



ORIENTAL PLANNING BOARD MINUTES

Wednesday, November 20, 2024, 3:00PM
Oriental Town Hall – 507 Church Street, Oriental, NC

CALL MEETING TO ORDER AND ESTABLISH QUORUM: At 3:00PM, Chair DeWeese calls meeting to order. We have a quorum. All members are here. LUA Miller, Commissioners Overcash and Price also present.

Let's begin by approving our agenda and the approval of the minutes. We'll do it all as one. Minutes from October 14th, 16th and November 4th minutes. Chair DeWeese makes a MOTION to approve Minutes and Agenda. Member Strickland Seconds. 5-0.

Public comment. There is no one here to speak public comment.

Old business. The GMO changed to shift the burden of proof to the applicant. So everything that we had talked about through several meetings is in there. I just have to put it into the, "this is an ordinance to change the ordinance" version. This will be heard on December 12th.

All those corrections were made.

You do not have a draft of that recommendation that says the planning board is allowed to make changes to the GMO, and all the reasons this change is offered. And the planning board sees this as necessary. And the planning board was directed by the town board to deal with that. But I will have that for you signed before they do the public hearing.

Chair DeWeese makes a motion for us to put the ordinance together to send up to the Board of Commissioners for their December 12th meeting.

Member Crothers Second. 5-0.

Alright, next. Continue discussion on music and outdoor venues following the last meeting. If you read through the November 4th minutes about Nobody wanted to make a decision.

We still have some board members that don't want to do anything. We have some board members that want to limit the time. We went around in a lot of circles. Limiting it at all would require you to insert a section that says, if you're going to do outside music and theater venues, here are the limitations.

X number of times a year, or you're not allowed to charge admission, which is one of the options, or you're not allowed to have catered something, or you're not allowed to provide additional restrooms you're not allowed to, you know, it can't exceed X number of people. Whatever restrictions you want put on it would have to be put into a separate section.

You can just not add the section that says it requires a permit at all. And, and just, you can make that section that says you can only do this twice a year. Or you can only do this twice a year except in conjunction with a permit. One of the sanctioned events that's on the annual closing, or you can do nothing and forward that up to the board.

First. As we every time we've talked about this, we've determined that they never needed a permit to begin with.

So in my opinion, there's I don't I don't understand why we're still throwing this back and forth. I think I think it needs to stay. The board needs to decide if they need to do something other than what's already in the in the GMO.

Well, they don't need a permit. But, but basically what we're doing, we're talking about something that has no relevance to what's already happened, in my opinion, because they never needed a permit to begin with.

The permit was to exceed sound level. The discussion goes, though, did they not have a permit but should have had one because it was a change of use? It was not a residence in a residential zone. They should have had a change of use for having a business like activity in a residential zone, which I would have denied had I been given that permit.

Okay. So that's where we're kind of stuck. But how is that enforceable based on what we already have? What we're, what we're trying to determine is, is because of the complaints.

Because of what has been happening, is this the way they're using it a, on a commercial use of a residential space that would require a change of use permit because we don't typically allow commercial ventures in residential spaces.

Do we now require a permit going forward saying, okay, you can do this once a year and that's it?

Or do we say this is a commercial use of a residential property, i. e. a change of use? And we are not going to regulate that and you can do it whenever. That's not where we are. Where we are now after all the discussion is, it is a change of use.

We can shut it down because it's changing the use from residential. There is no residential, commercial use in a residential zone. Right. So why, why do we need to change that? So at this point, that means they can never do it.

Do we want that either? As a business, they shouldn't. And how would that, that would not affect then the Fay Bond birthday example? That's all free. And my, my feeling is, is that would probably take care of it. It is already in our GMO. So if they're breaking the rules, then we need to enforce those rules.

So you want them to enforce those rules and not ever allow them to do that again? Well, I think that's for our commissioners.

One thing you could include in here is not to grant to a resident a noise permit. More than twice a year or once limited at four right now. No, it has zero effect on this particular issue because they have never exceeded the noise limit.

They have a permit to have a noise limit. Yeah, but they never exceeded it. Then they'd be limited to two times a year. I don't want to cut it off. There's other opportunities to have an event without infringing on the neighbor's rights. But the, the noise permit had nothing to do with that.

CO: I'd like to limit with these events to no more than two times a year, personally, what I've seen over the years. So if we can do that somehow, that would be my solution.

