



ORIENTAL PLANNING BOARD MINUTES

March 16, 2016 – 3 P.M.

Oriental Town Hall – 507 Church Street, Oriental, NC

The Town of Oriental Planning Board held a special meeting on Wednesday, March 16, 2016.

Present: Chairman Eric Dammeyer, Vice Chairman Cecily Lohmar, Member Jackie Mahan, Commissioner Overcash, Member Bonnie Knapp & Member Dick Flaherty

Eric Dammeyer called meeting to order at 3:15 pm and establish quorum.

OLD BUSINESS

- Approved minutes from Special Meeting Minutes from February 17, 2016. Bonnie Knapp **MOVED** to approve the submitted Minutes. Cecily Lohmar seconded the Motion. 5-0 approved.
- **Indexing the GMO-** at the Retreat, the Chairs presented from each Board. Chairman Dammeyer suggested moving forward apace with indexing the GMO over the next several months. If approved as part of the GMO, it would require a separate Public Hearing, if it is a standalone document to be used in conjunction with the GMO, it would not need a Public Hearing. Member Mahan asks if quick reference guides are complete. No. Looking for indexing to use a searchable document.
- Proposed budget for 2016-2017 includes the same amount, including discussing a newsletter from Town, including Planning Issues for education purposes, both electronically and on paper.
- Also want to make sure contractors and realtors are aware of GMO provisions.
- Bysheim application- Land Use Application- Mr. Bysheim application dated 2-29-16, to go with revised CAMA application which was put on hold by Mr. Bysheim at CAMA last February, following our response to CAMA forwarded to CAMA and Mr. Bysheim concerning his proposal (included in your package) from that period (February 2015). New application addresses some of the questions raised in our response- most notably the permeable/impervious surface required for travel lift. Revised application substitutes gravel by proper size for previously noted concrete impervious surface. Dredging is solely up to CAMA. The washwater collection system: enlarging washpad and enclosing the system are added to the new application. Last application required Special Use Permit required same restrictions as Car Wash. Following our response last year, Mr. Bysheim put the application on hold with CAMA (February 15, 2015)- [Manager asked Mr. Bysheim if she had gotten the flow right so far- Mr. Bysheim indicated that she had. Manager also verified with Mr. Bysheim that he had not filed a Special Use Permit Application. He said he had not because he believes he does not require one. The Board of Commissioners agreed to the response sent to CAMA in response. The Planning Board and the Manager both disagree in their interpretation of the GMO- noting that the GMO itself says that if a specific use is not individually noted, the Land Use Administrator has discretion to relate the use in question

“by liberal interpretation of the existing GMO”.] Objections noted are still accompanying this application. If an SUP was required and was filed and denied, Mr. Bysheim could appeal any denial, however, a SUP was never filed. So- if the application was required without the words Boat Wash in the GMO, and it is now required because the words Boat Wash ARE in the GMO, it’s still required, and still has not been filed. The Manager went through the timeline of requests and responses. Manager notes that she sent the question to the attorney concerning the change of language. The CAMA paperwork is dated March 1 for the revision filed.

- Ms. Knapp asks to clarify the diagram submitted concerning the lift- issue and designated space for both travel lift and wash pad. Ms. Knapp is concerned that because of the size of stone, it can encroach on setbacks. The same setbacks should apply.
- Mr. Dammeyer requests clarification on total area of the property- 5 acres- travel lift is on the opposite end of the point.
- Mr. Bysheim agrees that his setback is greater than 7 feet to the neighbors. He indicates that he could go up to the property line if he wanted. Diagram notes that there is 9’2” to the property line.
- Ms. Mahan again requests clarification of placement of the lift and washpad. The lift is out on the water.
- Manager asks why the washdown pad is required. For Mr. Bysheim to wash boats, CAMA is requiring him to have a washpad. Mr. Bysheim responds that he is already washing boats and that CAMA requires him to have a washpad for him to powerwash boats and granted development in public trust. Manager says that is not what CAMA told her in conversation this morning. Ms. Knapp asks where the boats are being washed now. He says they are brought there by other mechanical means- trailers, etc. Ms. Lohmar asks if he can wash currently. Mr. Bysheim states that he already pressure washes tops of boats only- he does not pressure wash the bottoms of boats currently. He immediately then says he’s been pressure washing the bottoms without the required washpad currently on land.
- Chairman Dammeyer says we are there where we were last year that he needs a Special Use permit. That the Permissible Use table 9.500 indicates requirement for Special Use Permit. Mr. Bysheim requests information concerning the adoption of the Ordinances. He says that he wants the adoption information for the Special Use Permit requirement.
- Manager Miller indicates that her conversation with CAMA today revealed that the application was revised, and not new.
- Ms. Lohmar indicates that nothing is new and that it requires a Special Use permit- Mr. Bysheim indicates that he understands that’s what is required.
- Mr. Dammeyer summarizes that the GMO is in place to hold all residents accountable to the document and their neighbors. Ms. Knapp indicates that in his last letter, he admits to understanding that a Special Use permit is required.

NEW BUSINESS

- The Board discussed new projects to begin in 2016. Projects discussed include:
- Road Bonds prioritized: **Motion** by Member Mahan, seconded by Member Lohmar, 5-0, put on New Business for next meeting.

PUBLIC COMMENT

Gwinn Hedrick comments asking how many other folks have received permits for similar structures to those being requested today, that Mr. Bysheim is creating jobs and protecting the water and should be granted. Manager indicated that one was issued two weeks ago. Manager Miller indicates that the story told to CAMA is the opposite of what was told to us in his application today. Ms. Mahan explained the process through which the homeowner who received a permit went, and related that to the process Mr. Bysheim is trying to change.

The meeting was adjourned at. Motion to adjourn made by Member Flaherty and seconded by member Mahan. Passed 5-0.

Respectfully submitted:

Diane H. Miller, Land Use Administrator

Eric Dammeyer, Chairman