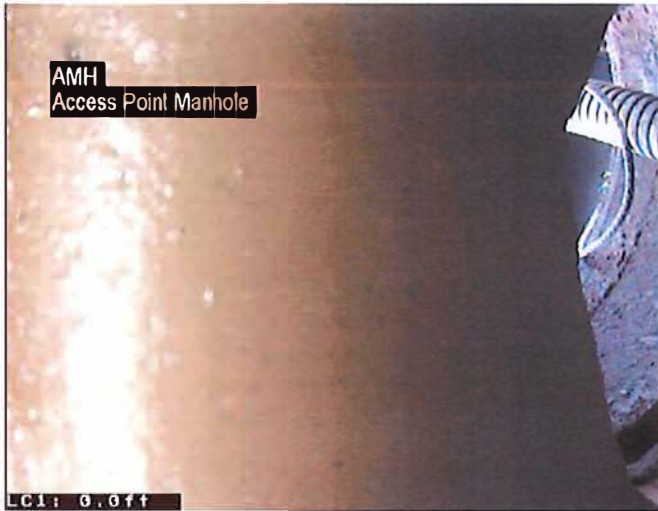
Defect Listing Plot

Pipe Segment Reference	City	Street	Material	Location Code	Pipe Use
0749	Smithfield	4th St	Vitrified Clay Pipe		Sanitary Sewage Pipe
Upstream MH 0749	Total Length	Year Constructed	Shape Circular	Location Details	
Downstream MH 0770	Length surveyed 110.6	Year Renewed	Height 6	Width	Pipe Joint Length



4 Image Report

Pipe Segment Reference	City	Street	Material	Location Code	Pipe Use
0749	Smithfield	4th St	Vitrified Clay Pipe		Sanitary Sewage Pipe
Upstream MH	Total Length	Year Constructed	Shape	Location Details	
0749			Circular		
Downstream MH	Length surveyed	Year Renewed	Height	Width	Pipe Joint Length
0770	110.6		6		



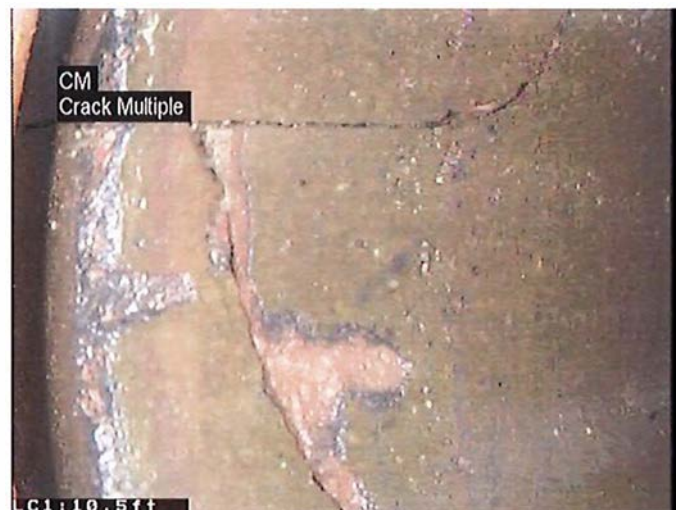
Distance: 0.0 ft. Grade: 0
 Condition: Access Point Manhole
 Remarks: 0749



Distance: 0.0 ft. Grade: 0
 Condition: Miscellaneous Water Level
 Remarks: N/A



Distance: 8.3 ft. Grade: 3
 Condition: Crack Longitudinal Hinge 3
 Remarks: N/A



Distance: 10.5 ft. Grade: 3
 Condition: Crack Multiple
 Remarks: N/A

4 Image Report

Pipe Segment Reference	City	Street	Material	Location Code	Pipe Use
0749	Smithfield	4th St	Vitrified Clay Pipe		Sanitary Sewage Pipe
Upstream MH	Total Length	Year Constructed	Shape	Location Details	
0749			Circular		
Downstream MH	Length surveyed	Year Renewed	Height	Width	Pipe Joint Length
0770	110.6		6		



