



ORIENTAL PLANNING BOARD MINUTES

Regular Meeting

Wednesday, December 21, 2016 – 3 P.M.

Oriental Town Hall – 507 Church Street, Oriental, NC

Chairman Dammeyer called the meeting to order at 3:07PM.

Present:, Chairman Dammeyer, Vice Chair Lohmar Member Knapp , Member Aeschleman, Member Flaherty, Manager Miller, Liaison Commissioner Charlie Overcash, Mayor Pro Tempore Barb Venturi, M/M Frank Bacon

OLD BUSINESS

- Approved Minutes from November, 2016, **MOTION** by Member Knapp, Second by Member Aeshleman, 5-0.
- Gallinger SUP request for a short term rental at 409 High St.- Recommendation stands as Chief Moore reports no contact for this property. From October:
- Member Aeschleman made a **MOTION** and Member Flaherty seconded that the SUP request be approved by the BOC for short term rental at 409 High St, pending a report from Chief Moore on the history of the property. (4-0)

NEW BUSINESS

- Bacon Microbrewery- Manager notes Mr. and Mrs. Bacon are present and able to answer any questions. They have proposed a taproom and microbrewery in the old Croakertown building. It requires an SUP to serve alcohol. Only concern from administration is that it will be another establishment able to serve alcohol as the SUP travels with the property. The concern that if all granted SUPs were up and operating, it turns into a strip. The proposed location is across the street from another permitted restaurant/bar currently operating. We would, of course, notify any and all property owners within 150 ft of the property in question, as required by the GMO. The Manager noted that the process delineated in section 86 states that the SUP will be granted unless one of the 7 conditions are proven by evidence presented at the Public Hearing. Member Knapp asks if this includes the whole building, or just their suite. It is just for that suite. Chairman Dammeyer asks how the SUP travels- with the property or the owner? Manager confirms that it moves with the property as filed with the Register of Deeds once approved if approved. Chairman Dammeyer asked if the permit could expire. Manager Miller noted that it expires if significant progress has not been made toward to proposed end result in six months. In this case, the amount of red tape and state and federal permits required may make it seem like progress has not been made, but likely M/M Bacon will be awaiting additional permitting for some time. Manager Miller advised the Bacons to go through our process first as ours is likely the quickest and cheapest permitting process they will face. Member Flaherty asks if the property changes hands and new owners did not use the license, does the ability to use the license expire or does it stay? Manager Miller notes that the SUP moves

with the property. It stays there, regardless of the operators of the site. They could always be able to do that once the use is established on the property. Chairman Dammeyer asks about the confusion following the B&B SUP. Manager Miller notes that the B&B in question originally did not have an SUP, but was grandfathered into its use. Once it closed for over a year for repair, the grandfathered use expired. In order to reopen as a B&B in that zone, they required an SUP. Manager Miller notes that the Planning Board will have another opportunity to discuss the potential SUP at their next meeting, but at this meeting, she encouraged the Planning Board to recommend to the Town Board to schedule a Public Hearing for February.

Chairman Dammeyer opens the meeting up for public comment, noting that the Bacons are in attendance. Mr. Bacon notes that everything they are planning to do is in their application and they are here to answer any questions the Board might have. Manager Miller notes that there is also a Change of Use Form filed with the SUP application. Part of the process includes Bay River signing off so that the business owner is aware if there is an increased impact fee. As this property was formerly retail only, it is likely that an increased impact fee will be required and the Manager hopes that this cost will be revealed to them on the front end instead of while they are gearing up to open. The noted issues have been that two businesses recently opened have been hit hard with increased impact fees. That signature is now required on several forms. The Piggly Wiggly impact changed from grocer to hot food service, butcher operations, etc- a significantly increased impact. The signage is part of a "group" sign, already compliant, the parking for the facility is already compliant and existing. Additional signage under the awnings would require a sign permit, but could easily be compliant if wanted in the future. Question from Vice Chair Lohmar about if on site alcohol consumption is part of the plan- yes, but primarily a brewery. Mrs. Bacon notes the desire to sell other microbreweries' products (Beaufort) and others. Question about serving food- answer- nothing needing a kitchen- nothing needing to be cooked or kept hot or cold. Mr. Bacon offers that the operation will be all electric. Mr. Bacon notes that the distribution will be done in-house- current NC law requires a distributor over 200,000 barrels produced. Local establishments are excited about carrying local product. They are not expecting to hit that threshold. The State and federal regulations each have permits that must be secured. Manager Miller notes that our process is simply whether that use will be allowed on that property- all other permits go through other entities.

Manager Miller notes that a recommendation to the Board to set the Public Hearing is the first step. The Town Board also requires a recommendation from the Planning Board on approval/denial as it pertains to the regulations of the GMO, but the Planning Board does not have to answer those today, as it will be before them at their January 18 meeting, in plenty of time if/when the Town Board sets a Public Hearing. If, for some reason, the Town Board pushes out that request, then associated delays push out, but the Planning Board should not make recommendations for a Public Hearing that has not yet, in fact, been scheduled. Vice Chair Lohmar recommends that Planning members look over the 7 questions in advance to see if there may be some issue with granting this permit.

