

Town of Oriental Planning Board Meeting
and Continued Special Meeting
February 27, 2007

The Oriental Planning Board met on Tuesday, February 27, 2007, at 7:00 pm at the Oriental Town Hall. Present were board members Cox, Marlowe, Olson and Sage. Mr. Miller was absent. Also present were Commissioners Herlands and Venturi as well as 11 members of the public.

Chairman Sage opened the meeting and led the Pledge of Allegiance.

MOTION: Mr. Marlowe made a motion to approve the January 30, 2007, minutes. Second by Mr. Cox. Vote 4-0.

MOTION: Mr. Olson made a motion to approve the Town Board/Planning Board/SAG Joint Meeting minutes after changing "minority report" to "Mr. Smith's report". Second by Mr. Marlowe. Vote 4-0.

Approval of minutes for the on-going special meeting on Article XI were deferred until the meeting is completed.

River Neuse Suites – Special Use Permit

Before discussing the SUP application the commissioners were asked to leave the meeting to avoid potential violation of state statute when they hold a SUP hearing on the project in March.

According to state law, Mr. Olson's relationship with the River Neuse Suites does not constitute a conflict of interest. However, to avoid misperception, he asked to be excused from the discussion.

MOTION: Mr. Cox made a motion to excuse Mr. Olson from the River Neuse Suites discussion. Second by Mr. Marlowe. Vote 4-0.

The public hearing was opened by Mrs. Sage. Two speakers signed up to speak.

During the public comment period, Mr. Joe Harris spoke on behalf of his mother-in-law, Mrs. Lillian Stahnten, who lives next door to the River Neuse Suites. He raised concerns about drainage off of the adjacent structure, which is just 2 feet from the property line. With no gutters in place, the rain water runoff is flooding Mrs. Stahnten's back yard. He also pointed out that the builders are not taking care to clean up the site and the mess is affecting the neighborhood.

Mr. Dick Moat then spoke. A copy of his statement is in the minutes book. One of Mr. Moat's suggested conditions included requirement of the developers to adhere to Section 160, Multi-unit Development. As this section applies to multi-unit residential

development and not commercial multi-unit development, the Planning Board requested that the Town's attorney counsel the Town if this is possible.

MOTION: Mr. Marlowe moved and Mr. Cox seconded a motion to close the public hearing.

The Planning Board recommended the following conditions be attached to the River Neuse Suites' SUP if the Commissioners approve granting one:

MOTION: Mr. Marlowe moved and Mr. Cox seconded a motion to recommend the following conditions:

- The developer shall not divide or sell off any portion of this MU-zoned property.
- The property owners shall adopt similar covenants to those of the Oriental Marina Motel, which require that all units remain in a rental pool as motel units and that the owner of each unit is restricted in personal use of the unit.

Vote: 3-0, Mr. Miller absent and Mr. Olson excused.

MOTION: Mr. Marlowe moved and Mr. Cox seconded a motion to recommend the following condition:

- The Town shall obtain an agreement to keep construction site clean so as not to disturb neighbors' properties.

Vote: 3-0, Mr. Miller absent and Mr. Olson excused.

MOTION: Mr. Marlowe moved and Mr. Cox seconded a motion to recommend the following condition:

- Any maintenance required at the north or west sides of the building and property will require advance notice to and permission from adjacent neighbors and due diligence to protect their property.

Vote 3-0, Mr. Miller absent and Mr. Olson excused.

MOTION: Mr. Marlowe moved and Mr. Cox seconded a motion to recommend the following condition:

- A proper on-site drainage system including gutters and downspouts will be installed to insure that storm water runoff is addressed on the development's site.

Vote 3-0, Mr. Miller absent and Mr. Olson excused.

MOTION: Mr. Marlowe moved and Mr. Cox seconded a motion to recommend the following condition:

- Require reduction of non-conformity of parking if there is future development.

Vote 3-0, Mr. Miller absent and Mr. Olson excused.

Camp Creek – Final Plat Approval:

MOTION: Mr. Olson made a motion to recommend approval of the final plat with corrections suggested by Mr. Marlowe and with conditions imposed by the Town Board added to the plat. Second by Mr. Marlowe. Vote 4-0, Mr. Miller absent.

