



## ORIENTAL PLANNING BOARD MINUTES

July 20, 2016 – 3 P.M.  
Oriental Town Hall – 507 Church Street, Oriental, NC

The Town of Oriental Planning Board held a special meeting on Wednesday, July 20, 2016.

**Present:** Chairman Eric Dammeyer, Commissioner Overcash, Commissioner Price, Member Bonnie Knapp, Member Stan Aeschleman, & Member Dick Flaherty

**Absent:** Vice Chairman Cecily Lohmar

**Eric Dammeyer called meeting to order at 3:01 pm and establish quorum.**

### OLD BUSINESS

- Approved minutes from Meeting Minutes from June 15, 2016. Member Flaherty **MOVED** to approve the submitted Minutes. Chairman Dammeyer seconded the Motion. 2-0, 2 abstentions-approved.
- Newsletter document draft- Manager Miller revised for length. Both versions available. Commissioner Overcash suggest overview only- specifics later.
- Workshop meeting- we will schedule by email, noting 48 hour notice. No action needed.
- Wallace application-elevation and plat submitted. Noted that height is higher than allowed by increasing the setbacks as designated in GMO. Chapter 114.2 and references to subsection 1 which needs to be renumbered to indicate 114.1. We want to require that completion of the project the elevation must be certified by a surveyor. Compliance request has not come forward yet. Chairman Dammeyer makes a **MOTION** that compliance paperwork be approved with the condition that a post construction survey is completed and submitted following completion of building.(114.1.1) Member Flaherty seconds. 4-0.
- Bysheim application- has revisions requested, noting setbacks from residential property and intermixed business property. New drawings submitted. Application is complete. Planning Board will have to recommend a Public Hearing to be scheduled. Planning Board should forward recommendations to the Board. Previously denied when interpreted as a car wash because boat wash was not noted. Mr. Bysheim had requested last week the document trail requiring Special Use Permit. Sent last week- MU property next to residential zones is one of the reasons required. May recommend that the Board of Commissioners attach conditions to that permit. Manager suggests that the Planning Board take up the recommendation in August due to the length of this month's agenda. Member Aeschleman asks what conditions could be. Chairman Dammeyer asks about CAMA's take. Manager informs that CAMA is waiting on Mr. Bysheim to get through the Town's processes. Chairman Dammeyer desires a system that does not allow what is washed off the boats to drain on the land or wash into the Creek, and is to be removed from the property. Mr. Bysheim notes that exactly what the Chair is discussing is what CAMA has required of him as well. Mr. Bysheim notes the system is diagrammed fully in the CAMA application as revised under DWQ regulations. Manager notes that Mr. Bysheim has the opportunity to

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create a new facility that is more environmentally conscious than existing facilities. Mr. Bysheim notes this would be the first in the state to use this type of facility. There is an attachment for the Board from the Creekkeeper about proper installation of a recirculating system. Diagram submitted by Mr. Bysheim has pumps, collection basin, so forth. Mr. Bysheim states that CAMA asked for the same information. Manager notes we need to go through conditions of the Special Use permit. Mr. Bysheim says State will be requiring this for all new applications. Chairman Dammeyer states we will work on wording for the recommendations to the Board. Member Flaherty notes one condition to require the collection system. Member Knapp makes a **MOTION** that the Planning Board requests that the Board of Commissioners schedule a Public Hearing for the SUP application by Mr. Bysheim at Whittaker Creek Marina. Member Aeschleman seconds. Chairman Dammeyer discusses attaching subject matter to the motion. It is decided that any subject matter motion would be separate from the motion to set the hearing. 4-0. Chairman Dammeyer discusses subject matter. The Board would prefer to see the documents again prior to making additional motions on recommendation. Recommendation is tabled until documents are reviewed.

- Chairman Dammeyer takes up the draft GMO revisions:

Section 1: 15” internal diameter culvert pipe- add “internal diameter” to language. Member Flaherty motions to include this section, with addition to the proposed revision list. Member Knapp seconds. 4-0.

Section 2: addresses filling in the ditch- attaching culverts to the driveway. Those get silted in and cost us a lot more to correct the problem. In the future, we will correct drainage by reinstalling the ditch. Chairman Dammeyer discusses the potential to expand this in the future. Chairman Dammeyer makes a **MOTION** to include this language in the revision and table additional right-of-way issues. Member Knapp seconds. 4-0.