Does all the things that makes it appear to be a commercial business. And they do want this to be considered a business. That's a whole other can of worms that we have. Yeah, then I have to send police in.

My other thought with this is we were, there was a discussion about what other events might happen in the future. Create a change of use in residential areas, and we really couldn't come up with one.

One, doing any sort of haunted houses or any sort of themed type or Christmas lights or anything out of a residential space and taking donations or something for people coming through. Those, even though it doesn't have the noise issue that our current complaint does, Those also could at times be considered commercial ventures in residential spaces if they are taking donations or money if they had food provided.

And that is just they have not happened, but that would also be other examples of potential change in use, even at a temporary change in use in a residential area. So, one of the things that we kept coming back to is, I would not own one next to it, and I can't believe we have To do this.

So yeah, so I, my recommendation is that we send up to the board of commissioners that this is considered a business use. We tell Bob that mm-hmm, that you, you can't charge, you can't do whatever makes it a business. And, you all have to decide what makes it a business.

Because it would be me and you saying you can't operate a business in a residential zone. So whatever constitutes making it a business, taking money is A number one. But do the other things contribute to being a business? And, and just go with what we have without trying to wrangle up everybody that's got a donation box because they got 18 gigawatts of electricity running to do a Christmas lights display or Whatever else I mean Stay on your parcel do your own thing.

The problem is it doesn't stay on their parcel, right? and it affects everybody else so trying to wrangle it back into You want to do what you want to do on your property do it on your property and don't affect everybody else I mean How do you restrict the noise to your property? You don't.

His excuse was he was using for a charity of which he called the fire department kind of unawares and the head of the old theater came up to Sue Henry's house and said, we didn't sanction this. If they want to say it's a charity, we need to get an affidavit maybe from the said charity saying they support it, or whatever, and not let them, or anybody, just use that as a leverage to say I'm going to have this charity event.

A good question to ask is, okay, you're saying it's money for charity. How much have you taken off to cover your costs? And if they're doing that, then it's a business. And they paid musicians. Yeah. And they have stated in the past that they took donations at the door to pay the music, to pay the musicians. That's not in charity. So for a hundred percent to the charity.

No paid concessions, no facilities work and advertisement because they put up flyers. They advertise online through social media. And that is what brought in, for that first one, there was like 160 people. Or some such number. All of the events that we've had. Well, that was one out of, I don't know, him and his head.

For a number of years, he's had events. For the number of years that he's had events, they've been within their group of people. And then, they have pushed it out to the public at large. Yeah, they do, but we're also talking about in a residential area. We're not talking about shutting down charities that are operating outside of residential areas. This is just for residential areas. Yeah. This isn't outside of them. The Witch's Crawl would be one. The Witch's Crawl would be one.

The issue then becomes how do you enforce it? 100 percent goes to the charity. Like, you know, do you now require a permit if you're going to do a change of use?

We can make a new permit called an event permit.

And even if it's no cost, where we can ask these questions. Yeah. And let somebody from the charity have to sign it. Make it once a year. And that makes it policy and procedure and not GMO. They can still create the noise, which is why we're here without crossing any of these lines. So the permit, I think they have an excellent idea that we can have representatives and so forth.

They're getting a noise permit. We're talking about doing a brand new event permit. Like the parade permit that you, excuse me, parade permit, and when you sign up to be in the parade, you fill out a form. Is that, you can formalize it. Yeah, I wonder if four people on this street said, Bob, this is bothering the hell out of us.

I think the event permits the way to go. And send that up to the board? Yes. And here are the things that make it a business. And get somebody from the charity to sign. Otherwise you can't take up the money. Does the board want to direct you to have the police to enforce it? Since you weren't sure?

No, they will enforce it. They enforce the ordinance. Police will.

I make a motion that we recommend to the board, that this board recommend to the board to have an event permit for events in residential areas. We are allowing it under a permitted basis. As long as it does not become a business. It gives us the opportunity to delineate all of the things we don't want them to do. And it still allows the activity without shutting it down completely. But We will still have a complaint. We will still have a complaint. That's exactly right.

And the thing is, is that with that complaint, the biggest complaint they had was the bass. And the thing is, is that if we can. The bass monitoring is going to be almost impossible, because of the, God, the hertz level that it's at. And, honestly, it vibrates the bones.