Chairman Dammeyer notes that people generally do not appear in this meeting, and that it makes sense that the Planning Board be open to comment at their next meeting, noting that the resident notification cannot happen more than 25 days prior to the scheduled Public Hearing. Vice Chair Lohmar makes the **MOTION** to request that the Town Board schedule a Public Hearing for the Bacon Microbrewery Special Use Permit application. Member Aeschleman seconds. 5-0. Chairman Dammeyer makes a MOTION to table further discussion of the SUP request until January 18, 3PM at which time the Planning Board will take up the 7 questions required to be answered for approval. Member Flaherty seconds. 5-0.

Member Flaherty asked if the Microbrewery has a name yet. Mr. Bacon notes the new name as the New Village Brewery. Beer would be inspired by local landmarks and customs- the IPA will be the Highwater IPA, the Old Store Ale, etc.

- Review of revised forms: as directed, the Manager revised compliance zoning forms- added signature required for tree board, Bay River, etc. If street trees are involved, direction is given to protect the Town's tree investment. On the commercial/multiunit requires the Contractor's signature also- noting that they understand the GMO and agree to abide by construction destruction of infrastructure. Land Use Application is basically the same. HOA regs can be required. Occupancy Tax form now requires the property address to be recorded. We were receiving a very detailed document from some and not even addresses of the rental from others.
- 141.1.1- Issue is that two adjacent landowners want to swap some property lines. Neighbors have redrawn lines on several lots in town. Our Ordinance says if not making a larger NUMBER of lots, and new lots drawn are still compliant- there is no process by which they come through us. It falls into the exception, which is why those have not come to the Planning Board. Member Knapp asks if we need to be in that loop. Our maps come from the tax maps, so we do get those. For example, the Inn at Oriental redrew lots from 4 lots to three- they took the last lot, with this redrawing from noncompliant to compliant for size to build. Everyone who has redrawn has come to the office prior to redrawing. All have been exceptions. Planning Board agrees that we are not in the process unless making more lots, or touching more than 10 acres, or if lots run across public streets. If something changes between zones, it must go through the Boards.
- Table and prioritize projects- several projects moved off agendas.
 - Manager notes preference for sidewalk "fees in lieu of", which would fund new construction or repair of existing. This process consists of a new Ordinance whereby any lot developed on a vacant lot in an existing subdivision, would be required to either install sidewalk or remit a "fee in lieu of" for the cost (market) of installation of sidewalk, curb and gutter, to be held in a sidewalk construction and repair line for use on only those projects. It allows you to fund extension of existing. One of those sidewalks in need of a big repair is where the building was removed across from the Vet's office, the sidewalk is an entire step up for the entire

frontage of that building. That whole thing would have to be removed and replaced. Chairman Dammeyer asks if the attorney has any input on the process. Manager will run past. Mapping of existing sidewalks would have to be done and then decide where new be put in.

- Floodplain mapping- does Planning need to attend? The work Planning and Town Boards have done to Ordinances have granted us a 10% townwide discount on flood insurance. Will be worth it for us to peruse the hazard mitigation document to see if there is anything else that we could do to decrease the potential problems from flooding. The meeting scheduled for January 10 is new mapping from 2010 data. Geospatial data plus computer generated scenarios that the average potential track figured in to predict the actual floodplain. Good news is that it is 2010 data and not 2011 data. Also, Oriental removes many structures from the floodplain. Alliance supposedly has more structures in. This meeting will allow you to see the preliminary maps for each residence. We will be taking our tablets up for use by residents.
- Manager asks that the Board prioritize greenspace for new developments. Vice Chair Lohmar asks which is the priority- greenspace or sidewalks? With sidewalks, there also needs to be a plan and a map and a priority list. Two discussions necessary for sidewalks. Chair decides to start with sidewalks and move to greenspace. Manager Miller will provide examples of other Ordinances. One useful tool would be the graphic depiction where parks are now and are not now, so we could easily see the concentration and additional need. Concern is being prepared ahead of requests. Discussion about future annexation requests continues. Generally, developers come in ahead to ask questions that help them blend new and established neighborhoods.
- Chairman Dammeyer lists these two subjects and dark skies and flood hazard mitigation below. Member Knapp asks about sidewalk rehabilitation. Town maintenance lagging behind sidewalk repair. Manager notes that past maintenance had a contractor in to shave sidewalks at \$40,000 throughout town. Special assessments were discussed.
- Vice Chair Lohmar asked about the Hinman house demolition. Manager Miller explains the coordination necessary between demolition and hauling operation. Debris sitting through storms puts us in a worse position, as what happened on Midyette St demolition sitting through the hurricane. Expected demolition should be January-ish. She also asked about sending the SUP documents to CAMA. Manager Miller has sent those documents to CAMA. We, as the adjacent landowner, would be notified prior to construction and given the opportunity to comment.

NON-AGENDA ITEMS / PUBLIC COMMENT- none

ADJOURN Vice Chair Lohmarmade a **MOTION** to adjourn and Member Flahertyseconded. (5-0) Meeting adjourned at 4:15PM.

Eric Dammeyer, Chairman

Diane H. Miller, Clerk to the Board

Approved__/_/____