



ORIENTAL TOWN BOARD REGULAR MEETING  
Tuesday, April 2, 2024, 6PM  
507 Church Street, Oriental, NC  
Mayor Sally Belangia officiating

1 The Town Board of Oriental regular meeting was held on Tuesday, April 2, 2024 and was called to order at 6 PM.  
2 Mayor Belangia determined a quorum to be present. The meeting was open to the public. All documents for the  
3 meeting were available through the Town’s website at [www.TownofOriental.com](http://www.TownofOriental.com).

4  
5 Present: Mayor Belangia, Mayor Pro Tempore Price, Commissioner Overcash, Commissioner Litzenberger,  
6 Commissioner Roe, and Commissioner Crosser. Town Manager Diane Miller, Administrative Director Tammy Cox,  
7 Officer Blayney, and many members of the Public.  
8 Mayor starts with Pledge of Allegiance.

9  
10 Approval of Agenda: Commissioner Litzenberger makes a MOTION to approve the agenda with an addition of  
11 Public Works Director discussion following Police Report. Commissioner Overcash seconds. 5-0.

12  
13 Public Comment: Mayor notes there were 4 sign up sheets- this is the public comment- not one of the Public  
14 Hearings.

15 6:04 Roger Huth-3021 Maritime: Asks why some Commissioners had not responded to questions concerning  
16 creation of Financial Liaison and resignation of Andrew Cox. Commissioners received March 7. Loss of staff,  
17 institutional memory creates real dollar increases in replacing- and spending extra to do so.

18  
19 Consent Agenda: Several items were approved without discussion on the Consent Agenda by MOTION from  
20 Commissioner Roe, seconded by Commissioner Crosser. 5-0.

21  
22 Manager’s Report: On Consent, you accepted the resignation of Ms. Khouri from BRMSD Board- we thank her for  
23 years of faithful service and ask if anyone is interested in being our representative to that Board moving forward,  
24 please let us know. Financials attached, in a new format. Example provided by Financial Liaison Crosser to  
25 summarize instead of all line items. Several items came in last minute. Any questions, please contact Manager.  
26 Development fees and Interest earnings are at 300%. Commissioner Crosser thanks Manager for new format.  
27 Commissioner Litzenberger states disappointment that the rest of the Commissioners did not have input and this is  
28 direction of staff as discussed previously. RFQ only received 2 responses. New RFQ will be ending April 10, 2PM.  
29 Daniel has completed Distribution school. Next month you will see Local Water Supply Plan for approval. Need  
30 new representatives to Floodplain Planning meetings. Was Tammy, Diane, Dan Allen, and Martin Barrow- 4 or 5  
31 meetings, affects our flood insurance rates. If anyone is interested, please let Mgr know. Demonstration from  
32 TextMyGov in response to Commissioners request to have more PUSH notifications. Population based cost, can  
33 sign up for groups. Also allows for reporting issues by text- potholes, lights out, etc- pushes that to work order  
34 system. Also allows you to group an area for road blocks, water out, etc. \$3,000 1<sup>st</sup> year, \$2,000 next year- 2 year  
35 term, can add extra text messages. Commissioner Roe will speak to another presentation on advertising. Tree  
36 pruning here tomorrow 9AM, tree planting Saturday 9AM at the Wildlife ramp. No rain date. SAM renewal is still  
37 stuck, enlisting help- describes the issues. Dock fix is complete on time, at budget.

38  
39 Commissioner Roe asks Commissioner Litzenberger to look over and make a recommendation. Next  
40 communications meeting on town website.

41  
42 Andrew and Daniel water credits, Officer Blayney’s in-service training and the last document is the contract with  
43 your ORC.