And we can't legislate that. But we have to find some way to react to this, unfortunately, because we do have people who will not be more neighborly.

Is there a way at all to say the bass is too loud, too intense? I mean, is there any kind of metering that can be done on that? Absolutely. We can buy another piece of equipment and keep it calibrated and check on the bass. How much is the equipment? That's going to be a couple hundred dollars, at the very least, for something on the lower end. That's my suggestion. The permit we're talking about would also stipulate Bass level. A number of times per year. The number of times per year.

One is, is that if you're going to have an event that behaves as a commercial event where you're collecting money and putting out concessions and having bathrooms. That's a commercial thing.

So that needs a permit.

And that's it. And Bob can still sit on his porch by himself. He is the bass.

Yeah. I don't want to have that big of an event. So what's the limit? How many? What do you wanna limit it to? Alright. Four now, right? Four would go coincide with the noise.. For an event like that, honestly, I wouldn't say more than twice a year.

Twice a year maybe. Yes, sir. So we're gonna permit the activity we're trying to restrict.

Pete: I think, I think that's our best solution. I think it kind of covers everything. As Charlie said, I think it will discourage. And who's to say this is not going to pop up elsewhere with some other So we can insert that into the nuisance part of the general ordinances and not have to dive into the GMO.

What we're really doing is trying to educate homeowners about what is allowed if they're going to do some kind of outside event.

Rather than just, if we just leave it alone, we'll be back in here again next year with somebody else. We're not stopping them from doing it. Some of the things he's done in the past, you can't do it again. One of the things the board has, the town board has constantly been aware of and had to factor in is people buy in residential areas for a reason. Yeah. And we try to protect that as much as we can.

DM: I will break that up and circulate it and see if we're all on the same page.

We should talk about the short term rental mailing quickly and just get that off the table.

Alright, for the short term rental mailing do we want to do that before or after we end up changing or sending up the changes. Wait until we change.

If you want to do short term rental in R two through MU one, it takes the land use permit. But it also requires you to fill the occupancy forms. Somebody come in just last week and says, I'm not renting out the rest of the year. I'm not renting out again until March.

What if somebody in order two wants a short term rental? They're gonna have to go through the prove all the things, or they can just wait. They all know we're working on this and this is where it's going.

Table of permissible use.

Back when they were resetting the GMO, that a manufactured home that kind of comes in on a trailer and gets put on a permanent foundation should be regulated in exactly the same way as a stick built house. So, we take manufactured out, so where it says manufactured, we're really talking about mobile homes.

251 (Definitions) section that has the minimum width and minimum roof pitch and all the things that makes this a class C wind resistant, more wind resistant structure so that the most vulnerable people are not in the most vulnerable structures. That was the entire point of moving it.

Change the manufactured to mobile.

And then we talked at length about 1.3 and temporary residences, so temporary homeless shelters, that again would be something that's directed by FEMA or some other agency above us.

We're crossing out homeless shelters. It would go in with all temporary emergency construction repair. Okay, so it's just redundant.

My point being that if somebody goes and looks for it and goes, what about homeless shelters? My idea here being that if it's shelters. That's not, no, that's not Dylan's rule. I (the state) have to tell you what you can do, not list all the things you can't. Can we still go ahead and put comma shelters at the end of 310.

It has a different connotation to homeless shelters. Yeah, but it also says it's under temporary residence. It's just the wrong place for it to be. That makes more sense. It should be in 7.

We can add that now or when we get to it either way. Otherwise we're going to forget about it. Special use permit for MU and MU 1 for homeless shelters. Under institutional residences or care confinement.

Planned Residential Developments 1.400 is all special use. And those should stay special use? Or anybody have any argument for land use instead? Yeah, too many moving parts. There's traffic. There is minutiae. There's runoff. There's drainage. There's all Yep.

2.100. No storage or display of goods outside a fully enclosed building. The only thing we're really worrying about there, high volume traffic generation, is we are starting in with convenience stores or grocery stores.

Is there a reason it should not be an L in MU1? I would go the other way. Say again? I would go the other way and make S in MU. And just because that's anything store –Grocery, Shopping Center is gonna create a new and exciting traffic pattern.

So we're talking mainly along Broad Street and for MU and MU1, by the way, which is our higher traffic areas. We're still on the Case of changes that we might make, which might affect an existing business, say the hardware store.

