



## ORIENTAL PLANNING BOARD MINUTES

Wednesday, November 15, 2023, 3:00PM  
Oriental Town Hall – 507 Church Street, Oriental, NC

**CALL MEETING TO ORDER AND ESTABLISH QUORUM** Chair Allison DeWeese calls the meeting to order with a quorum. All present except VC Quigley. VC Quigley arrives at 3:35PM. Encourages public to sign up on sheets near door.

**Swear in** New Member Linwood Strickland. Manager Miller swears in new member Linwood Strickland.

**APPROVAL OF THE AGENDA** Member Crothers makes the MOTION to approve the Agenda. Member Rasmussen seconds. 4-0.

**APPROVE MINUTES FROM SEPTEMBER 2023** Member Crothers makes the MOTION to approve the Agenda. Member Rasmussen seconds. 4-0.

### PUBLIC COMMENT:

- Michelle Brooks: SUP applied for in October. On the agenda and not notified. (Manager explains that TB did not schedule the PH, and so the Planning Board would hear this again. TB is talking about revising the SUP process, due to that, they did not set the meeting. Chair allows that conversation to continue. **SUP request for artist studio in R-1 (moved into Public comment section)**)

Ms. Brooks declares not a business- not for profit, only as a hobby. Produces nine (9) letters from all those who would have been served certified notification that they have no issue with the practice at her home of art instruction. Questions whether or not she really needs an SUP- not really a business- funds changing hands are to pay for supplies used.

Chair DeWeese asks Ms. Brooks to describe “small group” Ms. Brooks says 1-3, once a year she does a fundraiser for the Arts Society.

Martin Barrow agrees that perhaps this situation is not covered by the TPU and the SUP process. A hobbyist is different than someone who provides service at cost. Asks the Board to reconsider the need for an SUP.

Manager also notes- Arts, Instructional in an R-1 does require a SUP. The last Board specifically looked at art instruction in an R-1 zone. Capacity for parking is there. Manager cannot move forward without consensus- good arguments made. If the Planning Board decides an SUP is not required, the Manager will defer to that decision. Manager shows the property on the screen.

Chair chooses to adjust agenda to continue with this subject. Commissioner Roe for Commissioner Price notes there is another instructor in town doing the same thing with mosaics.

Mr. Barrow also speaks to the necessity of an SUP for a hobbyist. As a Planning Board member, they discussed all of the GMO TPU- parking was a long discussion- concerning you can have as many

cars there as this would produce. GMO was not designed to govern this. You have an opportunity to move this forward. If it does not meet the GMO, do away with the application.

Angie Propst also speaks as a member of Arts Council, to other residents running Avon, Pampered Chef, other art workshops, piano lessons. Manager notes there is a difference between pampered chef and making pottery at cost- those costs go to materials and piano upkeep. Pampered Chef is, indeed, a for-profit business. She does not make the rules, but that's exactly how the rules read. While we have no appetite for trying to regulate such, it is not the same as what we are discussing today.

Manager notes two issues. Perhaps the Manager misunderstood the application and the other is the GMO. You could do away with the SUP, and Ms. Brooks can do instruction in her home. The second is the GMO- This is what the book says- these are the rules others create, I enforce. I moved it to the closest item. Reality- is the cost covering the materials- question is "Is this a business that is turning a profit?" This does not sound like that to me. However, this is standing at the top of the slippery slope. Where do you draw that line- especially in an R-1. If not a for-profit business, do away with the SUP and have this conversation at a later time concerning the divisions in the TPU.

Chair DeWeese: covering cost is not making a profit. An art center is open to the community- to me, that is not this- not open to the public. We have no regulations about hobbies. Member Crothers says there is nothing less offensive than an art studio and she should not be penalized for attempting to do the right thing. Chair DeWeese makes a MOTION to withdraw the SUP for the art studio. Member Crothers seconds. 5-0. Manager notes the SUP fund would be refunded in the next batch of checks.

## **OLD BUSINESS**

- **Comprehensive Land Use Plan** : Public Hearing Nov 14, 2023 result. Town Board was sent back again for revision- to make sure this is advisory and guidance only. Add that language.

Article I Section 5 to influence GMO- remove (next time we revise GMO)\*\*\*

Remove all of the participants that did the original and those who adjusted it.

Remove responsibilities to one section.

Discussion about this related to CAMA LUP- separate documents because we HAD separate documents.

City Data reference to be removed.

Member Crothers makes a MOTION that language be added/subtracted as discussed and forwarded to TB. Member Strickland seconds. 5-0.

## **NEW BUSINESS:**

- **Multi-zoned parcel on Broad St** – rezoning request forward to Town Board to schedule a Public Hearing and go through the motions for advertising a public hearing. You have old records on previous requests from the same property that were dropped. One of the issues is an easement through the middle, activity on the R-3 that is MU and previous objection to outlet on Midyette St. Issue also about that blocked access. Manager is not confident that we can block access to a Town Street. That is a legal question. Chair

DeWeese makes a MOTION to send forward and request a public hearing. Member Strickland seconds. 5-0.

- **SUP for STR fell through cracks and was not brought forward.** Castellegno request to be forwarded to TB to set Public Hearing . Chair DeWeese makes a MOTION to forward to the TB for scheduling PH for STR. Member Crothers seconds. 5-0.
- **Survey that requires movement of property line:** 3011 Maritime/3013 Maritime- line to be redrawn and both remain conforming.
- **Inquiry to Water St combo use:** rental property on top, commercial below. Cheat sheet requires 5K sqft per unit- one residential unit, one commercial unit. Lot only 7300 sqft.

**NON-AGENDA ITEMS / PUBLIC COMMENT:** Member Crothers will be out of place (leave of absence) December through March- excused.

Chair discusses potential for software that captures data for short term rentals- looking at developers- we do not need the bells and whistles all pretty- we just need utility.

As a Board, we have access to Planning lessons- please look at your calendars for a time when we can go through these.

Manager reminds of Dec 1 Christmas appreciation party- RSVP to Tammy.

**ADJOURN:** Member Rasmussen makes a MOTION to adjourn. Several seconds. Chair

DeWeese adjourns the meeting at 4:34PM. **Next Meeting scheduled for December 20, 2023,**

**3PM.**