44

45 Public Hearing #1- Rezoning at 807 Broad St: Restaurant construction ongoing. Documents on screen show  
46 movement of the R-3/MU line toward Midyette St, leaving a 15,000 sq ft space in the R-3 zone, increases MU  
47 SOME for additional outside service space. Mgr explains the request and the measurements of the existing line and  
48 requested line. 3<sup>rd</sup> parcel has the 20ft easement runs through it. From the audience- property is not owned by USPS,  
49 building is leased. Any use of the R-3 zone, including ingress and egress to the MU use is not permissible- you can  
50 only access it for R-3 use. Cause of delay is to know WHERE the line is NOW. Planning Board agrees this is a good  
51 compromise, that preserves the residential zone. Commissioner Overcash makes a MOTION to open the PH.  
52 Commissioner Litzenberger seconds. 5-0.  
53 6:20PM:  
54 Mayor Belangia: (SB) I have 5 people that would like to talk. The first is Dale Montgomery 809 Midyette St  
55 Dale Montgomery (DaleM) : Could you bring up the photo you had up earlier? Tammy Cox (TC) clarifies. I just  
56 want to point out, We live right there (points to home directly across from signs noticing hearing.) and whatever  
57 happens here (pointing to restaurant development) happens in our front yard. Just keep that in mind when you make  
58 the vote, because my understanding of mixed use means there's no limits on what they can do- is this correct? Is  
59 there a limit on the number of cars that can be parked? The number of people that can be in that space? The number  
60 of buildings that can be built?  
61 Mayor asks Manager Miller to respond.  
62 Diane Miller (DM): Ask me again.  
63 DaleM: What limits are there on Mixed Use?  
64 DM: according to the Table of Permissible Uses. Most things require a Special Use Permit, or a Land Use Permit--  
65 some things are allowed by right- like a restaurant. Some process to make sure it's not a carnival and lights in  
66 residential. There are limits- there are no industrial uses allowed near the water's edge. So you're good there. The  
67 second question was about additional buildings- that's all limited – if you look at that picture- because all of this is  
68 currently one parcel with a parline between zones, it takes all of this (open space) to calculate the impervious  
69 surface of this(impermeable already). There is a limit, just like every other property, on how much impervious  
70 surface you can use.  
71 DaleM: Is there a purpose for this, so that they can get more space.  
72 DM: I think they want 10 or 15 feet.  
73 DaleM: that's what we don't know.  
74 DM: He wants to be able to put in a vegetative buffer and...  
75 DaleM: When I hear this, I hear change to mixed use, and change to.  
76 DM: the restaurant is almost finished, which is allowable there by right.  
77 DaleM: So if all of this is to give them more parking area, it's not a big deal, but the way it was presented, the way  
78 the sign was put up right in front of my house.  
79 DM: I'm required to put it at the entrance to the property.  
80 DaleM: I'm just saying, businesses are breaking down and you have to trust people, but without the limits of- we're  
81 not going to have big parties there every afternoon.  
82 DM: There is a noncompete clause with the Deli that they both cannot be open at the same time. So it won't be open  
83 early, and the sidewalks roll up in Oriental around 9PM. How many people go out to dinner after 9PM? No  
84 response.  
85 SB: Gwendolyn Gibbs (GG)-902 Midyette St: I'm just a little bit farther down. My concern is the noise. Who's  
86 going to determine..(inaudible) Somebody's going to start going out at 9:00PM. Who's going to say what time we  
87 close?  
88 DM: We have no limits on that.  
89 GG: I don't like that.  
90 DM: You should know that without doing the rezoning, as the property sits, it can be a restaurant right now, with no  
91 control over the noise, other than the noise ordinance. And when you call, if we have Police on, they will come to  
92 your property and measure the decibel level. It's measured from the closest edge of the complainant's property to  
93 where the noise comes from.

94 GG: How many decibels?  
95 DM: 65. 65 during the day, 70 at night  
96 Officer Nic Blayne: (NB): inaudible  
97 Mayor regains control.  
98 SB: Gwen, you have the floor.  
99 GG: This is my home, this is we got some family of mine, I just worry about my peace of mind. I'm still part of  
100 Oriental. The Commissioners- you should take into consideration my reaction. My concern gets me choked up- I  
101 have a whole lot of things to say, and am afraid if I do, it may go against me. So, I'll just sit down. Spoke to a lot of  
102 family members. I don't think we should be letting people come in, doing what they want to do, regardless of  
103 (inaudible)  
104 SB: David White (DW)-100 Gull Circle: OK, to point out the SUP process, we're the only town, the only  
105 municipality that does not give the adjacent property owners any say in the SUP process.  
106 DM: not true.  
107 DW: I'm not an adjacent property owner, but I have several friends and acquaintances on Midyette St, and I support  
108 them in their opposition to the rezoning request. A similar request on a similar property was made in 2011 and the  
109 Board said no to them. I don't see any reason why we should do that now- they were told no before for noise,  
110 residents' safety issue, and for increased traffic. Previous Boards have also recognized the traffic safety issues, and  
111 we've lowered the speed limit from 25 to 15 and put speed bumps in, yet speeding still continues and speeding is an  
112 issue for the residents there. You also need to understand that when the applicants purchased the lot, they knew  
113 exactly what they were getting. They bought R-3 and they bought MU. We should not be in the business of  
114 changing zoning requests for somebody who understands what they bought and now wants to do something  
115 different. When do you stop that? How do you stop that, and how do you regulate it? The zoning issue is not what  
116 the applicants want to do with it now, so if they sell it, somebody else can do whatever they want. They could tear  
117 out the vegetation, and do whatever they want with that zoning. Previous Boards have always recognized the issue  
118 of putting residential buffer against mixed use. I see no reason to shorten that buffer. We need to protect the  
119 residents on Midyette St and support them. The other sign in sheet for another rezoning has almost 50 people.  
120 Hopefully some of them will speak out against this rezoning too because they need the same support. And that's  
121 why I'm here. I feel the Board is setting a very dangerous precedent here and you're on a very slippery slope. Last  
122 year you took one R-1 to MU, you've got this one R-3 to MU, you have another one coming that's R-3 to MU.  
123 When somebody buys a residential piece of property and decides they really want to rent it out- let's make it R-2,  
124 then I'll be able to come here and change my property. You're not going to be able to identify and correct this thing  
125 once you set a precedent, it's going to be very hard to say no to any other change that comes through. Thank you for  
126 letting me speak today. I hope you vote against the zoning.  
127 SB: Some of y'all are too loud, so try to keep it down. Delcine Gibbs.  
128 Delcine Gibbs (DG)-212 Town Rd.: I, too, don't live on Midyette St., but I have family who lives there and have  
129 lived there for generations. I have a couple questions. She said that the property owners who own the easement to  
130 the Midyette St area- if those people sell that property, how long is that [lease] for?  
131 DM: It is in perpetuity. That (20 ft easement) is permanently connected to that (USPS) property.  
132 DG: But the USPS leases that property.  
133 DM: yes.  
134 DG: So, is their lease in perpetuity as well?  
135 DM: I have no idea. The property and the easement go together, forever.  
136 From the audience: They could sell it at any time.  
137 DM: but it would still be attached to that property, yes, absolutely.  
138 DG: My concern would be if they sold that property at some point, and granted it is conceivable that a new owner  
139 could allow what we're trying to prevent. So is there any effort being put into informing the restaurant owners that  
140 there are some limitations on them for the accessibility for the residents of Midyette St?

