

## MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, September 8, 2014. 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** 7:00 pm

**MEMBERS PRESENT** Elmer R. Midgett, Jr., Chairman John Finelli  
Michael Barr Dan Oden  
Richard "Ricky" Scarborough, Jr. David Overton

**MEMBERS ABSENT** Beth Midgett

### APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the July 14, 2014 meeting of the Dare County Planning Board, Michael Barr made a motion to approve the minutes as submitted. David Overton seconded this motion.

Vote: Ayes – Unanimous

### PUBLIC COMMENT

-None-

### OLD BUSINESS

-None-

### NEW BUSINESS

***Preliminary Plat Review, Payne Estates Three Lot Subdivision, Burnside Road, Roanoke Island***  
Ray Meekins, Surveyor, was present on behalf of the property owners.

Donna Creef addressed the board. This is a preliminary plat review of Payne Estates Subdivision Section 2, lots 7 through 9 with the remainder for future development. The lots are in excess of the minimum lot size of 20,000 square feet and would be allowed to install a private well if so desired. The three lots have frontage along Burnside Road which is a state-maintained road. The subdivision exceeds the acreage that is allowed as an exemption review so it has been brought before the Planning Board.

John Finelli asked how many lots will use the 20' wide access to the area designated as future development. Ray Meekins said preliminary sketches of the future development indicate only one

lot will use that access. There is ample road frontage for the balance of the lots that will be developed in the future.

Michael Barr made a motion to grant preliminary plat approval for subdividing lots 7 through 9 of Payne Estates Section 2. David Overton seconded the motion.

Vote: Ayes – Unanimous

***Sketch Plan Review, Murray Bay Two Lot Subdivision, Mare-Vista Drive, Frisco***

Murray Clark was present at the meeting.

Donna Creef told the board the proposed plat depicts lots 4 and 5 on property that Mr. Clark owns in Frisco. This subdivision exceeds the threshold for administrative review so it has been brought before the Planning Board. Both lots have improvements and their driveways connect to Mare Vista Drive which is a private road. No additional road improvements are proposed. There are individual septic tanks on the property. A storm water management plan is not required. The overlay of the lot lines will not create any new nonconformity. If the canal is navigable, it will be subject to CAMA regulations and may require a 30' area indicated on the final plat and as well as CAMA exemption language.

Donna included photos of the property with her comments to the board members. There are partially dismantled mobile homes and travel trailers along with piles of debris on the property. Mr. Clark has indicated that the property is in the process of being cleaned up. The board may want to consider requiring cleanup of the site before recordation of the final plat.

Mr. Clark said both lots are connected to the public water system. Chairman Midgett said he does not see any indication of the type of land on the lots, whether it is marsh or wetlands. Mr. Clark said there are not any wetlands on the property. Michael Barr said a 1997 plat was recorded that did show wetlands. Mr. Clark said there was a CAMA violation that has been signed-off for the property. Dona Creef said she believes the violation was associated with Mr. Clark's property in Buxton so if there was any violation at this Frisco property, we will need to confirm this.

Michael Barr explained to Mr. Clark that the CAMA requirements are not the same as 404 Wetlands requirements and each are administered by different agencies. The Army Corps of Engineers administer 404 Wetlands requirements.

There was a discussion between Donna Creef, the Planning Board and Mr. Clark about the status of the plat and how to proceed. It may take some time to comply with 404 Wetlands and CAMA requirements. Mr. Clark asked if he could bring an updated plat to a later meeting.

Michael Barr, John Finelli, Donna Creef, and Murray Clark discussed specific concerns with the plat as provided. Donna Creef summarized the issues that need to be resolved to move the subdivision forward. Mr. Clark will need to provide a 404 Wetland Verification plat signed by the Army Corps of Engineers, verify the status of the property with the NC Division of Coastal Management, revise the plat to indicate that Mare Vista Drive is a private road, indicate the amount of area covered by the canal and the amount of usable area, indicate the location of culverts and provide recorded references for adjoining properties. Mr. Clark will also need to continue with clean-up at the site.

The proposed Murray Bay Two Lot Subdivision was deemed a sketch-plan review at this time and no action was taken. Donna Creef will prepare a letter to Mr. Clark outlining the items to be addressed prior to re-submission of a preliminary plat.

**OTHER BUSINESS**

None

**ADJOURNMENT**

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

Vote: Ayes – Unanimous

The meeting adjourned at 7:30 p.m.

Respectfully Submitted,



Sharon L. Flatt

Planning Board Clerk

APPROVED: October 13, 2014



Elmer R. Midgett, Jr.

Chairman, Dare County Planning Board