



ORIENTAL PLANNING BOARD MINUTES

Regular Meeting

Wednesday, August 16, 2017 – 3 P.M.

Oriental Town Hall – 507 Church Street, Oriental, NC

Present: Vice Chair Lohmar Member Flaherty, Member Aeschleman, Manager Miller, Member Knapp Commissioner White,

Absent: Chairman Dammeyer

Members of the Public: Al Herlands

Vice Chair Lohmar called the meeting to order at 3:03 PM.

She explains the number one item on the agenda- looking at the permissible use table in light of all the things that have recently been brought to see if some revision is necessary. Looking at what you can do in all the zones to see if those things should continue to be allowed, be revised, or be moved to other sections. This will likely take a long conversation to try and get it right and the Planning Board would like to hear thoughts on the table. She asks for comment.

Member Flaherty suggests that we may need to look at an industrial zone. The Mixed Use zones are mixed commercial and residential. Other communities have whole divisions of industrial zones- light industrial, heavy industrial, etc.

Vice Chair Lohmar indicates we need to look at the GMO map of Oriental and ask the question “Is there ANY place for industrial Use within the corporate limits”- that might be a bigger question- or if we need to modify current to include some of those- but either way, the question needs to be asked.

Member Knapp believes we have not addressed several items- we need to have that discussion with citizens. Member Aeschleman states that we might need to look at the table and might be able to list some of those criteria that go into industrial- air, noise, and water pollution- and any potential for that usually goes into heavy industrial. If we allow that, it would need to go into heavy industrial and not mixed use so that it is not near residential areas. Member Knapp believes that if any heavy industrial was to be allowed, it should still require an SUP.

Vice Chair Lohmar states that we need to work on this fairly quickly while construction is on the upswing. Manager Miller asks if we are looking at current in-town limits or areas that are not already incorporated.

Member Flaherty is thinking about the areas not annexed and the possibility of more industrial next to residential. Members look at the map noting the Town owned land that is currently zoned MU.

Member Knapp says we need to define it before it happens. Manager Miller notes the first question is if there is an industrial use you would like to see in town.

Vice Chair Lohmar asks what you call the two businesses already on the harbor. Are they processing? Pre-processing? If we are OK with what they are doing right now, where is the line between an acceptable and an unacceptable use? Manager Miller notes that the current operations differs little from the original operation of bringing in the catch, with the exception of mar states if we want to protect the Harbor, we need to look at what is permissible in the MU-1 zone. Member Knapp asks if something is not listed, is it allowed? Manager Miller gives the legal response to this question as we received when we had no boat wash- the Planning Board is allowed to go to the closest use in the table. Every once in a while not a bad idea to review and see if there are new potential uses. Manager Miller notes the question about firearms dealing brought in this morning from an R-1- looking for a signature- which was not provided- but people need to understand what is and is not allowable where. A sawmill is covered because there WAS a sawmill in town.

Commissioner White notes the Long Range Plan that brought us the difference between an MU and MU-1. The Town specifically wanted to keep the myriad of potentially undesirable uses on the waterfront- tattoo parlors, adult book stores- an interesting group of things. Based on comments received at the last meeting, are there other things we need to restrict in MU-1?

Manager Miller is concerned with no buffers between MU and R-1. If those existing businesses turn over, there is no buffer and quite the range of potential uses.

Manager Miller notes that we need to have the short moratorium discussion. On legal advice, it would take just as long to institute a moratorium as to make the actual changes. It also cannot be one or two targets have to be an entire class restricting development. While any development must come to the Board- it has to come 10 days prior to next meeting and you have 65 days to make a decision.

Vice Chair Lohmar agrees that the right changes can be made faster than the moratorium can be properly enacted.

Short discussion on grandfathered uses- if the use continues, it is grandfathered- if it is discontinued, it would need to comply with current regulations. Example is Cartwright House- not in a zone where B&Bs should be- was granted after reopening due to historic use and no objection.

Another short discussion on attaching conditions to granted SUPs. The enclosed and not enclosed environments can be a useful reorganization. Boat related operations in one section/ manufacturing, processing in a different section. Many if not all Marinas are doing boat services that have expanded.

We also need to be sensitive to the other businesses already operating in other sections already zoned MU-1.

Vice Chair Lohmar moves on to scheduling work sessions: Manager Miller notes that the Planning Board should forward a request to schedule Public Hearing to the Town Board so it can

be scheduled for October. Any information attached to that notice must be prepared and ready to be distributed with the notice.

Wednesday, August 23rd, 1-3PM and Friday the 25th, 10AM-12PM. Vice Chair Lohmar asks Manager Miller to advertise the meetings properly. The express purpose would be to discuss potential changes to the Permissible Use Table. She encourages the Board to come with marked up copies of the existing table and also any listing of things NOT in the table that should be. While it will be a workshop, the Public is welcome and comment should be taken.

Next item- P&R language in the GMO. The Planning Board had received the document back from Parks and Rec Group with the suggestion that things related to a new zone and building requirements be removed and taken to the GMO. After our discussion concerning who would own and operate open spaces, it might be advisable to leave those parts to dedication and not create a new zone, but still move forward with flexible spaces- things change over time. Dedication protects it enough. Inventory of what is available and the mapping of what is available to whom, is still viable. What was removed is the part about a new zone and its building requirements. This allows for one revision instead of revision now and then after a Green Space requirement. Additionally a few overregulated activities- riding bikes, scooters, skateboards, playing organized sports- are removed. Vice Chair Lohmar notes that the removals of sections remove it from the Planning Board's purview. **(Draft attached)**

There are also a few corrections to be made:

long taps on the water system- in development sections that dead end streets must have looped water back to the main at the connector street, instead of long taps and dead ends to prevent stagnant water.

In addition, fire hydrant codes require 6" lines to come down the street to that hydrant. We should not be trying to hook new hydrants into lines smaller than this.

Small cell regulations- allows for administrative review prior to small cell infrastructure installation. We have no vehicle for review. We need to look at the legislation and the possibilities it provides us. This is the effort to avoid paying rental on existing towers. Discussion ensues on utility easements and how much input we do/do not have on those structures. Diane will forward the legislation to the Board for review.

Member Knapp notes that the stated purposes need to include other potential changes to the GMO.

Manager Miller notes the changes necessary on the GMO- semantic issues- in section 114- changes to height restrictions as related to increased setbacks- they should all say OR, not AND, and also Section prohibiting abandoned cars, trailers...need to include BOAT used as a sign.

Last thing was the note that the Board of Commissioners is not bound by the same burden of evidence in rezoning as they are to grant an SUP.

Public Comment: There was none.

ADJOURN:Member Aeschlemanmade a **MOTION** to adjourn and Member Knappseconded. (4-0) Meeting adjourned at 4:17PM.

Cecily Lohmar, Vice Chairman

Approved __/__/__

Diane H. Miller, Clerk to the Board