141 DM: They are aware that they can not build anything vertical, above grade, on the R-3 portion or on the easement.  
142 They are also aware that pulling all that vegetation did not make residents happy. There is intention of planting  
143 additional landscaping regardless of the result.  
144 DG: Is there any way that you can involve people on Midyette St, who are going to be the most affected in the  
145 planting of the plants to be put in?  
146 DM: We can certainly talk to the owner. He was supposed to be here, but got stuck when another business thing  
147 went long. He emailed me this morning.  
148 DG: Well, those are the only questions I had. Thank you.  
149 SB: Thank you.  
150 Commissioner Overcash (CO): Manager Miller, that easement belongs to the owner of the property where the Post  
151 Office is, correct?  
152 DM: Correct.  
153 CO: and they could do away with that, could they not?  
154 DM: They could.  
155 CO: So to answer your question, it could go away if the owners of the property choose to do that.  
156 SB: Jennifer Roe(JR)-502 South Ave.  
157 JR: Madame Mayor and Commissioners. Thank you. I'll have you know that I was here on the Board in 2011 when  
158 this came to the Board. At that time, we had considered some of these items. Again, Mr. Friedman pulled his  
159 request. That being said, I do want to make note, it was unclear to me, and is still unclear tonight, I wish the owner  
160 was here- what that strip is that's yellow (original request map). Is that from the existing MU to the proposed MU?  
161 DM: go back  
162 JR: the yellow one, the yellow one.  
163 DM: That's not drawn to scale.  
164 JR: How many feet is that from...  
165 DM: The other one- that one (revised drawing to scale).  
166 JR: Is that 50?  
167 DM: No, it's 75, and then another...  
168 JR: So they're wanting to move an additional 75'?'  
169 DM: yes.  
170 JR: OK. I thought I'm doing Ground hog day here again. The residents on Midyette St- what I'm seeing and what  
171 I'm hearing- it doesn't change the outcome of the business- they still get to do what they need to do. I'm pro-  
172 business- don't get me wrong, but I don't see the relevance here in why they need it, and they're not here to state  
173 why. Once it's changed, it's changed. And so if the property changes hands, other people can do other stuff with it.  
174 And the-uh- screen that you said- the vegetative screen what is it?  
175 ? : According to the GMO, he can do one or the other.  
176 JR: So, I'm here to say, effectively, I'm here to support the residents of Midyette St. I've talked to them in the past,  
177 thirteen years ago, plus or minus, and, since it doesn't change the dynamic of the business itself, the outcome  
178 (inaudible). I would hope we are very careful with rezoning, and the process. And Commissioner White, we don't  
179 always agree, but we agree on this one, and any...I support the residents on Midyette St and I hope this request is  
180 denied- or delayed until such time as the owners could come forward.  
181 SB: Thank you. Is there anyone else who wanted to speak on 807 Broad?  
182 DM: It should be stated for the record that the 2011 request was to rezone the entire property to Midyette St MU,  
183 and while Commissioner White was right in that we are different than any other municipality in our SUP process,  
184 the GMO was originally set in 1998 with a Board that was primarily concerned with property rights, allowing the  
185 owner to do what they want unless the surrounding owners can prove its detriment. There is a path to prevent  
186 evidence to deny a Special Use Permit- but it requires evidence, and the burden of proof is on the surrounding  
187 property owners.  
188 DW: It's not on the applicant. The surrounding owners have to put money out to gather evidence.  
189 DM: It's not on the applicant. It's not that you do not have the ability to present evidence against.

190 DW: The last rezoning case the Planning Board put forward that they did not even consider the opinions of the  
191 adjacent owners.

192 SB: If there is not anymore to speak on 807 Broad St?- Oh, there is.

193 Paula Valinoti (PV): How many seats are going to be in the restaurant?

194 DM: That's a Health Dept question that depends on square footage.

195 PV: Years ago when Croakertown was looking to enlarge the space, there used to be Halloween parties there, wine  
196 tasting, and whatever, it seemed to me like there were wall to wall people, so if that parking could be accommodated  
197 back then, why do they need what they are asking for? I don't know-I'm not an engineer or whatever, but I  
198 remember, and they were great. So why do they need the extra space? And I'm looking forward to the restaurant  
199 too.

