



Town of Sunset Beach
Planning Board Meeting

Meeting Minutes of December 17, 2015

9:00 am

Members Present: Chairperson; Tom Vincenz, Greg Jensen, Noelle Kehrberg, Len Steiner, Bob Tone

*Len Steiner was not present until agenda item of approval of minutes.

Members Absent: None

Staff Present: Rawls Howard, Planning Director; Cindy Nelson, Planning Board Secretary

Chairperson Vincenz called the meeting to order, established that a quorum was present. The Pledge of Allegiance was recited by all in attendance.

Postponement or Withdrawal Requests- None

Public Comments

Matt Nichols-Attorney Shanklin & Nichols-214 Market Street Wilmington NC: Represents the Palm Cove Development. Asked the Board to consider a 30 day continuance for the Text Amendment on fill requirements. Would like the chance to meet with staff and review the text amendment, this could have impact on development. Has proper public notice been given?

Tyler Newman-Representative of the Brunswick County Board of Realtors and the Brunswick Builders Association: Supports Matt Nichols statements. State is looking at height limitations in regard to flood insurance. Encouraged the Board to take more time to look at the Text Amendment proposal.

Elizabeth Nelson-Cape Fear Engineering, Bellville NC: Handed out a copy of base flood elevation (BFE) to Board members. Described how BFE affects building height. Asked the Board to consider building height and not just fill to allow for 2 story homes.

Sammy Varnam-1574 Monster Buck Estates Supply NC: Text Amendment will affect Sunset West and the existing contour of the land. One home can be built on a lot that does not require fill and the lot beside it may be 10 feet higher.

Tim Jackson-1510 North Shore Drive Sunset Beach, NC: Described how fill affects building and BFE for a two story home. No reason to limit fill. Current regulations serve the Town well.

Bert Exum-Exum Family LLC: Part owner of lot 10 in Palm Cove. Described the height limit and fill requirements currently in Wrightsville Beach and how the homes are being built with flat roofs.

Carol Scott-1527 North Shore Drive Sunset Beach, NC: Her house is 6 feet above flood elevation, with 8 to 10 feet ceilings. Standard for fill was left out of the new UDO. She recommended placing the old standard in the UDO until the issue can be fully addressed.

Consideration of Approval of Minutes: Consideration of Approval of Minutes from the November 19, 2015 meeting.

CHAIRPERSON TOM VINCENZ ASKED FOR A MOTION TO APPROVE THE NOVEMBER 19TH MINUTES. MOTION CARRIED BY NOELLE KEHRBERG. SECOND BY LEN STEINER. MOTION CARRIED UNANIMOUSLY.

Old Business-None

New Business

a. Discussion-CAMA Land Use Plan Survey Draft; Allen Serkin, Cape Fear COG.

Allen Serkin introduced Wes McLeod who is new to COG. Serkin informed the Board that McLeod would now be the main contact for the LUP Update project. McLeod outlined the plan schedule. He mentioned Phase 3, the survey, was running a little behind due to the changes. McLeod worked with Noelle and Len to create a new survey which mirrors the 2010 LUP Update survey. The survey will be available in an online format with a link from the Town website, through a mailing in utility bills, the Sunshine List will be notified as well as the Brunswick Beacon, and hard copies of the survey will be available at Town Hall. McLeod passed out copies of the new survey to the Board members. The Board was pleased with the new survey and its format. McLeod also gave each member a binder with information regarding the update process and said they will be given documents throughout the process to which they can add to the binder.

The Board's assignment was to review Chapters 1, 2 & 3 Community Analysis. Discussion will take place at the January 21, 2016 meeting.

b. TA-15-13; Text Amendment; Town-initiated; Proposal to amend UDO to provide address fill standards for lots.

Rawls reviewed the new draft section with the Board. Section 2.18 (A) (B) (C) (D) Filling, Grading and Excavation. Language from the old code was never transferred into the UDO.

There was brief dialog between Rawls and the Board members.

Chairperson Vincenz asked Rawls if it was standard practice to measure from the center of front property line. Rawls said he interprets that to be correct. Noelle asked if this applied to a corner lot. Rawls said it would.

Len asked if "swail" could be added as a way to keep water runoff from one property to another. Rawls recommended changing wording in paragraph (B) from "satisfactory containment" to "Engineered containment device". This will allow flexibility to work with engineers and contractors on solutions if needed.

TOM ASKED FOR A MOTION TO APPROVE. NOELLE KEHRBERG MOTIONED TO APPROVED WITH THE CHANGE TO (B). SECOND WAS MADE BY LEN STEINER. MOTION CARRIED UNANIMOUSLY.

From this point the change will be made and will go to the January 4, 2016 Town Council meeting for a public hearing.

Administrative Items:

A. Director and Staff Comments

1. Next meeting for Planning Board will be January 21, 2016.

B. Board Member Comments and Request for Future Agenda Items

1. Language for draft overlay district will be ready at the January meeting.
2. Len Steiner asked if the old code can be reviewed to determine what did not transfer into the new UDO. Rawls said there are a couple things he is aware of that needs to be addressed. There is a strong state budget for 2016 that may allow

us to take advantage of funding to help offset the cost of re-writing the UDO. The Planning Board can take this on as a project for the summer after the Land Use Plan update is completed. The Board stated that they would be interested in pursuing “a stem to stern approach” in reviewing the UDO and getting the language in there that is needed or has been omitted.

3. Chairperson Vincenz asked to look at the minimum standard for commercial parking standards in order to establish a maximum. Rawls was in agreement that this standard needed to be visited for discussion.

Public Comments

Sammy Varnam-1574 Monster Buck Estates: On the survey for the Land Use Plan update that asks about housing trends and characteristics. If fill is not looked at properly you will have a bunch of flat roofed homes. If you have three staggered lots, consider taking the highest lot and splitting the fill between the other two lots to have a level area so homes are not sitting staggered higher than one or another.

Bert Exum-Bert Exum Family LLC: Standard was rushed. Give Rawls time to draft language to avoid flat roofed homes.

Elizabeth Nelson-Cape Fear Engineering: Rawls needs time to draft language. He is focused on fill, more time is needed to review and consider all the things that this affects.

Matt Nichols-Attorney Shanklin & Nichols: Respects but disagrees with the vote just taken. Board should reach out to property owners and give proper public notice.

Tim Jackson-1510 North Shore Drive: The Town has moved hastily to approve this. Reconsider your decision.

Adjournment- 10:15 am. CHAIRPERSON TOM VINCENZ CALLED FOR A MOTION TO ADJOURN. MOTION CARRIED BY GREG JENSON. SECOND WAS MADE BY LEN STEINER. MOTION CARRIED UNANIMOUSLY.

Town of Sunset Beach
Planning Board

Tom Vincenz

Tom Vincenz, Chairperson

Submitted by:

Cindy Nelson

Cindy Nelson, Planning Board Secretary

***Minutes for the November 19, 2015 meeting were approved at the December 17, 2015 meeting.