

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, April 11, 2022. This meeting was held in the Dare County Board of Commissioners meeting room located at the Dare County Administrative Building, 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 6:01 pm

MEMBERS PRESENT John Finelli, Chairman
Terry Gore II David Hines
Buddy Shelton John DeBoy

MEMBERS ABSENT Beth Midgett David Overton

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the March 14, 2022 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as submitted. Buddy Shelton seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

Barbara Sibuhka, a Gareth Cir. resident, is concerned about the construction on Airport Rd. and the Evansville Tract. Ms. Sibuhka spoke about the density of the Old North End Subdivision, traffic flow in the area, noise, and home depreciation. She asked if additional services such as police, fire, water, sewage, schools, teachers and play areas would be provided. She asked how many construction companies are involved, who they are, and who would benefit from the subdivision. She stated she wants in-depth studies.

Kathy Mitchell, a Gareth Cir resident, is concerned about the high density of the area and says it has reached the acceptable load particularly Airport Road that has been stressed to the limit. Ms. Michell also spoke about the impact of the loss of a remnant native plant community and the stress on wildlife.

Kathryn Fagan, an Airport Rd. resident, is concerned about the lack of notice for the Old North End Subdivision. Ms. Fagan said one of the key responsibilities of the Planning Board is to facilitate and coordinate citizen engagement and participation in the planning process. Ms. Fagan additionally spoke about flooding, lack of improvements to Airport Road, traffic flow, plummeting property values, and lack of a DOT study. Ms. Fagan also gave a petition to the Board at their seats requesting a public hearing on the matter.

James Dortch, a resident of Manteo, has many of the same concerns as the other speakers. He is concerned about traffic and density. He understands the need for housing but these are not low income lots. He wants to know who we are trying to provide housing for and why 56 lots have been approved and not 25.

Ray Meekins, a Broughton St. resident, spoke about the beauty and wildlife found in the wooded areas along and near Airport Rd. Mr. Meekins said he would like to see the area stay in its current configuration. Mr. Meekins is also concerned about traffic and that notice was not given.

Mrs. Jessie Wheeler, a Sunnyside Dr. resident, emailed the Planning Board comments regarding the Old North End Subdivision and the impacts to residents living along Airport Road. A copy is on file with the Planning Board Clerk.

Public comment closed at 6:28 p.m.

OLD BUSINESS

-None-

NEW BUSINESS

Preliminary Plat Review, 2 Lot Subdivision, HB MOS, LLC, Parcel No. 014690000, NC 12 Hwy, Avon, NC

Ray Meekins, of Seaboard Surveying & Planning, Inc., was present on behalf of the property owner.

Planning Director, Noah Gillam, addressed the Board. He explained that the Board had previously approved this parcel last year as a four lot subdivision and it was never recorded. Mr. Gillam stated that a two lot subdivision better suits their needs.

The parcel is zoned R2-A Residential and C-2 Commercial. The total site area is 2.58 acres and the smallest lot is 43,369 square feet. Mr. Gillam further explained that no new road improvements are needed to access the proposed lots. Lot one will be accessed off Old Main Rd. (SR 1466) and lot two will be accessed from NC 12 Highway.

The Planning Board had no questions of the applicant or staff.

Terry Gore made a motion to approve the preliminary plat. Buddy Shelton seconded the motion.

Vote: Ayes – Unanimous

OTHER BUSINESS

Review of Special Use Permit for Travel Trailer Park, Beachland Farms Campground, 256 S California Ln., Manteo, NC

Malcolm Fearing, Applicant, was present at the meeting.

Noah Gillam said the Dare County Board of Commissioners reviewed a Special Use Permit (SUP) and associated site plan in July 2020 for the construction of a campground on parcel 025697000. A condition of the SUP and the Dare County Travel Trailer Park and Campground Ordinance (TTPCO) required all improvements to be installed and a final plat be submitted to the Planning Board within a 12 month period. Mr. Gillam explained that the applicant began installing improvements but encountered problems due to COVID-19, and material and labor shortages. The improvements were unable to be finished before the 12 month time period expired.

Mr. Gillam added that the TTPCO requires the applicant to resubmit the proposal before the Planning Board and Board of Commissioners for approval of the SUP and associated site plan if time expires before the project is completed. Mr. Gillam stated that the applicant has submitted the prior approved plan and there have been no major change to the proposed project since it was granted approval in 2020.

In October of 2020 the TTPCO was updated and one of the amendments grants the Planning Director authority to approve the final plat. Condition 12 of the SUP has been modified to reflect this update.

A copy of the approved SUP No. 1-2020, draft SUP No. 2-2022, and a copy of the TTPCO were provided to the Board for their review.

The Planning Board reviewed draft SUP No. 2-2022 and deemed the conditions and site plan to be reasonable and appropriate.

This item will be forwarded to the Dare County Board of Commissioners for their consideration and will be subject to quasi-judicial review at the Board of Commissioners level, which requires sworn testimony and other rules of procedures specific to quasi-judicial items.

Review of Special Use Permit to Add Additional Travel Trailer Sites, Avon By the Sea RV Resort, 41001 NC 12 Hwy, Avon, NC

A representative was not required for this item as this was a review of an expired permit.

Noah Gillam said the Dare County Board of Commissioners reviewed a Special Use Permit and associated site plan in December 2020 to allow for travel trailer sites on existing commercial property on parcel 014800000. A condition of the SUP and the Dare County Travel Trailer Park and Campground Ordinance (TTPCO) required all improvements to be installed and a final plat be submitted to the Planning Board within a 12 month period. Mr. Gillam explained that the applicant began installing improvements but encountered problems due to COVID-19, and material and labor shortages. The improvements were unable to be finished before the 12 month time period expired.

Mr. Gillam added that the TTPCO requires the applicant to resubmit the proposal before the Planning Board and Board of Commissioners for approval of the SUP and associated site plan if time expires before the project is completed. Mr. Gillam stated that the applicant has submitted the prior approved plan and there have been no major change to the proposed project since it was granted approval in 2020.

A copy of the approved SUP No. 5-2020, draft SUP No. 3-2022, and a copy of the TTPCO were provided to the Board for their review.

The Planning Board reviewed the draft SUP and deemed the conditions and site plan to be reasonable and appropriate.

This item will be forwarded to the Dare County Board of Commissioners for their consideration and will be subject to quasi-judicial review at the Board of Commissioners level, which requires sworn testimony and other rules of procedures specific to quasi-judicial items.

Discussion of Notice Requirements for Subdivisions

Buddy Shelton asked Mr. Gillam if the Old North End subdivision has been seen by the Board of Commissioners. Mr. Gillam explained that the Commissioners were notified of the subdivision and given the same fact sheet as was given to the Planning Board for their review. The Board of Commissioners did not request to review the item at the Commissioner level.

Mr. Gillam further explained that the subdivision met the regulatory requirements of the Subdivision Ordinance. The Subdivision Ordinance does not require notice. Mr. Gillam said Chapter 22-72 applies to Quasi-judicial hearings for items such as Special Use Permits, Text, Zoning and Map Amendments. It does not apply to subdivisions.

ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Terry Gore and seconded by Chairman Finelli.

Vote: Ayes – Unanimous

The meeting adjourned at 6:45 p.m.

Respectfully Submitted,



Andrea DiLenge
Planning Board Clerk

APPROVED: May 9, 2022



John Finelli
Chairman, Dare County Planning Board