200 SB: Did you want to speak, Madeleine?

201 Madeleine Sutter: MS: I owned property on Midyette 2002-2014 while rehabilitating my own house. It is a  
202 community. It's a lovely place. I can't see anything taken from that residential neighborhood would just be a terrible  
203 shame. I think we should just..(inaudible)

204 Commissioner Overcash makes a MOTION to close the Public Hearing. Commissioner Litzenberger seconds. 5-0.  
205 Mayor asks for a motion. Commissioner Litzenberger makes a MOTION to deny the rezoning. Commissioner Roe  
206 seconds. Commissioner Litzenberger went door to door- she lives on Midyette- there was kind of a mixed bag-  
207 about half and half on yes and no's. More of a buffer that they wanted. Thanks residents for discussing.  
208 Commissioner Crosser asks if the owner was aware of the zoning when they purchased the property. I am not in  
209 favor of rezoning. They bought it, they knew. 5-0.

210

211 Public Hearing #2: Rezoning of Parcel at 604 Shorey Dr.- recently subdivided parcel- once 31 acres, now 10 and 21  
212 acres. It is the 21 acre parcel being discussed. Points the map on the wall. Planning Board makes no  
213 recommendation. They have found the request to be both consistent with and inconsistent with several items on all  
214 of the long range plans- listed for you in the package online. Planning Board initially had a positive response  
215 initially, met in March to form a recommendation where several residents spoke, all in opposition to the request.  
216 Currently zoned R-3 with no opposition when annexed a few years ago. Issues raised by residents: noise, not 24/7  
217 Police coverage, traffic, preserving waterfront. Project engineer is present. GMO contradicts itself here. The Board  
218 may only consider ALL the uses that can be present in an MU zone, but requires the applicant to forward a plan for  
219 its use. The Special Use Permit required is a separate hearing. They can change that plan at any time. Engineer read  
220 the entire GMO governing RVs, and this plan is consistent. Engineer notes no development can go outside of  
221 dashed line that is the 100 year floodplain, so it does preserve the waterfront. Drawing is to scale. Commissioner  
222 Litzenberger makes a MOTION to open the Public Hearing. Commissioner Roe seconds. 5-0.

223 SB: Now- we have 20 people signed up. It will take one whole hour if I let everybody have 3 minutes. So what I  
224 suggest- there's no need to repeat the same things over and over again, so when I call your name you can say  
225 "decline" or you wanna talk. So I want to first tell you I have 24 emails in rezoning opposition, and I'm quickly  
226 gonna call out their names. Oh, and forgive me if I say it wrong.

227 Jeff Choate

228 Sheila and Roy Harvey

229 Melissa and Ed O'Connor

230 Marcus Tuttle

231 Tara Howard and Michael North

232 Richard and Anne Smith

233 Kathryn Hitchcock

234 Andrew Wallace

235 Les and Liz Smith

236 Phil and Meg Nyborg

237 John and Robin McElhannon

238 John and Terry Czerwinski

239 Kathleen Hydal

240 David and Kathy Dougherty

241 Dave Roletter  
242 Lorraine Nugent  
243 Clifford Bailey  
244 Gene and Mary Lee Clark  
245 Deb Khouri  
246 Jeff Kenyon  
247 Steve Dutton  
248 Bryan Juncosa  
249 Sidney Phibbons  
250 Kathy Bruce

251 CO: How many names for it.

252 SB: Oh, none. OK, so, Suzanne Gwaltney, (SG) you're the first one on the list-2103 White Farm Rd.

253 6:55PM SG: As a business owner and a resident, I am opposed to the rezoning. I've lived here 32 years, my husband  
254 has lived here 37 years. We've seen the culture of Oriental remain pretty much the same, and that's the attraction of  
255 why our clients stay. I remain in real estate for people who come here, and I heard a lot of names that I recognized  
256 on that list, and its understandably frustrating when regulations that are set in place to protect and govern the  
257 construction and development in the community are unexpectedly altered after the homeowners have made  
258 significant investments in the adjacent properties. These folks came here trusting that they knew what was down the  
259 street and around the bend, the Ordinance and regulations, that they felt protected in their investment of their  
260 lifetime savings, and they plan to come here as their last hurrah. Different clients that I sell properties to say that I  
261 want to make sure this is my final destination. So I want them to be happy, and I can sleep at night, knowing that  
262 they're good and they're happy with the investment they made. And now all of a sudden, this is like the rug's being  
263 taken out from under people's feet. They are uneasy, they feel suspicious, they feel betrayed, there is an uncertainty  
264 there. How can I sell an \$850,000 house, and immediately an RV park, or some other commercial enterprise has  
265 already begun across the street. I've got to deal with material facts as a listing agent. I also see property damage to  
266 property values decline when these issues occur. I was surprised at River Run down the street, a subdivision outside  
267 the city limits, a preponderance of the land was sold by Martin Spratt, who is proposing this change. I know Martin  
268 Spratt, and he sold that, and they changed covenants dramatically. He sold his home there for \$845,000 in 2020, and  
269 when the purchaser of that home sold the home, it sold for \$773,000 several months after the covenants were  
270 changed. I called one of the owners of a home that I sold in the River Run community and I asked what's the  
271 community like now, because the covenants now allow RVs. He said it's gone to hell. It's just not the same as it  
272 was. I don't want to see the buyers of property here lose the integrity, the character, and the well-being of the  
273 neighborhood where they invested their life savings to finally buy a property. I know I feel that in my own  
274 neighborhood. So, for several reasons, I'm concerned about our process where the preponderance of evidence has to  
275 be borne by the neighbor when you have something coming in that wants to change. (TIME LIMIT)