This is all businesses going forward- everything existing is existing. So let me clarify. Please. In the 2.111, that L should be an S. When you go to 2.120, it's no or low volume traffic generation, that's where an L is acceptable. And maybe in the MU one, the L is acceptable. Because we're always concerned about traffic.

So change that S to an L and an MU one. And then wholesale sales. Now we are talking about outside. So we don't want that in residential, but mixed use is mixed use. And it's outside of a fully enclosed building, and it doesn't say high, and it doesn't say low traffic.

Because if you have wholesale sales, that's not high traffic. Generally, I mean, when you do wholesale, we're talking about pallets of one thing. Like the fish processing.

So only people that are coming after that one thing are going to go to the business. No, here's my question about that. We have because I'm thinking about the trucks that go down Mildred from Fulchers. The weight of that traffic. Of the trucks. And the damage it does to the roads. So even though, even though you're not dealing with high traffic, you are dealing with traffic that is heavy. And does more damage than normal road.

But I would change the L to an S. 2.130. Gentlemen, any discussions? That's the worst case we need to be considering. And the no low volume traffic generation that one we are considering.

That's going to be possibly in the same as wholesale sales.

Because we're talking about home offices. You do taxes. 2.120, XXXLL and wholesale sales 2.130 XXXSS.

2. 1 is outside display. So, the goods would be not in a warehouse. It would be vehicles or trailers or greenhouses like is down the road.

Moving forward, 2. 2 storage display within and or outside. So in and out, here we go. High volume traffic should still, I believe, stay as an SS because of the traffic situation discussed earlier. No low volume traffic generation, I think should follow with the above LL.

Wholesale sales, I believe, should also be with SS. Because, again, of the weight issue of the trucks. As discussed with, like. I have a question about this one. Okay. Manufactured home sales. Change this to mobile home sales.

And, we are looking at the future possibility of somebody selling mobile homes. Mobile homes out of a place. It's not a high traffic thing, but heavy traffic.

And on the way to, between Havelock and New Bern, there was a manufactured home place. And the only thing that was there was sample homes. They, nothing came in and out of that place, they came from someplace else and were brought in and made stick built- permanent foundations.

So I would stick to the mobile home thing and remember the same heavy traffic that requires them to be taken out across the road with, you know, extra wide load and forerunners and behind runners.

Mobile is going to affect us. Manufactured is not really going to affect us.

2.24 to SS. We are changing it to SS, but also changing manufactured to mobile. All right. Good deal. And onward office clerical research and services not primarily related to goods or merchandise. 3.100. All operations conducted entirely within a fully enclosed building. We have land use permits for the first ones, operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys and other professionals, and insurance.

So this is just your basic I think land use is fine for this. We're not dealing with heavy traffic. Or heavy loads. We also have land use for 1. 20 operations designed with little traffic. Land use for offices or clinics, as we do now, with not more than 10, 000. That's also land use, no need for an SUP there.

Banks and other offices, land use. Home offices. With no client or customer traffic and all and reside on the premises is E, which is exempt. So that is, I think, acceptable. Any questions, additions, changes, anybody can see that we need to make here? All right, and if you flip over, you will be at section six, so we need to go and find section four.

Alright, so 3.20 operations. Operations designed to attract and serve customers or clients on the premises and operations designed to attract literally no customer or client traffic.

So we're thinking about things like the like the brewery and restaurants and things, or like nautical wheelers where they have all that stuff outside. And those are land use permits. Yeah, I think that's fine because something like the brewery is covered under an SUP because of the liquor license involved. Here's my question, not if the Wheeler sells wine and does wine tastings.

They didn't do that until after they had moved in. They had to have a special use permit at the time when they switched it from residence to Business.

All right. Any reason that you see that anything under 3.20 should be a special use permit? Keep it with land use permits. Industrial. This is not allowed anywhere in residential areas at all and requires a special use permit.

For light industrial in both 1. Medium industrial requires MU to have a special permit. And heavy industrial is not allowed at all in 1. And medium industrial is not allowed in MU 1. Just so we are clear, MU 1 You have to go to section 251 for definitions.

MU1 area they're talking about is down Broad Street, Midget Street and along the harbor Water Street, New Street, Hodges. So there's no heavy industrial in there or light industrial. The point was to keep all industrial away from the water. And that's also because they would be subject to CAMA and all kinds of EPA and stuff like that anyway. And I think that would have a necessity require a special use just so we can go through all of the state and federal permitting or state permitting.

