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**MINUTES OF THE SPECIAL MEETING
OF THE EMERALD ISLE BOARD OF COMMISSIONERS
WEDNESDAY, MARCH 17, 2010 – 6:00 PM
TOWN BOARD MEETING ROOM**

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1. Call To Order

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The special meeting of the Emerald Isle Board of Commissioners was called to order by Mayor Art Schools at 6:00 PM in the Town Board Meeting Room.

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2. Roll Call

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Present for the meeting: Mayor Art Schools, Mayor Pro-Tem Floyd Messer, Commissioners Nita Hedreen, Tom Hoover, John Wootten, and Maripat Wright.

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Others present during the regular meeting: Town Manager Frank Rush and Town Clerk Rhonda Ferebee, and Planning Director Kevin Reed.

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3. Pledge of Allegiance

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All who were present recited the Pledge of Allegiance.

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4. Commercial Site Plan Review – Island Harbor Marina

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Planning Director Reed had no further information to add following the regular meeting of March 9, 2010 and turned the discussion over to Andy Harris, attorney representing Island Harbor Marina.

Andy Harris, attorney representing Island Harbor Marina, spoke to the Board noting that the Board should have received earlier in the day revised elevations addressing the items requested by the Board at their previous meeting.

Mr. Harris highlighted the following 5 items:

- 1) Site plan showing the secondary entrance has been moved 150 feet from the intersection;
- 2) Center element has been raised on all four sides above the roofline as discussed, and noted explanation concerning the issue of the cupola;
- 3) Color drawings showing the elements for the elevations as requested;
- 4) Shutter detail added on the east elevation;
- 5) Dimensions of build-outs

Mr. Harris indicated that architect Stephanie Van Noordt was present and would address all of these additional items and he hoped they had addressed the Board's concerns.

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Ms. Van Noordt answered many questions posed by the Board and provided more detailed explanation of the submitted drawings. Ms. Van Noordt explained that as they didn't know the timeline between Phase I and Phase II they were not including the cupola as part of construction of Phase I but would add that into Phase II so that it matches up on both elevations on the east and west elevations.

There was much discussion about the roofline, and projections of the cornices and feature details. Commissioner Wootten expressed concerns that the roofline did not satisfy the requirements of the ordinance.

Commissioner Hedreen stated that no one questioned the architects integrity or years of experience but that they were trying to express what they had expected and had hoped to see. Commissioner Hedreen noted that the ordinance had been changed to make this project more affordable, they went from the 4:12 roof to .5:12 roof to try to help with the idea that they would have some roofline break. There was then a split decision on the marina overlay and in the end the Board put that aside and allowed them to bring this to the Board in good faith but she still felt the ordinance had not yet been met. Commissioner Hedreen said she believed in this project but felt they didn't have enough roofline yet and that they needed the 18 inch projections.

Mr. Harris said the projections shown would create shadow, not as much as being out 18 inches and having the roof overhang out 18 inches would create shadow effects as well.

Rhett Ricks, owner, Island Harbor Marina, stated that it was the people in the audience who they were trying to keep the project affordable for and if the Board kept hanging all this stuff on this building his slips would go anywhere from \$5,000 to \$8,000 per slip which was not the market here. Mr. Ricks said they took into consideration what they thought the little guy could afford.

Mayor Schools summarized the different items in order to gauge the Board's opinion beginning with the roof projecting out 18 inches and the side projections from the walls coming out 8 inches. The majority of the Board was in agreement as far as these projections from the building.

Next, was the issue of how high the roof should be above the drystack. Mayor Schools in speaking with Ms. Van Noordt confirmed that there was 18 inches above the regular roofline that the siding would extend. The bottom of the overhang to the top of the overhang was 8-10 feet. The majority of the Board was in agreement with what was shown on the drawings regarding the roofline.

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2 The Board then discussed the issue of the cupola not being included on Phase I.
3 The Board was in complete agreement that they would like to see the cupola on
4 the east side and also on the west side. Ms. Van Noordt stated this could be
5 done but they would still need to be able to drain water at the center point.

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7 Mayor Schools asked for any public comment.

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9 Al Kulhawik, 8630 Sound Drive, Unit 3A1 in Sunset Harbor Condominiums,
10 adjacent to this project, commented about the location of the drystack buildings.
11 Mr. Kulhawik said he had gotten a copy of the layout of the buildings. Mr.
12 Kulhawik stated that the people in building 6 and 7 when coming out on their rear
13 deck would look this building right in the face. His question was whether there
14 was a reason these buildings had to be located where they were such as zoning,
15 or could they have been moved for the views of Sunset Harbor buildings 5, 6,
16 and 7.

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18 Mayor Schools said the applicants chose the place to put the buildings and met
19 all the setback requirements. Mayor Schools said the marina had been in
20 discussion for about a year with numerous meetings and the Board had sought
21 input from the neighboring property owners. Mr. Kulhawik was the first person
22 from Sunset Harbor to come before the Board and comment. Mr. Kulhawik
23 added that he had no qualms about the looks of the building – a drystack is a
24 drystack.

25
26 Mark Johnson, 118 Port Watch Way, Wilmington, NC said he was a marina
27 consultant for many years, and felt this project was well in the mid 90% as far as
28 quality. He felt this was a first class project and they should embrace it.

29
30 Dan Allen, 8605 Sound Drive, said he lived directly across from the marina and
31 would be looking at the east side of the building. Mr. Allen said whether he
32 wanted the drystack there or not was irrelevant, what he did want was access to
33 the water and to be able to use a facility as nice as what was planned.

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35 ***Motion was made by Commissioner Messer to approve the project as***
36 ***presented with the addition of the cupolas on the east and west side, and***
37 ***subject to the following conditions:***

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- 40 • approval of on-site septic disposal system by Carteret County Health Department,
 - 41 • approval of modification to Major CAMA permit by NC Division of Coastal Management,
 - 42 • approval of modification to Town storm water permit,
 - 43 • approval of modification to NC DWQ storm water permit, and
 - 44 • shielding of exterior lighting on western property boundary.
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Commissioner Hedreen stated that she supported this project but felt that she had to try to get the best looking project they could because she hoped the structure stands for many years and hoped that they quickly added Phase II; she did have concerns about their neighbors and wanted to do everything possible to make it as pleasing as possible.

The Board voted unanimously 5-0 in favor. Motion carried.

5. Adjourn

Motion was made by Commissioner Messer to adjourn the meeting. The Board voted unanimously 5-0 in favor. Motion carried.

Respectfully submitted:

Rhonda C. Ferebee, CMC
Town Clerk