Mr. Herlands noted that the developers did not submit a corrected preliminary plat. Therefore, this plat should go before the Town Board for preliminary plat approval before it is returned to the Planning Board for final plat approval.

Mrs. Sage reported that she sent to Judy Hills a list of GMO inconsistencies and encouraged the Board to continue to look for problems. The Planning Board would like to meet with Ms. Hills and will invite her to the next Planning Board meeting.

The Planning Board has met 4 times and is continuing their discussion on Article XI changes.

MOTION: Mr. Marlowe made a motion to continue the special meeting concerning Article XI until March 1, 2007 at 1:00 pm. Second by Mr. Olson. Vote 4-0, Mr. Miller absent.

Mr. Cox is still working on an ordinance for storm water management and pervious surface definition. He will research to find what materials are accepted as pervious by state agencies.

The Board recognized that an appropriate major/minor subdivision ordinance is needed but will postpone action until a later date.

Discussion of overlay districts will commence as soon as Article XI recommendations are finalized.

BUDGET REQUESTS:

1. Countywide shared planner – Mr. Cutler and Mrs. Sage will meet with ECC on March 6th to discuss this and will hopefully get an estimated cost.
2. Comprehensive plan – Mr. Cutler and Mrs. Sage will also meet with ECC on March 6th to get an estimated cost for assisting the Planning Board in developing a comprehensive plan.
3. Mr. Cox has requested to attend a 3-day session at the Rural Economic Development Institute at a cost of \$495 not including lodging.

4. The Board would like to keep the \$1,800 line item for misc. expenses (memberships, seminars, equipment, etc.)

CAMA LUP UPDATE: It has been distributed to agencies. Responses due back to Ms. Maureen Will by 3/20/07 and recommended changes to us soon afterwards. If changes needed, document goes back to Ms. Will for final approval, then the town can advertise a public hearing to adopt it. Minor editorial changes can be made at that point, but substantive changes such as rewordings that alter basic intent of policy statements or changes in timelines for action shall require a new public hearing.

Mr. Cutler and staff will collect, inventory and make available all official town plans for the Planning Board to review at their March meeting.

Mr. Daniel Van Liere of ECC will be invited to come to the next Planning Board meeting to train the Planning Board, the Commissioners and staff on the mapping technology given to us. The March 27, 2007, meeting will begin at 6:00 pm.

RIGHT-OF-WAY RESEARCH: The person originally hired to work on this stated that the plans were “such a mess”, fixing it would cost more than the \$1500 originally agreed upon. If the town is still interested in having this work done, an intern may be available but he/she would have to be trained. To minimize the effort, the town could encourage citizens to share their research if needed for letters of compliance. The Board did not see an immediate need to pursue an intern.

ECC-SPONSORED RETREAT – Ms. Judy Hills highly recommends that the Planning Board consider attending a retreat when the board’s new year begins in June. It could help to set up priorities.

Prof. Voiland, Chairman of the Water Access Study Committee, shared information on a possible educational session on conditional zoning. Mr. Cox is interested in attending. Mrs. Sage will keep the Town and Planning Boards posted on details.

Dr. George Duffie submitted a letter, with pictures, requesting the Town to help with a storm water runoff issue on Vandemere Street. Mr. Cutler said the Town plans to address the problem.

Review of Permits issued:

1. Daniel Dupont, 305 High Street – shed
2. Richard Jones, 1010 Link Road – enclose deck and add 4’ x ‘14’ extension to deck
3. Joe McGovern, 104 Gull Circle – storage building and in-ground pond
4. Kenneth Midyette, 206 Mildred Street – roof on back of porch and screen porch
5. Ty Guy Building for Robert and Linda Applegate, 101 Neuse Drive – single family residence.

PUBLIC COMMENT PERIOD: Ms. Herlands encouraged the Planning Board to move forward with the Harbor Waterfront Overlay District.

MOTION: Mr. Olson made the motion to adjourn. Second by Mr. Marlowe. Vote 4-0.

Meeting ended at 9:30 p.m.

Dee Sage, Chairman

Paul Olson, Secretary