276 SB: Thank you Suzanne. John King 301 S. Front St, New Bern.

277 JK: Hello. I'm John King and I'm attorney paid to represent some of the neighbors opposed to zoning. I just want to  
278 set up a map here. Many of you have already addressed some of the issues I plan to address and one of the things I  
279 want to stress is your (Commissioner Crosser) comments where an owner buys, they know what they're getting, and  
280 that's something that says something about that owner. The area we're speaking of is this area right here. Of course  
281 ten acres of this is sold off, but the rest of it is there. The red areas on that drawing (GMO Map)[people shuffled  
282 around so all could see the map] are areas currently MU- a lot on the water- Marinas, business district on Broad St.  
283 Other is town owned and Fire Station. What we're looking at now is a rather significant zoning change- and if you  
284 look at it size-wise, you're looking at putting that big unit right there (puts a red sticker over the proposed area.  
285 Right in the middle of residential zoned properties, R-1 and R-3. It's interesting, if you look at the history of the  
286 property, the company that bought it Chas LLC, Mr. Spratt's company- he bought it in September 2013 when it was  
287 not in the Town. And the information I have is that in 2019, he came to the Town and said he wanted in. And he said  
288 he wanted R-3. So he got a choice. It's not like someone said I want to buy this and I'm stuck with the zoning. He  
289 had a choice of zoning and he picked R-3. And now he's coming back and saying well I really don't want to invest  
290 that money in the Town as much as I used to- because he was going to build townhouses, and I'm sure he had a  
291 presentation of townhouses and everything. So now he comes back and says that's going to cost a lot of money, so I  
292 want to put some pads out there and have people haul their homes in and out of that neighborhood into an RV park.  
293 Now he called it an Executive RV Park, but the bottom line is that's not going to do anything for the tax base here  
294 because on December 31<sup>st</sup>, everybody's going to haul their homes out of here and you're not going to be able to tax  
295 them. They'll be taxed in some other jurisdiction. So pretty much you're left with the tax base of the land. If you

296 leave it as R-3, it does provide for the higher density homes in there, but it's going to be residents, it's going to be  
297 people that live here, people that want to come here and stay, not people that come down, leave them for a while,  
298 then take them away. So I am here representing some of the owners who are around this and we are opposed to this  
299 rezoning. As was already pointed out, it could be an executive RV park, a nice RV park, however, we are not limited  
300 to that. Once you rezone it, if you do, then anything can go there, and the burden is on the [surrounding] owners to  
301 object to that.

302 SB: Ann Rost 7:02-2115 White Farm Rd.

303 AR: Thank you, Commissioners, Mayor. I live right there (pointing to GMO Map) I bought my home about 6 years  
304 ago with the Herlands. I'm concerned about the difference between real residents and temporary residents.  
305 (inaudible) The theme of North Carolina case law as I understand it, is public interest, and that's a slippery concept.  
306 I would submit to you good people, the public- is right here- is there anybody who is opposed to this rezoning,  
307 please raise your hand. (Majority does) I don't know that too much more needs to be said. A private (inaudible),  
308 temporary residence, not remotely ecologically friendly at all, and I don't really care if you need to spend a little  
309 more money to make the Town proper. MU is dangerous. White Farm Rd- my driveway is 16 feet across- if you go  
310 around the bend two trucks can't pass each other now. But it's quiet- you can bike there, you can walk there. Do the  
311 right thing, please.

312 SB: Thank you. John Rahm (JR) 7:05 Great, I get to follow the two attorneys. I'm thankful because there are very  
313 few places where you can stand up in front of the government and speak your mind. I'm also thankful that  
314 Commissioner went out to Sea Harbour and had a meeting with – a little gathering on Saturday- all the  
315 neighborhoods were there Whittaker Pointe was there, Whittaker Creek was there, Dolphin Point, Windward Shores,  
316 Sea Vista, Sea Harbour, - even though it is zoned MU- the rest were all residential. Nobody was in favor of the  
317 rezoning. Commissioner Litzenberger got a large piece of our minds, and she fought a lot of spears. So I'm grateful  
318 that she came out there for us. Tonight I'm going to stay in my lane- I'm the President of the Dolphin Pt  
319 Homeowner's Association. I can't remember NOT being the President. So I'm carrying the water for 60  
320 properties/38 houses-3 houses were built last year and we have more under construction right now. A house was  
321 gutted and renovated last year, and we have a substantial renovation going on right now. We have a boat ramp,  
322 tennis court, and a 10 slip marina that is a subset of us. We have chosen to live away from the activities in Town.  
323 That is a conscious decision on our part, and a substantial investment. Most of us are late in life, and we have poured  
324 our life's work into those properties. We do not want this rezoning to occur. We enjoy being left alone out there.  
325 Now the MU activities of the Town are following us out there. Hey John, Dolphin Point is a half mile from this, but  
326 White Farm Rd is the spine. Folks ride their bikes to White Farm Rd, walk their dogs. If you ride your bike on  
327 White Farm rd and two cars are passing, you are in the weeds. It's a little dicey now, but adding MU activities- it  
328 scares me. We're opposed. Quoted General Mattis- "I have come in peace, we have not brought artillery, I'm  
329 begging you with tears in our eyes to not rezone this property."

