

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, May 8, 2017. 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 6:00 pm

MEMBERS PRESENT John Finelli, Chairman
 Michael Barr Beth Midgett
 Terry Gore II Charles Read, Jr.

MEMBERS ABSENT Jeff Landreth David Overton

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the April 10, 2017 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as submitted. Beth Midgett seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

-None-

OLD BUSINESS

-None-

NEW BUSINESS

Conditional Use Permit Request to Add a Distribution Center, 1154 Driftwood Drive, Roanoke Island, Maritime Woods Development, LLC

Dylan Tillett of Quible and Associates and Al Chesson representing Maritime Woods Development were present.

Noah Gillam said the Maritime Woods Development property is located in the I-1 industrial zoning district. There is an existing group development at the site and a conditional use permit was issued for the group development in April 2005. This expired CUP approved construction of two 14,400 sf buildings on what is referenced as “new building five area”. Those improvements were never made. The new, revised site plan proposes one 60’ x 100’ metal building to be used as a distribution center for Tryon Distributing. This is a permitted use.

The stormwater permit will be amended to include the new building five area. The Fire Marshal had no issues with the proposed site plan. David Daniels, Director of the Dare

County Airport Authority, has been provided a copy of the site plan for review. The facility is a warehouse used for shipping and receiving bottled goods and will have four employees.

Terry Gore asked what the hours of operation will be. Al Chesson said anticipated hours are 6 – 8 a.m. when three box trucks will leave the site. The trucks would return between 4 – 6 p.m. to load up and get ready for the morning deliveries. This would be Monday through Friday. On Friday afternoons there will be a sales meeting from 10 a.m. – 1 p.m. with about six sales people attending.

Chairman Finelli asked about lighting improvements. Al Chesson said the existing lights along Driftwood Drive will be adequate and there will be lights on the building. Chairman Finelli recommended the lighting be approved by the Planning Staff and Airport Authority.

Donna Creef asked if three years would be an adequate amount of time to construct the building. Mr. Chesson said it will be constructed within a year. Chairman Finelli recommended we keep three years as the timeframe to complete the work.

Chairman Finelli said the Fire Marshal commented that the parking lot shall be designed to support fire apparatus of 80,000 pounds and that additional hydrants may be required. Dylan Tillett said the section of proposed gravel is for heavy trucks and will be adequate. Additional hydrants will be added if required and that will be determined during the building permit process.

Charles Read made a motion to recommend approval of the conditional use permit to include operating hours of 6 a.m. - 6 p.m., Monday through Friday with lighting to be approved by the Planning Staff and Airport Authority.

Michael Barr seconded the motion.

Vote: Ayes – Unanimous

This will move to the Board of Commissioners for their consideration.

Conditional Use Permit Request for Belle Acres, a 10 Unit Residential Group Development located at Colingwood Lane & Colington Road, Colingwood Investments, LLC

Mike Robinson, P.E., and Andy Deel, P.E. were present on behalf of the applicant.

Donna Creef told the board a similar site plan and conditional use permit was approved for this site several years back. The site was not developed and the conditional use permit expired. Section 22-31 has changed since the previous site plan. The group development will be required to have a publicly-dedicated 10' wide paved area with a 45' right-of-way that is designed to meet NCDOT standards. NCDOT responded that changes will be needed and the Public Works Director would like service trucks to be able to maneuver without having to back up. This can't move forward until the roads are acceptable.

Mike Robinson said he is working with NCDOT to be sure the roads will be in compliance. Turn-arounds will be added instead of dead-ends to allow trash pickup. There is a 10' no ingress/egress easement dedicated along Colington Road so property owners will not access Colington Road directly from the properties but will use the road access.

Donna Creef said the Homeowners' Association documents will need to address the maintenance of roads, septic, and parking including how this functions relative to the footprint being sold to the individuals.

Comments have been received regarding this and they have been provided to the Planning Board. Included are concerns about traffic and flooding.

Chairman Finelli asked the reason for the gated road on the prior conditional use permit that was issued. Mr. Robinson said when the property was originally subdivided, there was to be only one curb cut onto Colington Road. The Fire Department wanted access for their equipment and the gated road met that requirement. It will be marked with signs, locked, and the Fire Department will have the key.

Chairman Finelli said the plat is labeled as a sketch plan and this will be considered a sketch plan review. No action will be taken. The conditional use permit request will be reviewed by the Planning Board at a subsequent meeting after updates have been made.

***Conditional Use Permit Request, Commercial Group Development, 1145
Colington Road, Jon Midgett Construction, LLC***

Victor White of Landmark Engineering was present on behalf of the applicant.

Noah Gillam said Mr. Midgett is requesting a group development for three buildings, a two-bedroom residence with an attached hair salon and two metal buildings. One metal building will be used as a building contractor's office and warehouse. The second metal

building is labeled on the site plan as "CS zone allowed uses". The site plan references a deed overlap which has been discussed with the county attorney. The proposed improvements have been located to account for the deed overlap. A fence has been installed on the property line abutting the neighboring residential use in compliance with zoning requirements. Topics to be discussed may include required parking, prohibiting parking or staging equipment on adjoining properties and the right-of-way, lighting improvements, and the Fire Marshal's recommendations. A copy of the wetland verification plat and wetland fill permit should be submitted to the planning office.

Victor White said Steve Kovacs, Fire Marshal, was not available to speak to today. The applicant needs to clarify the location of the new fire hydrant as well as discuss road improvements on the site with Mr. Kovacs. Chairman Finelli asked why portions of the road are 30' wide. Mr. White replied this provides easier access for the construction vehicles. Ms. Creef reminded Mr. White to be aware of the proposed Colington Road improvements and what impact they may have on this project.

