

**TOWN OF EMERALD ISLE
PLANNING BOARD MEETING
MONDAY, September 28, 2015**

Chairman Ken Sullivan called the meeting to order at 6:00 pm. Members present were, Ryan Ayre, Candace Dooley, Jim Osika, Steve Leroy and Paul Schwartz. Also present was Josh Edmondson, Town Planner.

A motion was made by Paul Schwartz to excuse Tom Minnick from the meeting. The motion was seconded by Ryan Ayre and passed unanimously (5 to 0).

A motion was made by Candace Dooley to approve the minutes of the Planning Board meeting held on August 24, 2015. The motion was seconded by Jim Osika and passed unanimously (5 to 0).

With the recent resignation of Pete Wachter, the Vice-Chairman seat was vacant and in need of replacement. Candace Dooley made the motion to elect Paul Schwartz as Vice-Chairman. The motion was seconded by Jim Osika and passed unanimously (5 to 0).

SUBJECT: Report from Town Planner

Town Planner, Josh Edmondson gave his report informing about the Town Community Informational Sign. There was discussion about the issue and members felt that this was not keeping with the family beach environment. Steve Leroy made a motion, seconded by Jim Osika that as an advisory committee of the Town the planning board views the information sign as not keeping with the family beach environment and is opposed to such. The vote passed (3 to 2) with Leroy, Osika and Schwartz in support and Dooley, Ayre not in support due to insufficient information. A brief overview of the monthly inspection figures were provided for August 2015.

SUBJECT: UDO Text Amendment to UDO Chapter 6 Development Standards, Section 6.1.3 Commercial Structures, (2) Permitted Exterior Colors

The Planning Board and Staff discussed the revision to the amendment based on discussion from the August Planning Board meeting. The proposed amendment was as follows:

Permitted Exterior Colors

- (2) The proposed exterior structure colors for facades and walls shall be of low reflectance, subtle, neutral, or earth tone colors. Building trim and accent areas may feature brighter colors. Colors for new construction will be approved by the Board of Commissioners as part of the commercial review process. For existing buildings, exterior commercial colors must be approved by the Town prior to the painting or repainting of any commercial structure. The colors to be used for the repainting of existing structures may be approved by the Planning Director based on the criteria and intent stated in this [section 6.1.3](#). The Planning Director may request review of the colors by the Planning Board and approval by the Board of Commissioners if doing so is in the interest of maintaining a family beach image.
 - (a) A request can be made for an exterior color that is not of low reflectance, subtle, neutral or earth tone. A request should meet one of the following two criteria: the business in that structure is a national chain or franchise that requires a certain color, or the name, product or service of the business denotes something other than low reflectance, subtle, neutral or earth tone color. Applicant shall have the burden of proving to the reasonable satisfaction of the Town that the exterior color falls under or meets one of the two criteria, and that granting approval is necessary or furthers a legitimate business interest of the applicant. A request for a

color other than a one of low reflectance, subtle, neutral or earth tone, without meeting additionally one of the two criteria, shall result in denial.

Steve Leroy recommended an addition to the proposed amendment as follows:

(b) The applicant may be requested to create a panel of desired color or colors for the Planning Director and Board of Commissioners to better visualize the ordinance compatibility

A motion was made by Ryan Ayre to approve the amendment as submitted including the addition to the amendment proposed by Steve Leroy. The motion was seconded by Candace Dooley and passed unanimously (5 to 0).

Subject: Board Comments

Steve Leroy raised concerns about the exterior trim colors being allowed to be of brighter colors. It was recommended to make a revision as follows:

Building trim and accent areas may feature brighter colors as approved by the Planning Director.

A motion was made by Ryan Ayre and seconded by Jim Osika to approve this amendment. It passed unanimously (5 to 0).

There being no further business to come before the Board, a motion was made by Candace Dooley to adjourn. The motion was seconded by Paul Schwartz and passed unanimously (5 to 0).

Respectfully submitted by:

Josh Edmondson, Secretary
Town of Emerald Isle Planning Board