



Town of Sunset Beach  
Planning Board Meeting

**Meeting Minutes of June 4, 2015**

**9:00 am**

**Members Present:** Carol Santavicca, Chairperson; Greg Jensen, Noelle Kehrberg, Len Steiner, Bob Tone

**Members Absent:** Tom Vincenz, Vice Chair

**Staff Present:** Susan Parker, Town Administrator; Rawls Howard, Planning Director; Randy Walters, Building Inspector/Floodplain Administrator; Lisa Joyner, Police Chief; Cindy Nelson, Planning Board Secretary

Chairperson Carol Santavicca called the meeting to order, established that a quorum was present, and read a prepared welcome statement. The Pledge of Allegiance was recited by all in attendance.

**Postponement or Withdrawal Requests-** None

**Public Comments**

1. Richard Hilderman of 407 37<sup>th</sup> Street: Submitted a hand out to the Board and the Secretary supporting his presentation. (Hand out has been entered into the minutes). He stated the developer has a right to develop his land; however, he made a request to the Planning Board that they ask the developer to submit a water certification thru a soil scientist before approving the Preliminary Plat.

2. Gerald Otteny of 1401 W. Main Street: Concerned with the possibility of flooding from this development. FEMA has said that it is possible there could be flooding. He asked that an analysis be done.

With no other citizens stepping forward, the public comment segment was closed.

**Consideration of Approval of Minutes-** FROM THE MAY 7, 2015 MEETING.

CAROL SANATVICCA CALLED FOR A MOTION TO APPROVE THE MINUTES AS CORRECTED. MOTION CARRIED BY NOELLE KEHRBERG. SECOND MADE BY BOB TONE. MOTION CARRIED UNANIMOUSLY.

**New Business**

a. Preliminary Plat Review and Approval; Sammy Varnam, Agent; Sunset Beach West Subdivision; located past the terminus of West Main St. in Sunset Beach

Rawls Howard approached the Board with a ten slide power point presentation of the Preliminary Plat Review. He proceeded to educate the Planning Board and the Public on how a subdivision obtains approvals through the Town. He continued to highlight the layout and location of the Sunset West Subdivision; the subdivision will be a self-sustained community. There is no public infrastructure so water utilities will exist through well and septic, and electric will be solar powered or generator. Flood insurance would not be available as the development is located in a COBRA zone established by the NFIP. You can build there but insurance would have to be obtained through a third party and not FEMA. The Planning Board has the authority to request information on how the utilities will be self-sustained.

The applicant has made a request to approve the preliminary plat without sidewalks even though a sidewalk is shown on the map. Staff concern is that the sidewalk is going through a primary dune at lot 4 which is not permitted by code. The Planning Board has the authority to waive the sidewalk installation as a part of the preliminary plat approval, by doing so; the primary dune area will not be disturbed.

There is a proposed gate entrance that has a key pad for entry to the subdivision which is not a part of the existing DOT driveway permit. Rawls expressed concern for this as there is no room at the west end of Main Street to support the amount of traffic that seems to go down there, especially during peak tourist season, property owners at that end of the street could be negatively impacted with people trying to turn around and/or park. Rawls recommended the Planning Board request a traffic impact study from the developer. Another option would be to have the gate placed further back on the subdivision bridge, however, that could also cause traffic problems.

Rawls spoke with Randy Walters the Town's Floodplain Administrator and they both recommend requesting a predevelopment flood study that would show the impact of any shifting sands or additional fill, or dune disturbance when development begins.

Rawls highlighted a proposed to do list for the Boards consideration:

1. Consider waiving the sidewalk provision by request of the developer.
2. Request a noise study that would measure the noise levels from electric generators.
3. Request a well water assessment.
4. Request a Traffic Impact Study.
5. Request a Predevelopment Fill Impact Study.
6. Request a Flood Study.

Len Steiner was in favor of a water quality study. He also reviewed the acreage of the lots. He said the buildable portion of the lots after setback considerations seemed very small. Rawls answered that the lot sizes meet the minimum standards for development.