Section 5, Educational, Cultural, Religious, Philanthropic, and Fraternal Uses. Right now we're moving into residential areas. All right. Schools. 5. 1. This includes elementary and secondary including association grounds and athletic and other facilities.

Right now it is a special use permit in all areas except for mixed use. However, mixed use 1 is also a special use. It is a land use permit in mixed use. My question is why is it a land use permit in mixed use and a special use permit everywhere else? MU1 generally has 50 percent residential space and 50 percent commercial space.

Red zone, is really where our heavier commercial uses are. I get it. Alright, do we have any discussions on changing any of that or leaving as is?

Alright, then we shall leave that as is unless somebody suggests otherwise. Trade or vocational schools are not allowed in residential areas, and I think that is sufficient. A good idea. And with the same land use versus SUP and MU versus MU1.

Stay with trade or vocational schools. Land use and then SUP. Do we have any change there? I think that's fine, given the same information. Nursery school, child daycare follows along with elementary and secondary the same.

So that could happen in our world or anywhere. That's why they have it as an SUP instead of an LUP. And you would have to show why that doesn't create an issue.

So, you go back to, lots of noise with high traffic. And that's just it and that's one of the things as Charlie said that they have, you know, you try and protect your residential areas for people. Suggestion here is we need to make those S's for nursery school, child daycare and I would say elementary and secondary. R3 includes the churches. R2 includes the churches. Yeah. But R2 church, I'm thinking about the one over there, already has a school. That's an MU1. But I also, I'm thinking I wouldn't want to take that away from the churches. And honestly, if you're in a residential zone with a school, it's safer for the kids. It changes the traffic pattern and it does all that. And then it goes very concerned with how you change the traffic across the street.

Well, the other thought is, is that if it's a child daycare in an R1, that also becomes a commercial use and that would have to be run out of a home. And I think we already have provisions against that. I'm okay with that. I live in a neighborhood in Florida where the neighbors, I wasn't plugged into the local government, but they had a daycare center and they turned their front yard into a parking lot.

They were watching like 8 or 10 kids and all the cars, the workers were all parked. Of course, it became dirt. So you want those to go to X's? Or one, two and three. Yep. I don't feel like it belongs.

Do we have churches in R1? No. You can put an X in R1 and then put an S in the other two. My only thought is to have an S in the other two just because of the churches. So an S in R2 and R3 and an X in R1 as a concession for the churches in the future.

5.110 and 5.130 and the rest will remain as is. Childcare is still going to be an S right? Because that's the heavier industrial

Institutions, including associated residential structures for religious personnel and associated buildings, including school buildings. Parsonage. Institutions, so school buildings.

5.30 libraries, museums, art galleries, art centers, and similar uses. With somebody trying to request an SUP. for an art center out of their shed. It was not a business, it was a hobby. And the question then becomes. They weren't charging. They were paying for the materials that they used.

So the question there is, do we keep it as is? I wouldn't prevent a library from being anywhere. No. I agree with that wholeheartedly. Are you charging? Is this a business? Is this a commercial use?

At that point, we I don't see a problem with the land use permit in those areas because there is no problem that I know of having those types of activities in those spaces.

Yeah, sure. Can we consider the MU1 changing that S to an L.

5.30 I think is okay as is. 5.40 fraternal clubs and lodges and similar uses. We have several they're not allowed in R1s.

Residential SUP Yeah, we have one in, in R2. And then a land use in other areas that are commercial and residential.

I'm thinking fraternal clubs, Moose club. Moose club, that kind of thing. Not a, not a Phi Beta Kappa or anything like that. No animal house.

Leaving as is then? 5.40? Well, I have a question. Please do. Why are we leaving it in special use permits and not X's in R2 and R3?

I'm not a big fan of special privileges beyond a certain extent for R1. The reason is, is because there's already one in R2. Where is it at? It is over Ragan Road. But maybe we don't want more? I agree with you.

X, X, X, . Alright, then we limit it. So it'll be grandfathered in. The one that's existing is grandfathered.

6.0 Recreation, Amusement, Entertainment. Activity conducted entirely within the building or substantial structure? None of this is allowed in R-1, R-2, R-3.

