



Town of Sunset Beach
Planning Board Meeting

Meeting held at Fire Station #1; 102 Shoreline Drive W.

Meeting Minutes of February 4, 2016

9:00 am

DRAFT

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

Members Absent: Chairperson Tom Vincenz

Staff Present: Rawls Howard, Planning Director; Richard Hathcock, GIS Planner; Cindy Nelson, Planning Board Secretary

Vice Chairperson Steiner 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

Rich Cerrato: 517 Twisted Oak Lane; Town Council voted to reinstate the former fill ordinance. Defer today's vote until the UDO is fully reviewed.

John Corbett: 1313 Canal Drive; Consider using a graphic portrayal to support the new language in the fill ordinance. Also, how many permits for new home construction have been issued in Palm Cove since the fill ordinance has been omitted from the UDO?

Consideration of Approval of Minutes: CONSIDERATION OF APPROVAL OF MINUTES FROM THE JANUARY 21, 2016 MEETING. CORRECTIONS WERE NOTED. VICE CHAIR STEINER ASKED FOR A MOTION. GREG JENSEN MOVED THE MOTION TO ACCEPT THE MINUTES AS AMENDED. SECOND WAS MADE BY NOELLE KEHRBERG. MOTION CARRIED UNANIMOUSLY.

Old Business

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

Presentation:

Rawls informed the Board that Town Council moved to reinstate the prior codes for fill standards. He described the new language proposal in detail. Rawls, using an easel and pad to demonstrate how section 2.18 (A) (B) would apply, he drew out an example of what three standard side by side lots would look like and how the standard would work for stormwater runoff . (Proposed language from the 1/21/16 meeting as noted in the staff report). Rawls said that a graphic could be added into the ordinance.

Len Steiner questioned a lot that had a significant grade or slope. Rawls answered that a pad would have to be built if it was a part of the building footprint. He continued that a county stormwater permit may be required, and/or an engineered stormwater solution.

Board Discussion:

A concern of the Board was the removal of sand from an island lot. The issue was not in the former reinstated ordinance. The Board said the standard should apply to the island only. If a property has to have dirt removed for a lot that it cannot be removed from the island.

Len Steiner and Greg Jensen asked Rawls to go with them to the island, walk some of the lots, and get a visual on how this proposal would be applied. Greg Jensen said they need to continue to work on this standard until it's written the way it needs to be. Noelle and Bob said they would also like to see a visual. Due to public meeting laws only two Board members at a time could go.

There was some discussion as to how this would affect the mainland. Rawls said the standard would apply more to island properties.

Greg Jensen made a motion to table this topic to another meeting. Second was made by Noelle Kehrberg. Motion carried unanimously.

New Business

Discussion and Possible Action – Reviewing and Placing Previous Town Code Sections to UDO Relating to Land Use.

Discussion:

Height of building in VE Zones or AE zones ensued. Rawls described how building heights are regulated and what the free board regulation is. Some of this is dictated by FEMA, also the flood zones are going to change with the adoption of the new flood maps. Rawls continued that pile type foundations would apply to any construction southward of the waterway, or the island area. He added that requiring pile style foundation is not practical for commercial construction.

Rawls recommended adding the former language back into the UDO.

Noelle Kehrberg said she is in favor of adding this back into the code, however, additional discussion and research is needed to make sure all points have been visited. Community input is also important. She recommended putting the topic on the next meeting agenda as a discussion item.

150.306: Alteration of Sand Dunes: Rawls said that CAMA regulations do not allow alterations of sand dunes. There are primary dunes and frontal dunes. The language explicitly restricts alteration of frontal dunes. Primary frontal dunes cannot be disturbed. The only permitted development is for beach access ways.

Rawls read through CAMA regulations related to trimming or development, which are stricter than the former Town regulations. The current UDO does not have a regulation in place.

Greg Jensen proposed adding the CAMA language into the UDO. The Board asked Rawls to draft language for review and public input.

Len Steiner asked if section 150.304 should have been put in the new UDO. Rawls said he would check with the Building Inspector.

150.330 Storm and Erosion Damaged Structures. Rawls questioned if this was a CAMA requirement along with the repair and maintenance of docks and bulkheads. It was determined that these items were included in the CAMA regulations.

Discussion ended with a summary:

- Include language for pile type foundation for residential construction versus a pile type foundation for commercial.
- Alteration of Sand Dunes-defer to CAMA regulations and add the height limit for trimming of bushes to first floor elevation.

- Storm and Erosion Damaged Structures-defer to CAMA regulations.
- Material Storage Areas-did transfer from the old ordinance to the UDO.

Rawls will draft language reflecting the changes for review and approval at the next meeting.

Administrative Items:

A. Director and Staff Comments

- Rawls mentioned that he will have draft language prepared for the special sign ordinance for approval at the next meeting.
- Wes McLeod will be at the next meeting to move forward with the Land Use Plan.

Noelle Kehrberg suggested separating the regular meeting and the Land Use Plan meeting. The meetings could be held back to back. This will allow flexibility for better public input and more time for Board discussion. Rawls agreed this was a good idea and will make the suggestion to Wes McLeod.

B. Board Member Comments and Request for Future Agenda Items

Len Steiner would like to understand the Town's NFIP contract better.

Public Comments:

Charlie Nern: 947 Oyster Bay Drive; He wanted to raise the pad under his house by 2 or 3 feet to help defer water runoff. He was told he would not be able to per ordinance.

Sammy Varnam: 1574 Monster Buck Estates Supply NC; Questioned the proposed fill standard. An average over time can actually leave some lots higher than others. Also, BB-1 commercial building; good building practices would be to allow commercial building to use a slab foundation.

Elizabeth Nelson: 151 Poole Road Bellville NC; Suggested whatever is being reviewed here, to be placed on line for public review.

Carol Scott: Had several comments regarding the Planning Board meeting.

John Corbett: 1313 Canal Drive; Recommended that the old code is deferred to when a building permit is applied for until the new code is adopted or do not issue the permit until the codes are resolved. Also, we do not have enough qualified or certified building inspectors.

Peter Larkin: 453 Lake Shore Drive; Recommended putting the old fill and grade code back into ordinance. Stated that a center lot could flood onto adjacent lots. The matter is much more complicated and needs to be looked at carefully.

Adjournment: 10:19 AM. VICE CHAIR STEINER ASKED FOR A MOTION TO ADJOURN. MOTION MOVED BY GREG JENSEN. SECOND WAS MADE BY BOB TONE. MOTION CARRIED UNANIMOUSLY.

Town of Sunset Beach
Planning Board

Len Steiner, Vice Chair Person

Submitted by:

Cindy Nelson, Planning Board Secretary

***Minutes for the January 21, 2016 meeting were approved at the February 4, 2016 meeting.