ORIENTAL PLANNING BOARD MINUTES

Wednesday, November 20, 2019 3:00PM
Oriental Town Hall – 507 Church Street, Oriental, NC

CALL MEETING TO ORDER AND ESTABLISH QUORUM

PRESENT: Chairman Aeschleman, Member Flaherty, Member Lohmar, Member Willi, LUA Miller, Commissioner Overcash, Mayor Pro Tempore White.

Chairman Aeschleman called the meeting to order at 3PM.

Approve Minutes from Workshop October 25, 2019. Having made two minor corrections to the October 25, 2019 Minutes, Member Lohmar made a MOTION to accept the amended Minutes. Member Flaherty Seconded. 4-0.

OLD BUSINESS

- Solar Ordinance progress/ potential review of language (included email from Cherry Point). Draft documents were provided to all members and the Public prior to the meeting. Need to define primary structure- and also redefine footprint: "The area covered by the roof of a building"(existing)ADD: "inclusive of an enclosed and attached garage or carport"
    - LUA Miller draws attention to the compliance forms attached today- shed is larger than primary structure- we have no regulation preventing that.
    - Solar 2 document: Last bullet changed and moved up to #1.
    - Solar 3: TPU: make S's X's in R-1, R-2, R-3- no commercial solar enterprise in residential zones.
    - Somehow make the E's in PUT in Ground mounted accessory to new principal construction clearer that it is not a SEPARATE permit required, but must be included in the new construction paperwork.
    - Note literature that is supportive of property values.
    - What about those panels used for boats/R/Vs.
    - What is an array?- any not roof mounted panels used for stationary buildings- RV and boat panels are removable/mobile.
    - Dr. Aeschleman recaps that Diane will add the sections from the Pamlico Ordinance and then recirculate for any issues that need to be addressed before we send a final draft to the Town Board.
    - LUA Miller notes that Cherry Point has finally responded and forwarded us direction to the Onslow County Ordinance. Also had conversation with member of the Pamlico County Planning Board. Confirmed the identity of the entity to contact at Cherry Point. Also raised the issue that if approving solar farms, would require that the controlling software/hardware be manufactured in the United States so as not to be able to be hacked from an outside entity. Dr. Willi: Why would I care if someone hacks Stan's solar farm? If the controller is providing energy back to the energy company, which is then redistributed and becomes dependent on that source of energy, then that energy is removed, the grid does not have enough supply to meet the demand- hence the grid fails. This is a longer range potential problem. Would like to see the agreement with the potential farm in the County for the exact requirements. Mayor Pro Tempore White- most of

these controllers are enabled with Bluetooth, so the potential for hacking a widespread network increases.
    - Dr. Aeschleman asks for a motion to send to the Town Board a request to set a Public Hearing following the holidays, where they can look at/approve an addition of a solar ordinance. Member Lohmar moves, Member Willi seconds. 4-0
    - LUA Miller asks that the request be made for February to ensure more Public participation- usually we have little until after the holidays and this is an issue we want to hear from the public prior to enactment. Chairman Aeschleman agrees.
    - LUA Miller notes that the Minutes from 10/31 clearly says WITH Public participation and should say WITHOUT public participation- asks for that to be amended. Chairman Aeschleman proposes the correction be made- Board agrees.

- Sign Ordinance revision (see attached Cary Ordinance, Minutes from 10/25, TB Minutes 10/31)
    - Chairman Aeschleman asks for requests from the Board concerning the Sign Ordinance revision- where are we?
    - LUA Miller notes that the discussion has gone back and forth between the Board and the Planning Board several times. After giving the Town Board what they requested, the unintended consequences of following their direction has led to additional discussion and direction. Member Lohmar and Member Barrow attended the last Board meeting where clarification of what was desired was passed.
    - We enforce what becomes obstructive in the ROW- not ALL signs in the ROW. We need to be more specific. The last draft eliminated sites from normal use that were still desirable. The Town Board wants to ban signs on Town HALL property, not all Town property, and also on our waterfront properties. This eliminates the problems with the banner over the street, Lou Mac Park, directional signage and waterfront issues.
    - Chairman Aeschleman notes that if someone wants to put a banner on the street for a controversial issue (which has yet to happen), then we have to do that also. In making a banner resolution, similar to the closing of streets resolution for annual events, each individual organization that normally annually puts up a banner would have to get on the list without the possibility of additional banners being able to be put up without the Board approving them ahead of time.
    - Also- the attorney is concerned with MANY things in this Ordinance- we are NOT currently charging nonprofits for erection of a sign, but charging FOR-profits- that's discriminatory. He suggested we look at Cary's, cut out the superfluous, put our stuff into their framework, and try again. Chairman Aeschleman notes that they appear not to allow ANYTHING in the ROW either- this would require additional time/personnel to enforce. Member Lohmar notes that likely it would only take a few times of the signs being removed for those doing it would get the problem solved. LUA Miller agrees except for the places where we have no sidewalks. If we do not provide sidewalks, people should not be walking on that area anyway- and then the signs tend to proliferate in those areas- and also those areas where- after the ROW, there is a precipitous drop in the grade into deep ditchline- no other alternative. Chairman Aeschleman noted one community was removing the same signs daily. This community spends 8 hrs/week removing signs. Of course we do not have the same amount of geography to cover.

- Chairman Aeschleman notes the next step is for the LUA to draft something, run it past the attorney and then bring it to the Planning Board, then we ask for the Public Hearing. Yes.

NEW BUSINESS

- Compliance forms for review: Rost (addition)- bathroom extension on a very large lot- meets all of the setbacks, Collins (Addition/carport enclosed)Ragan Rd- existing carport- to be enclosed and also extend and enclose a rear deck- meets all standards, Ricker (shed-large) corner of Ragan and Lupton. Note- LUA had changed a setback from 12' (from neighboring property line) to 14' from existing shed, but the shed is no longer there, so approved at 12' from neighboring property. The empty property next to it is not the Fulcher property- that's further down the street, but it is still currently undeveloped property. Already spoke to CAMA- it is outside of the 75' setback. Everything about the proposed building is within our regulations. Driveway to the garage/shed was approved two years ago, and it is lined up with this proposal. Other small shed on property is still in place.
- Potential SUP request coming for construction of new hardware store on currently vacant lot. Hardware store currently is owned by someone other than the owner of the lot/building and it is leased. They are looking to consolidate into one building. Current trailers will not be permitted on new lot. Owner says they are likely not to carry it once moved over. Trailer not secured in any way from wind/flood damage. Likely that the Planning Board/Town Board would require sidewalk be required and they would have to comply with the Broad Street Overlay district regulations. Concerns on parking/movement. Curb is currently not cut- they would have to get permission from NCDOT to cut that curb- also may be outlet on Mildred- there are already issues with cars leaving Mildred onto Broad- may be more/less of an issue with increased traffic. Were told to have a basic plan of building/traffic flow and parking requirements.
- Planning Board Member vacancy: Martin was elected to "Higher Office" and will be stepping down from the Planning Board and also Member Lohmar will be leaving the Planning Board. We happen to have two applications- Julie Rahm and Dan Allen. We will forward those to the Town Board for appointment. We also have to look at upcoming term limits as well. Forwarded to the Town Board recommended for appointment.

NON-AGENDA ITEMS / PUBLIC COMMENT

ADJOURN: Member Lohmar makes a MOTION that the meeting be adjourned. Member Flaherty seconds. 4-0. **Next Meeting scheduled for December 18, 3PM**