

**TOWN OF EMERALD ISLE
PLANNING BOARD MEETING
MONDAY, APRIL 28, 2014**

Chairman Jim Craig called the meeting to order at 6:00 pm. Members present were: Fred Fremaux, Ken Sullivan, Tom Kelly, Pete Wachter and Jim Normile. Also present was Kevin Reed, Planning and Inspections Director and Peggy Grammer, permit technician.

A motion was made by Jim Craig to excuse Bill Keadey. The motion was seconded by Pete Wachter and passed unanimously (5 to 0).

A motion was made by Pete Wachter to approve the minutes of the Planning Board meeting held on November 25, 2013. The motion was seconded by Ken Sullivan and passed unanimously (6 to 0).

Consider the Election of a Vice-Chairman for Planning Board

Mayor Eddie Barber previously served as Vice-Chairman for the Planning Board. Following the November 2013 election of Mayor Barber, the Planning Board has not had a member to serve as its Vice Chairman. The Vice Chairman serves as the leader of the Planning Board in the absence of the Chairman. At this time, Town staff suggests that the Board conduct an election in order to have one of its members serve as Vice-Chairman.

Tom Kelly suggested that it would be appropriate to have Ken Sullivan or Pete Wachter serve as Vice Chairman since they have been on the Planning Board the longest. Ken Sullivan nominated Pete Wachter to serve as Vice Chairman. The motion was seconded by Tom Kelly and passed unanimously (6 to 0).

Mr. Reed advised that for the month of March 2014, the Planning and Inspections Department had issued permits with a total value in excess of \$2,232,702. This brings the fiscal year total to over \$12 million in construction value for all permits and the department has collected approximately \$119,952 in permit fees. Mr. Reed also indicated that the number of permits for new construction so far this fiscal year had already met the total for all of last fiscal year.

Consider a request from Stroud Engineering, PA, on behalf of Island Ventures Emerald Isle, LLC, for the rezoning of 101 Islander Drive from Business (B) to the Village West (VW) Zoning District.

Mr. Reed informed the Planning Board that a request has been received from Stroud Engineering, PA, on behalf of Island Ventures of Emerald Isle, LLC, for the rezoning of 101 Islander Drive from Business (B) to the Village West (VW) Zoning District. The property contains approximately 4.42 acres and is the location of The Islander Suites. The owners are seeking the rezoning to Village West so they can proceed with additional redevelopment plans for the property. The Town owns the property immediately to the west, which is zoned Government (G), and is the location of the Western Ocean Regional Access. The property

immediately to the east, which is the Boardwalk RV Park, is privately owned and is currently zoned Business (B). The property immediately to the north is also zoned Business (B). It should be noted that the property proposed for rezoning is located within the boundaries of the Village-West Redevelopment Area as currently delineated in the Town's 2004 CAMA Land Use Plan (LUP), specifically the Future Land Use Map (FLUM). Therefore, the rezoning would be consistent with the Town's CAMA LUP. Attached to this memorandum is an aerial photography excerpt which shows the property to be rezoned from Business to Village-West as well as adjacent land uses.

Tom Kelly asked the property owners what their intentions were for redevelopment. Samer Hamad indicated that their plans were for additional commercial development including additional rooms. Ken Sullivan made a motion to recommend approval of the rezoning from Business (B) to Village West (VW) to the Board of Commissioners. Pete Wachter seconded the motion and it passed unanimously (5 to 0).

Discussion regarding possible changes to Chapter 6, "Development Standards", Section 6.3.3., "Stormwater Management Standards", Paragraph 6.3.3(2), "Design Standards" of the Town's Unified Development Ordinance (UDO) in order to amend the stormwater regulations for certain residential projects.

Mr. Reed informed the Planning Board that Town staff would like to discuss a possible amendment to Chapter 6, "Development Standards", Section 6.3.3, "Stormwater Management Standards", Paragraph 6.3.3(2), "Design Standards", of the Town's Unified Development Ordinance (UDO) in order to amend the stormwater regulations for certain residential projects. Currently, the aforementioned section of the UDO requires certain small residential to have a stormwater plan prepared by a licensed professional engineer and essentially meeting the same design requirements as a commercial project. The requirement for an engineered plan is mandated only if the grading activity for the lot results in an average of more than 2-feet of fill being placed on the disturbed portion of the lot prior to the construction of a home. If more than 2-feet of fill threshold is not met or exceeded, then the owner/builder may prepare their own typical stormwater plan by performing some basic calculations and design the stormwater collection system themselves.

Mr. Reed advised that the requirement for a typical stormwater plan vs. an engineered plan for a home is expensive from both a permitting and construction/design standpoint. For example, the stormwater permit fee for a typical single-family home or duplex is currently \$50 and the permit fee for an engineered stormwater plan for a single-family home or duplex is currently \$750. In addition, the actual costs of hiring an engineer to prepare an engineered plan can be costly as opposed to a homeowner or builder preparing the plan themselves. Finally, a typical stormwater plan for a home can cost anywhere from a few hundred dollars upwards which is significantly higher than the thousands of dollars in costs for an engineered system. Again, an engineered stormwater plan for a single-family home or duplex is designed and constructed to the same standards as a large commercial project.

Town staff believes that even if the 2-foot of fill limitation is exceeded, that a typical stormwater plan is sufficient to manage the stormwater on site for a single-family home or duplex and is requesting that the Planning Board consider an amendment to the UDO that would alleviate the requirement for an engineered plan based on the 2-foot fill threshold being exceeded. Large

residential projects (multi-family projects) and single-family homes and duplexes that disturb more than 10,000 square feet would still be required to meet the engineered plan standards. The 10,000 square feet of disturbed area is a requirement that makes the Town's stormwater regulations consistent with the State's guidelines of the Universal Stormwater Management Program; therefore, no changes to this requirement are suggested at this time.

Attached to this memorandum you will find a copy of an amendment to the UDO for the Planning Board's consideration. Text being deleted is shown in a strikethrough format and text being added is shown in an underlined format. If the Board finds the proposed amendment to the UDO acceptable, it would be appropriate to make a recommendation in favor of the amendment to the Board of Commissioners.

In response to a comment previously received from Ken Sullivan, Mr. Reed suggested two minor revisions to the amendment previously presented to the Planning Board. Pete Wachter asked why sand was used in our foundations for new homes and not clay. Mr. Reed indicated that the Town Code required that compatible fill material be used with is consistent with the soil type found in Town. Jim Craig inquired how Town staff determined that the stormwater containment is done correctly and do clients have to come to the Planning and Inspections office for permits. Mr. Reed informed the Planning Board that a stormwater permit is issued for all new residential development and at other times as required by the nature of the permit activity. He further stated that as part of the permitting process, staff conducts required stormwater inspections. A motion was made by Pete Wachter to recommend to Board of Commissioners the proposed amendment to the UDO as modified by staff. The motion was seconded by Jim Normile and passed unanimously (5 to 0).

There being no further business to come before the Board, a motion was made by Fred Fremaux to adjourn. The motion was seconded by Tom Kelly and passed unanimously (5 to 0). The meeting was adjourned at 6:25 PM.

Respectfully submitted by:

Peggy Grammer, Secretary
Town of Emerald Isle Planning Board