Elizabeth Nelson of Cape Fear Engineering, also representative for the applicant addressed the “to do list”:

1. This is a proposed low impact development. We would prefer the walkways be made of wood decking instead of concrete. Wood decking would work well with the environment. Rawls highlighted on the plat where the walkways, gazebo, and emergency access areas would be located.
2. A soil scientist has been out to evaluate the site and a report has been prepared. A well permit cannot be obtained from Brunswick County until the Planning Board approves the Preliminary Plat.
3. D.O.T. approved the gate; however, 21 lots do not trigger a need for a traffic analysis.

Greg Jensen expressed concern for the noise that may come from the generators toward the homes located on 40<sup>th</sup> Street.

A considerable amount of conversation ensued between the Planning Board, Town Staff and the applicant on matters of soil absorption, soil reports, water quality, electricity, noise, CAMA, well drilling, and floodplain issues.

**CHAIRWOMAN CAROL SANTAVICCA WAS IN FAVOR OF REMOVING THE SIDEWALK AND ASKED FOR A MOTION TO APPROVE THE REMOVAL OF THE SIDEWALK FROM THE PRELIMINARY PLAT. MOTION WAS MADE BY LEN STEINER. SECOND WAS MADE BY BOB TONE. MOTION WAS CARRIED UNANIMOUSLY.**

After additional conversation about generators, noise and floodplain issues it was determined that some of the questions being discussed were better suited for the final plat approval as the request being considered at this meeting was for a preliminary plat review.

CHAIRWOMAN CAROL SANTAVICCA CALLED FOR A MOTION TO REQUEST A HYDROLOGICAL REPORT AND FLOOD STUDY REPORT PRIOR TO THE APPROVAL OF THE PRELIMINARY PLAT. MOTION WAS MOVED BY LEN STEINER. SECOND WAS MADE BY BOB TONE. MOTION WAS CARRIED UNANIMOUSLY.

### **Administrative Items**

#### A. Director and Staff Comments

##### a. Update on Overlay Work Committee

Rawls reported that he met with Greg Jensen and Tom Vincenz and they stated initial concerns and will be working on those.

##### b. Update on lightening ordinance review

Rawls expressed he has drafted 80% of the new language and will have it ready for review very soon.

#### B. Board Member Comments and Request for Future Agenda Items

Chairwoman Carol Santavicca asked for a list of agenda items so the Board Members did Duplicate any requests. Noelle Kehrberg asked if the noise ordinance was in the works.

Rawls said the noise ordinance is not a concern for the Planning Board, so that is no long on the list.

Chairwoman Carol Santavicca asked the Board about the stipend they currently receive; Rawls told the Members that after conferring with Susan Parker on the matter, they thought the best idea would be to apply the money to Planning Board Member training at different conferences and workshops that are held throughout the state. Board Members will take this under consideration.

### **Public Comments**

1. Richard Hilderman of 407 37<sup>th</sup> Street: Complimented the Board on their action today for Sunset West preliminary plat review.

2. Karen Joseph of 915 Sandpiper Bay Drive: Commented on how she could appreciate the complex task at hand.

3. Richard Cerrato of 517 Twisted Oak: Made referral to Jaguar's Liar and complimented the work that Rawls Howard was doing to help guide the Planning Board.

11. **Adjournment**- 11:00 am. CHAIRWOMAN CAROL SANTAVICCA ASKED FOR A MOTION TO ADJOURN. MOTION CARRIED BY GREG JENSEN. SECOND MADE BY LEN STEINER. MOTION CARRIED UNANIMOUSLY.

Town of Sunset Beach  
Planning Board

*Carol Santavicca, Chairperson*

Submitted by:

*Cindy Nelson, Planning Board Secretary*

\*\*\*The May 7, 2015, 2015 minutes was approved by the Planning Board during the June 4, 2015 meeting.