330 SB: We saw the hands all that were opposed- is there anybody for it that wants to speak? Bill Hines (BH)

331 BH: 7:07 – as the River Keeper: Along that shoreline is fairly pristine, and any development in that area- a lot of  
332 people interpret that they own to the water, but actually, there is a 50' buffer where you can't cut a tree, and there is  
333 a 20' buffer where you can't cut the vegetation. A lot of people are unaware of this. You have to get a permit from  
334 CAMA to cut that down. We have over 1000 recreational vehicles already in town. They're floating. We welcome  
335 those people to our town. There are some sailors on the road that we do not welcome. It would really be nice –  
336 maybe not THERE- but somewhere- closeby- we would have some place for someone to park their RV-for 6  
337 months- not exactly a live-aboard, but every three years we get in the cyclists- 1500 of them, and it is always a  
338 stretch to get them all in and something like that would be a big help. My Riverkeeper hat says I don't want it that  
339 close to the water. And I'm sure everyone on the Whittaker Creek shore- it's a pretty pristine shore agrees. I'm not  
340 against an RV park, but I don't want it close to the water, and I don't want it causing problems for residents.

341 SB: We'll let you go next.

342 Susan Sayger 7:10 (Engineer for the project) I've been involved with the project from 2013 the beginning of  
343 development ideas. It's a beautiful tract of land. We all know that. The issue with the land is that the intent was to  
344 invest in the land. Into the Village. He wasn't trying to wiggle out of money. He has set aside \$700,000 to do this. It  
345 wasn't at all something that came out of...

346 Interruption from the audience: That's less than a house.

347 Mayor Belangia regains control.

348 SS: My owner's intention is to invest in the Village. The issue as you know- Whittaker Harbor- right next door-  
349 there are two houses. How long has that development been sitting empty? 15 years?

350 From the audience: We've been there two months- we're one of the owners. We built the house there because we  
351 looked around and it was the only place to make sure there was nothing like an MU anywhere...

352 Mayor Belangia stops the conversation. She has the floor.

353 SS: When you look at the land, you look at what is the best use for the land? The reason that could be appealing is  
354 that that dashed line means nothing can be built outside of it. If I go back to R-3, it's game on. I could put anything  
355 out there. You have an owner that planned and spent quite a bit of money. There was potential, when we first  
356 annexed in, to loop the water line and improve the quality of the water, instead of throwing thousands of gallons on  
357 the street. So this man spent hundreds of thousands of dollars taking out truck after truck of oil, cars, engines- I was  
358 part of that. It was just a disaster waiting to happen. I appreciate that you don't want anybody out there. It was zoned  
359 R-3 when we came in because we thought we could build something like townhouses out there, but that's fine.  
360 Construction costs have doubled since 2020, interest rates are 6%, home insurance is way up. I don't think it's  
361 appropriate to talk about someone who is not here. Thank you for your time.

362 SB: Thank you. Is there somebody else that definitely has to speak? Jeff Kenyon Easy St.(JK)7:12

363 JK: I just wanted to respond to the Riverkeeper as part of my prepared comments- is there is a big difference  
364 between the boats floating around- the RVs floating around. Taking Sea Harbour- MU near this area- all of those  
365 slips are owned. The 86 slips at Sea Harbour are owners. They have a vested interest in the town and are good  
366 stewards to the neighbors. Sea Harbour is the primary source of dredging of Pierce Creek. This is very very different  
367 than a transient person at a ..there is a big difference between this potential MU use and many of the MU uses. If  
368 you look at (inaudible), it's officially a condominium association. I think that's the biggest difference I would make  
369 if contrasting this MU use with a marina. And I also want to make one point- a technical point- about the GMO- if  
370 RV parks should be pastorative- I don't see pastorative on the north side of this. I see a dead end road, which should  
371 not be on this design. Maybe the engineer could speak differently. As designed, it doesn't seem to meet the  
372 Ordinance.

373 Rick Everest 7:15 (RE): Never intended to say what everybody else said- especially that the owner ASKED for the  
374 R-3 zone. The marinas are residential properties, as Jeff pointed out. What bothers me is that I lived here 6 years- I  
375 live in North Oriental. I don't feel quite included- feel like a stepchild. We somehow found out about this rezoning-  
376 it was not publicized until the Planning Board had already finished. The fact that we were not even informed. It  
377 should never come to this point. It should not even have been considered. The best sign that says we are not  
378 considered Oriental is the lack of 3 signs-when you come down Highway 55, you see signs- there's a sign that says  
379 "Oriental Town Limits". Second sign says "City Speed Limit 35 MPH, unless otherwise posted". Last one says  
380 "35MPH". I would really love to see that be duplicated on White Farm Rd. I feel like we are quasi-town, quasi-  
381 county and even considering this request reflects that. So, can't wait to see the sign. Let's put the sign out there and  
382 let's really include us.