Michael Barr asked that the fence be shown on the site plan as well as the location of the existing fire hydrant. He also asked that the flood zone be indicated on the site plan.

Mr. White said he is working with George Wood of Environmental Professionals for the wetland permits. He added that lighting will be on the buildings only and would be full cut-off fixtures. Donna Creef recommended a condition that there is lighting only on the front of the contractor's warehouse building as the back abuts a residential property.

Beth Midgett asked how many parking spaces are proposed. Mr. White replied there are twelve regular and two handicapped parking spaces. There will also be parking within the buildings themselves but it has not been determined how many. Michael Barr asked that the handicapped accessible parking spaces be labeled. Donna Creef said people generally will park closest to the building they need access to and would advise at least one parking space be assigned to the second metal building whose use is unknown at this time.

Chairman Finelli said the note about total impervious coverage should be changed to read NCDEQ. It is no longer NCDENR.

Terry Gore made a motion that this request be deemed a sketch plan review for the purposes of this meeting.

Charles Read seconded the motion.

Vote: Ayes – Unanimous

No action will be taken. The conditional use permit request will be reviewed by the Planning Board at a subsequent meeting after updates have been made.

Conditional Use Permit Request, Kings Point Oysters, 57193 Olens Lane, Hatteras, Spurgeon Stowe

Terry Gore made a motion to recuse Beth Midgett at this time as she is a neighbor of this property. Michael Barr seconded the motion.

Vote: Ayes – Unanimous

Spurgeon and Katherine Stowe, applicants, were present.

Katherine Stowe said she and her husband have an oyster company on the Pamlico Sound. They use a floating bag system to harvest oysters. They grow half-shell oysters which are used to supply the restaurant market as opposed to the shucking market. The business has been successful. The Stowes would like to use the property on Olens Lane to bring the oysters to the dock where they can get them bagged for sale and refrigerate them in an existing structure on the property. Essentially, the property would be used for bagging, tagging, and storing the gear.

Spurgeon Stowe said they have no plans to sell fish, clams, crabs, or any seafood other than oysters. Mr. Stowe said the water is very shallow and they would operate only one or two skiffs.

Chairman Finelli asked if they use their own trucks to transport the oysters. Mr. Stowe said they use their pickup truck but they may use a van type truck sometime in the future.

Donna Creef said staff received three letters from adjoining property owners and one from across Slash Creek. All were concerned that this is a residential neighborhood with shallow water and a narrow drive. Traditionally fish houses have lights and noise so this concerns the residents. The Stowes are telling us this will not be the case. The driveway is not even 20' wide. This is a Residential Alternative Zoning District. There are three commercial uses allowed: fish houses, campgrounds, and real estate offices. It was designed to be a residential neighborhood but to recognize those commercial uses. The Stowes are not asking to operate a full service fish house. The site is self-

limiting. Conditions can be set to address the neighbors' concerns. Spurgeon Stowe said they live five houses from this property and they do not want a full service fish house in the neighborhood either.

Charles Read asked who does the work for the business. The Stowes said they do the work with one part-time employee. Terry Gore asked the hours of operation. Mrs. Stowe said that they would need daylight hours, probably more hours in the summer and less in the winter. Michael Barr recommended we specify that this permit is for the sale and distribution of oysters only. The Stowes said they will probably not have any more lights than a normal house but might have a street light. Terry Gore asked what vehicles will need access to the property. The Stowes replied only their personal vehicles, including a pickup truck, possibly a van-type or box truck sometime in the future.

Michael Barr recommends wetlands delineation on the site plan to prevent driving and parking on wetlands or so applicable permits can be obtained if necessary. Donna Creef recommended including a condition that all refrigeration equipment would be located inside the existing structure on the property. Ms. Creef asked if a condition that there be no more than three boats at the dock at any one time with no boats over 30' in length would be appropriate and the Stowes said yes it would. After discussion, it was recommended that all lighting be attached to the building with motion sensors and that low level lighting be allowed on the dock for safety purposes. The Stowes said they will not need a sign and will not be selling any retail items.

Michael Barr made a motion to recommend approval of the conditional use permit to include the following:

- The hours of operation will be sunrise to sunset, seven days a week.
- Only oysters will be sold. No other seafood will be processed.
- There will be no more than five employees in addition to the owners of the property.
- Transporting oysters from the site will be limited to small, refrigerated, box-size trucks with no tractor trailers.
- Wetlands delineation will be provided.
- All refrigeration units will be located inside the structure.
- No more than three boats will be located at the dock.
- The maximum length of any boat will not exceed 30'.
- There will be no signage or on-site retail sales.
- The lights will be attached to the building and will be motion sensor or cut-off fixtures.
- Low level lighting may be installed along the dock for safety purposes.

Terry Gore seconded the motion.

Vote: Ayes – Unanimous

This will be considered by the Board of Commissioners at their meeting on June 5, 2017.

Terry Gore made a motion to have Beth Midgett again join the meeting. Chairman Finelli seconded the motion.

Vote: Ayes – Unanimous

OTHER BUSINESS

None

ADJOURNMENT

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

Vote: Ayes – Unanimous

The meeting adjourned at 7:30 p.m.

Respectfully Submitted,



Sharon L. Flatt
Planning Board Clerk

APPROVED: June 12, 2017



John Finelli
Chairman, Dare County Planning Board