And mu one. Thank you very much. SUP is needed for mu. , and I don't think we're going to get a bowling alley or an indoor tennis or squash courts. However, should somebody want to you or a coliseum or a stadium? No coliseums. No lions. We do have the exotic animal ordinance. Yeah, we got a lot of pickleball. Theater and music venues only allowed in MU as an SUP.

I'm fine with that. We have them in MU as it is. Of course it is. I think this whole section is good. Yeah, I'm looking at it. The game rooms.

These all need to come before the board. Move down to 6.20. Activity conducted primarily outside enclosed buildings or structures. Frankly, I'm of the opinion that any kind of recreation, amusement, or entertainment that is outside and makes noise absolutely has to come before the board in some way, shape, or form because you are going to create potential nuisance type issues even if it is for entertainment.

I think that should absolutely stay as an SUP and none of that should be moved to an LUP. That is my opinion. And that is regardless of which district we're in, we can talk about which districts we may need to put an X in if that's needed.

We're talking about section 6.20. Because that's all outside entertainment, that is all drawing traffic, that is all noise.

And you don't think there should be any exemption, you know, it should be exempt in 6.21? Privately owned outdoor recreational facilities, golf and country clubs, I think that needs an SUP. Because you're gonna have high traffic. And land. Why would you even permit them in R1, R2, R3? Well, that's, that's what I'm waiting for.

What I'm, what I'm addressing first is I think there should not, none of those should be changed to a land use permit in this section. Because of the nature of the activity. But Pete's argument is why isn't it allowed? So, if you have a big undeveloped area that's continuous to the town, but not already inside the town.

You generally have the big R1 houses on the golf course. So if they're going to develop a golf course and put housing around it, that that's the kind of houses that are going to be around it. I was asking about the districts, the R1, R2, R3, as a separate from that afterwards. That was the second part that I was going to address, which we can address now.

We're still in, in, in the entire section of 6.2.1. My point being that I think everything there should be an SUP if we allow it at all. Now, as for residential areas to Diane's point, if you have a huge, because we are thinking about annexing in the future, they like to build big fancy houses on golf courses and they like to build them along the water, so we don't really want to put a golf course outside of a residential area.

Considering that's how a lot of things are developed sometimes. A lot of things sometimes, whichever. I don't understand why there's an X in 6. 230. Driving ranges. No, that wouldn't, that wouldn't be, yeah, those should be Xs.

Driving ranges, miniature golf courses, in MU1.

You don't build houses around the driving range. Yeah, they tell you the exempt and you start one. So what we can do for the driving range. Yeah, the driving range is we can take it out of the residential and then put an S for the MU1. Because that's more of where that might belong.

X is for R1, R2, R3. And then S for MU. MU1 is going to be S.

Horseback riding stables.

Not constructed pursuant to permit authorizing residential development. I have a question about this one. And I'm thinking about the way things are currently, we would not want that in R1, R2, or R3. But I'm also thinking about if, kind of in the same vein of the golf course. In Ocala, they do that, they build around stables and things. So in terms of annexing in, we may want to allow that in R1, R2, R3 areas in the future as annexed in, not necessarily here. We have separate ordinance about how many animals can be within and how many feet of property ownership.

And you have to have a certain amount of square footage per animal. Which would also, for smaller lots, automatically rule it out. Disqualify it. So my suggestion is allowing that as an SUP for future annexation, given that our current animal ordinances will also Disqualify anything that's existing in those areas in the same vein.

It's golf courses. R1 R 2 and 3.

6.250 automobile and motorcycle racing tracks.

Those are not allowed in MU nor MU 1, which I can understand because that is 50 percent residential. So I think keeping it just as an S in MU, heavily industrial, is fine. But 6. 250, I'm okay leaving as is. Alright, we'll leave that as it is.

The drive in movie theater. I would actually make that honestly an L in an MU at the very least. I mean, that's where that would go anyway. But, there is a noise issue potentially. I lived within half a mile of a drive in theater outside of Washington, D. C. You can hear it. And that's through the park. Oh my gosh. It can happen. Saving Private Ryan. Yeah. All right, so we're gonna leave drive in movies as you are. Thank you, Butch. Hey, this is why we have this many people on this board, campgrounds, travel trailers, recreational vehicle camps, and parks.

Our special use permit only in Mu -completely locked out of residential areas. I think that's acceptable because we did have to deal with that. 6.280 is just like horseback riding and golf courses. I think that should be left alone as well.