Section 3: definitions of dormers/eaves: Manager states that the eave connected to the dormer becomes the issue. The important issue is that the eave does not count as highest eave. Remove “decorative” from dormer definition and the parenthetical from eave definition. Member Flaherty makes a **MOTION** to include these definitions of eave and dormer. Seconded by Member Aeschleman. 4-0.

Noted by the Manager that all page numbers need to move after corrections made.

Section 4: **ADD:** Section 141.2: Included in the section is a reference to the above section- formerly section 1). That section referenced is now 141.1 and that substitution needs to be made. Chairman Dammeyer makes a **MOTION** to include the correction of the reference from 1) to 141.1. Member Flaherty seconds. 4-0.

Section 4: changing “main roof eave” to “highest eave” to avoid confusion on which eave is restricted. Chairman Dammeyer agrees that this is a reasonable clarification. Member Knapp makes a **MOTION** to include to change “main roof eave” to “highest eave”. Seconded by Chairman Dammeyer. 4-0.

Section 5: **“Section 121. Construction repair.**

**121.1** Whenever possible, any construction within Town of Oriental jurisdiction must contain the equipment necessary to perform such work on the property for which the construction is being performed. When not possible, any damage to the

Right-of-way, including roads, on both the subject property and the surrounding properties done by construction equipment must be repaired to its previous condition by the property owner contracting the work or his/her contractor prior to the issuance of a certificate of occupancy.” Correct reserved numbering. Member Knapp makes a MOTION to include section 5 with the corrections of “whenever possible” and “when not possible”. Member Aeschleman seconds. 4-0.

Discussion on existing roads damaged are damaged by specific vehicles while other large vehicles use same roads. Oversized vehicles required to have permits? Member Knapp talks about one time uses- moving a large boat across the roads. Manager notes enforcement issues with such a plan. Would have to be on the road constantly to catch and enforce. It becomes litigious when one homeowner is fined and other commercial vehicles go down the same road. Manager recommends to table discussion on road bonds until a viable solution presents itself.

Green Space requirements and sidewalk fees and sidewalks might be best delayed until joint meeting with Parks and Recreation happens.

CAMA plan update should also be delayed to a workshop. Required to be updated. Homework is to read the CAMA plan. Manager notes a plan for development around the duck pond that includes land around the duck pond which is in private hands. We'll be looking for things that need to come out and things that need to go in.

Land Use Permit fee- approved by Planning- justified by effort required and tracking necessary. Manager neglected to add this to BOC meeting. Because it is a General Ordinance item, Planning Board has no input- just an FYI that it should be included in FYI information as Land Use Permits CAN be referred to the Planning Board for assistance.

## **NEW BUSINESS**

- Section 116.2 is repeated in GMO- one needs to be removed. Add this to the list of corrections on the GMO list of corrections if it is in fact, in the published version of the GMO. Add a section 6 to include this.
- Chairman Dammeyer makes a MOTION to request a Public Hearing from the Board of Commissioners on the above proposed revisions to the GMO. Seconded by Member Aeschleman. 4-0.
- Martinez application- Manager explains the property expansion of one of two homes on a single property. Manager has advised additions to be done so that if they separate properties with meeting existing regulations. If, at some point in the future, they subdivide, everything still makes setbacks. One driveway addition would then be necessary. Manager has approved- need Planning to sign off on plans.

## **PUBLIC COMMENT**

Commissioner Price asks if Camp Creek restriction process has moved any. We have not heard from their attorney since the original request.

Manager notes a potential discussion for workshop for addressing the SUP required for short term rental in R-2, R-3. Chairman Dammeyer states he sees the opinion of neighbors having impact. Originally the Manager states it may have had something to do with ensuring payment of occupancy tax, but that has not been a problem. Other than Air BnB, we haven't had any issues. When asked, those can always say it was relative using the property.

Manager notes a 60' right of way on Neuse Drive. ALSO a 60' ROW on 1<sup>st</sup> and Vandemere, where lots are much smaller. With setbacks, it corners the homes into small space. Manager notes that since Vandemere is only 12' wide to begin with, ROW needs to be decreased as it is currently unreasonable. One issue is that if we reduce the ROW, is there a process by which all of the property owners change their plats? Could be an expensive venture to change all of those plats. Planning Board agrees that this should be sent to the Attorney for advisement on this ROW.

The meeting was adjourned at. Motion to adjourn made by Member Flaherty and seconded by member Aeschleman. Adjourned at 4:35PM. Passed 4-0.

**Respectfully submitted:**

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**Diane H. Miller, Land Use Administrator**

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**Eric Dammeyer, Chairman**