383 SB: I'm going to call out these names, and if we've already heard it, there's no reason to repeat it, and if you're just  
384 dying to talk, come on up. Julie Rahm.

385 JR: 7:20 I don't have to come up-I've heard it mentioned, but I wanted to request that because you are in the middle  
386 of an update to our GMO, would you please, please please, consider changing the SUP process, so that the burden of  
387 proof is not on the surrounding neighbors, but is on the applicant.

388 SB. Thank you. If you gotta speak, you gotta come up- we can't hear you on the tape. OK, if you don't need to  
389 speak because you've heard it, just say you decline it. OK Dave Roletter.(DR)

390 DR: I'm a Dolphin Point resident. There's been very good comments so far, I would like to yield my time to the  
391 next speaker.

392 SB: Ok Thank you. Roger Huth.(RH)

393 RH: 7:21 I'm the President for the HOA at Whittaker Pointe. There's not much thunder to steal, I just want to make  
394 it known that our subdivision does not want this rezoning.

395 SB: Thank you. Dean Klark: (DK) 7:22: We are new residents- moved here 2 years ago. Our house is on these lots  
396 in Whittaker Harbor. Some people have not received notice of the hearing. When we came to town years ago- we  
397 looked up all the restrictions all over Town- what you could do, what you could not do. And Suzanne Gwaltney  
398 made statements about River Run that now there's trailers out there. We drove through there with our realtor and I  
399 said geez, what is this place? And she told me what it was and I said, "Are you kidding me?" They can have mobile  
400 homes and these type RVs out here? She said you really gotta make sure you read what ya got. So we did- we took  
401 time, and time, and time to read everything before we put our offer down. If we had any inkling that this was even



402 going to be looked at in this area, because we back right up to this area, we would have turned around at the Trump  
403 sign and taken off. Never even looked at this town. And I've talked to a lot of people and they say that's the same  
404 thing with us. We wouldn't deal with it if we knew something like this was going to be built. MU's- there's a  
405 reason for them, but not in that place, not at all.

406 SB: Thank you. Andrea Pope: I decline.

407 SB: Rachel Williams- 6017 Maritime- not there

408 SB: Harry Corbett White Farm Rd: Everything's been said. Thank you Harry.

409 SB: Kevin O'Neill: Everything's been said.

410 SB: Someone writes worse than me. Madeleine Sutter: 7:24: 300 Whit Pt Rd. Onus of responsibility on the owner.  
411 Who will Police that? Out picking up trash- even when Danny Forman owned it- O no, none of that is from the  
412 marina. So as soon as you bring in that element.

413 Mr. Forman starts to interrupt.

414 SB: Ok that's enough, don't call her out like that. Thank you Madeleine.

415 SB: Chris Warrener: I decline to speak, but I am opposed.

416 SB: Angie Propst: 7:25 Agree with what everyone else said (inaudible)- I can tell you it will affect property values,  
417 it will affect homes in that area, will hurt future growth. They may not have the burden of proof on the properties  
418 around it- it can take real estate agents in the business 40 years to assess. Larry and Suzanne have been here 40  
419 years- they can put value and professional opinion to the requests. Second thing I'll say real quick, it used to be we  
420 had an agreement with the church/theater to use their facility when this one was overwhelmed. When meetings this  
421 big, we moved across the street. Think about it- it makes sense and people can be seated and hear.

422 SB: Thank you Angie. She was the last one on the list unless there was someone just waiting. Paula Valinoti 7:26

423 PV: 5309 Bogue Dr. MU is like one of my favorite movies- I dog dare you, I triple dog dare you- it's the worst  
424 possible use. I don't trust him.

425 SB: Clifford Bailey: 1615 White Farm. You wrote a letter- do you need to say something different?

426 CB: I do. What I heard was that they're making some updates to the GMO. If there's going to be updates, I have  
427 many- in regards to several different sections. I don't know if the Planning Board did their due diligence. And  
428 somebody else mentioned it earlier- this shouldn't have even come up if we were involved up front. Can I send up  
429 the recommendations.

430 CO: I'm the advisor to the Planning Board- please come to their meetings and bring with your suggestions for  
431 corrections. Explains that we have to bring forward any request brought to us.

432 Commissioner Overcash makes a MOTION to close the Public Hearing. Commissioner Roe seconds. 5-0.

433

434 Commissioner Overcash makes a MOTION that we reject the zoning change. And Commissioner Roe seconds.

435 Commissioner Litzenberger encourages people to come to more meetings. 5-0.

436

437 Public Hearing #3: Short Term Rental Special Use Permit for 301 Ragan Rd. Mayor tries to re-establish order.

438 Mgr notes the Bond family is asking to convert to part time family use and part time STR. (wait until crowd files  
439 out) Mgr notes and speakers need to be sworn in. Burden of Proof is on surrounding property owners.