Distance: 18.2 ft. Grade: 3
 Condition: Joint Offset Medium
 Remarks: N/A



Distance: 18.6 ft. Grade: 0
 Condition: Tap Break-in/Hammer
 Remarks: N/A



Distance: 18.6 ft. Grade: 5
 Condition: Hole Soil Visible
 Remarks: N/A



Distance: 39.0 ft. Grade: 0
 Condition: Tap Factory Made Capped
 Remarks: N/A

4 Image Report

Pipe Segment Reference	City	Street	Material	Location Code	Pipe Use
0749	Smithfield	4th St	Vitrified Clay Pipe		Sanitary Sewage Pipe
Upstream MH 0749	Total Length	Year Constructed	Shape Circular	Location Details	
Downstream MH 0770	Length surveyed 110.6	Year Renewed	Height 6	Width	Pipe Joint Length



Distance: 41.4 ft. Grade: 0
Condition: Tap Factory Made Capped
Remarks: N/A



Distance: 64.8 ft. Grade: 0
Condition: Tap Factory Made
Remarks: N/A



Distance: 69.0 ft. Grade: 0
Condition: Tap Factory Made Capped
Remarks: N/A



Distance: 72.0 ft. Grade: 3
Condition: Fracture Spiral
Remarks: N/A

4 Image Report

Pipe Segment Reference	City	Street	Material	Location Code	Pipe Use
0749	Smithfield	4th St	Vitrified Clay Pipe		Sanitary Sewage Pipe
Upstream MH	Total Length	Year Constructed	Shape	Location Details	
0749			Circular		
Downstream MH	Length surveyed	Year Renewed	Height	Pipe Joint Length	
0770	110.6		6		



Distance: 72.9 ft. Grade: 0
 Condition: Tap Factory Made
 Remarks: N/A



Distance: 74.4 ft. Grade: 5
 Condition: Hole Void Visible
 Remarks: N/A



Distance: 74.6 ft. Grade: 0
 Condition: Tap Factory Made Capped
 Remarks: N/A



Distance: 78.5 ft. Grade: 5
 Condition: Hole Soil Visible
 Remarks: N/A

4 Image Report

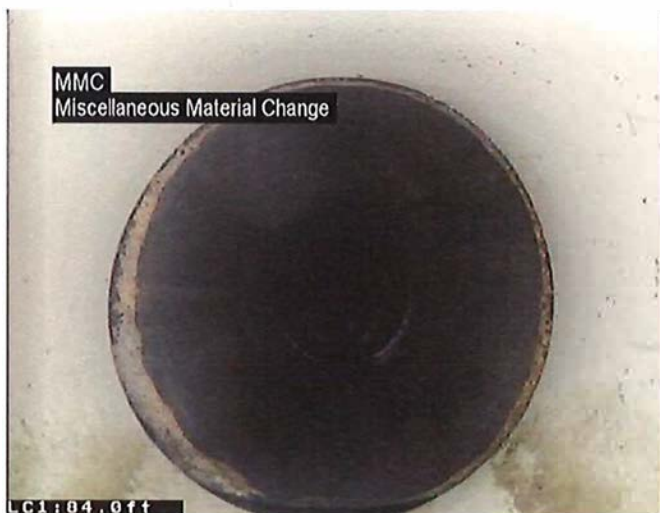
Pipe Segment Reference	City	Street	Material	Location Code	Pipe Use
0749	Smithfield	4th St	Vitrified Clay Pipe		Sanitary Sewage Pipe
Upstream MH 0749	Total Length	Year Constructed	Shape Circular	Location Details	
Downstream MH 0770	Length surveyed 110.6	Year Renewed	Height 6	Width	Pipe Joint Length



Distance: 82.1 ft. Grade: 3
Condition: Fracture Longitudinal
Remarks: N/A



Distance: 83.0 ft. Grade: 0
Condition: Miscellaneous Material Change
Remarks: VCP to PVC



Distance: 84.0 ft. Grade: 0
Condition: Miscellaneous Material Change
Remarks: PVC to VCP



Distance: 89.4 ft. Grade: 3
Condition: Joint Offset Medium
Remarks: N/A

4 Image Report

Pipe Segment Reference	City	Street	Material	Location Code	Pipe Use
0749	Smithfield	4th St	Vitrified Clay Pipe		Sanitary Sewage Pipe
Upstream MH	Total Length	Year Constructed	Shape	Location Details	
0749			Circular		
Downstream MH	Length surveyed	Year Renewed	Height	Width	Pipe Joint Length
0770	110.6		6		



Distance: 105.9 ft. **Grade:** 0
Condition: Tap Factory Made
Remarks: N/A



Distance: 110.6 ft. **Grade:** 0
Condition: Miscellaneous Survey Abandoned
Remarks: Could not make it past joint

Industrial Drive to Buffalo Creek PS - Base - Time: 19.00