440 Commissioner Overcash opens Public Hearing. Commissioner Crosser seconds. 5-0.

441 Danny Forman is sworn in by the Clerk. Please change the process by which we grant SUPs. How many hotels  
442 rooms, Air BnBs, and short term rentals do we need> Even after the fact Oriental has more than twice per capita of  
443 Manhattan's AirBnBs. We have over 30 AirBnBs. At this rate, we'll have all short term rentals than long term  
444 rentals- they have no stake in the community, no one can deny more water, sewer, garbage usage and we the citizens  
445 will be paying for that. I urge you to change the process, like David is talking about. At this point I would like a yes  
446 or no- and I realize you don't have to. If anyone applies for a Special Use Permit, if ALL of us apply, in R-2, could  
447 you say NO today? They can if someone brings a police record that proves illegal use. They are required by statute  
448 to allow the SUP, unless those items have proof of inability to meet the 7 tenets. Manager notes- she has the  
449 rulebook. They [the Board] is welcome to change the rules, but as long as this is in the rulebook, that's what we go  
450 by. Mr. Forman asks to change it.

451 Mr. Forman is gavelled to order.  
452 Commissioner Overcash makes the MOTION to close the Public Hearing. Commissioner Roe seconds. 5-0.  
453 Discussion:  
454  
455 SB: 1) The permit is not within its jurisdiction (property is within jurisdiction of TOO) The permit IS in our  
456 jurisdiction.  
457 Does the Public have any comment on jurisdiction of the application?  
458 Commissioner questions?  
459  
460 2) The application is incomplete (the application has been deemed complete by the Land Use Administrator and the  
461 Planning Board.)  
462 Does the Public have any comment on the completeness of the application?  
463 Commissioner questions?  
464  
465 3) If completed as proposed:  
466 a) will not comply with one or more requirements of this chapter (GMO)  
467 Does any of the Public have any evidence to offer concerning compliance with the GMO?  
468 Commissioner questions?  
469 b) will materially endanger public health or safety  
470 Does any member of the public have any comment on endangerment of public health and safety?  
471 Commissioner questions?  
472  
473 c) will substantially injure the value of adjoining or abutting property  
474 Does any member of the Public have any evidence to offer that indicates that the project will injure the value of  
475 adjoining or abutting property?  
476 Commissioner questions?  
477  
478 d) will not be in harmony with existing uses/development in the area.  
479 Does any member of the public have evidence that the project is not in harmony with existing uses in the area?  
480  
481 e) will not be in conformity of the Land Use Plan or other plan, officially adopted by the Town.  
482 Does any member of the public have evidence that the project is not in conformity with existing plans?  
483 Commissioner questions?  
484  
485 Commissioner Roe makes a MOTION to close the Public Hearing. Commissioner Overcash seconds.  
486 Commissioner Roe indicates that we need to institute a moratorium until such time as we are able to get the process  
487 changed to shift the burden of proof. We can't keep up with taxes due now- let alone with more potential entities.  
488 Mgr notes there is a process to make that happen. You can't just say it and vote and go- it will require a public  
489 hearing. We did ask the attorney this months ago, and he did forward a sample we could use, as well as the process  
490 to instate a moratorium. Commissioner Crosser agrees we should table this, put into effect a moratorium, so we have  
491 a proper process- and also a process to hold the people who have them accountable. Manager Miller notes you  
492 cannot stop THIS particular request, while their clock is counting.  
493  
494 Commissioner White repeated that the attorney had given this process to us months ago, and you chose not to  
495 address it. Commissioner Litzenberger notes the Planning Board is looking into it, and it is really hard to monitor  
496 and doing what they can. Commissioner Overcash asks about time limits. This application is already near its limit.  
497  
498 MPT Price makes a MOTION to approve the SUP: reads through 7 conditions as satisfied above. Commissioner  
499 Overcash seconds. 5-0.  
500 Commissioner Overcash states he doesn't see how we can stop this. Commissioner Roe has been trying to get PB to  
501 do it. Manager agrees that the BOARD, not one or two Commissioners direct the action. You have Commissioners  
502 that do not necessarily agree. Manager needs a united direction to work with Planning to get the SUP process

503 changed. 3-2- Roe and Crosser dissent. Commissioner Overcash makes a MOTION to pursue by any means that  
504 puts moratorium in place and change SUP process. Seconded by Commissioner Roe. Discussion- MPT Price does  
505 NOT want the process to change. Commissioner Roe asks about the SUP moving with the property. Yes. And  
506 regardless of activity, you must REPORT to the Town.4-1.

507  
508 Budget Amendment: Storm Water drainage money movement and payroll software. Commissioner Roe makes a  
509 MOTION to accept the budget amendment. Commissioner Overcash seconds. 5-0.

510  
511 Police Report: Officer Blayney goes through the report and asks for any questions. We did a lot of traffic  
512 enforcement and In-service training this month- trying to get it in the past before we get busy.

513  
514 ADDED ITEM: Public Works Director. Manager notes we have given a lot more responsibility to Daniel Early-  
515 has/is functioning in Andrew's position. We need to be paying him for the work happening. Make Daniel Interim  
516 ORC until/unless we find that the two are better separated, and compensate him commensurately. Can be discussed  
517 in budget. Commissioner Litzenberger proposes we make Daniel Early PW Director/WTP Operator now until June.  
518 Commissioner Roe seconds. 5-0.

519  
520

521 \_\_\_\_\_  
522 Sally Belangia , Mayor  
523 \_\_\_\_\_  
524 Diane H. Miller, Town  
525 Manager/Clerk

526 Approved , 2024