I can tell you that the whole section of 7.000 took the planning board probably two sessions to go through each and every block of that. And I am confident that that's good the way that it is. The arguments that went back and forth *[additionally, those uses are governed by additional law preventing local zoning from keeping those uses from being implemented in certain zones.]*

That board had incredible knowledge about those particular areas. I'm fine with leaving 7 alone. Where will the homeless shelters fall under in that section?

We've talked about moving at the seven. And I have a note next to it that says, homeless shelter, X-X-X-S-S. So I can put it in at five three Oh mm-Hmm. ? Yeah. Just like the halfway house.

7.530, thank you. Next, restaurant, bars, and nightclubs. We have land use permits for MU and MU 1, eating, carry out, or delivery service, no drive in service. Land use permits. I don't know that that necessarily needs to come before, with a special use, unless we want to attach special things and,

Drive in service is a special use permit. Because of the traffic. And I think that's fair. Bars and nightclubs. Bars and nightclubs for the same reason. Yeah, I think that's fine. So, eight stays as is, unless we have any suggestions to the contrary.

Motor vehicle and boat related sales and service operations. All right. A lot of this is in the heavy industrial MU spaces, which is going to be your existing marinas and sail boat yards. It is away from the water mostly. And we have everything starting off with motor vehicle and farm equipment is a land use permit in an MU.

None of this is allowed in. At least under section 9.1 So, we have land use permits for motor vehicle and farm equipment, automobile service stations, gas sales operations, automobile repair shop or body shops, and car washes are the special use permit.

Does that have to do with just the Recycling the water or something? Yes, car washes and boat washes are now required to log and move the solids off site.

They're stacked. Canoes all? Canoes. Canoes. I think that should stand as it is and the SUP for car washes should stand because you are involving now state laws. Any questions, comments on that section, 9.

Moving forward, 9.20, boat related. Sales or rentals still allowed by special use permit and S one, S two and S, R1, R2 and R3. Yeah. And that's only a single sale.

That's not commercial. Ours are all Xs.. And then we have land use permits for mixed use areas, which I think that's fine. You're not dealing with any wash off or any, anything like that. Commercial boat shipyards not allowed in MU1 must have a special use permit.

So let's keep that as an SUP. Industrial boat yard should not be allowed at all. Commercial fishing operations, SUPs, I think that stands. Boat fuel services are L in MU and S in MU1. I think that's fair.

I don't think that there should be an L in MU1. I think it should not be. 9.224. Only because MU1 is partially industrial. The only thing I might see, and please give me your opinions on this, is if we need to make the L into an S, but I don't think that would be necessary. So, and here again, I'm just not as familiar with how all this would work, but let's just say that there's a fuel spill. And do we have whatever is already in place that is adequate to manage that? So when you're talking about fuel spills along what's existing along the water right now, so that's going to be more of your MU1, I believe.

Basically whenever the fuel is spilled, it gets called into town hall. We call the Coast Guard and we call the National Response Center. Yep. Okay, how did that help us? They took samples of what was in the harbor and they took samples from the bilge of several vessels.

But other than that, we have no control over what happens. We don't have control over the water. But we have control over who's building or operating on land, which is why it's an SUP. And I'm just playing devil's advocate here. So, one, once you get in the water We have to have a state local bill that says that we have jurisdiction out to 10 foot of depth. The last time we attempted to get that, the county told the state that we didn't need it. We tried to be able to control Derelict boats.

Derelict boats, abandoned derelict vessels, and to be able to hook up perhaps a mooring field out in the where people are already out of space. And have a little bit more control with what floats in spills out the river that come in with wind. What is the county? Why were they opposed? They did not want other municipalities pressuring them to act. Now we have abandoned derelict vessels. They don't want to be called on it and be required to do so.

And that was good after the 10 foot depth. Which in most of our creeks, that's it. So we have three, four abandoned derelict vessels in Greens Creek. Outside of our jurisdiction. But the Coast Guard has been to them, has removed fuel, batteries, all the things. They won't remove the boats. They just remove the corrosive pieces? Until they become a navigation hazard. Is that the Coast Guard's problem? There are grants to remove those boats, but they are few and far between, and it's basically whoever pops up and says, I have this first.

The one boat that we did take care of ourselves was a 27 foot boat that cost us \$2,700 for disposal. We had free storage at a marina while we waited the 30 days that we have to. We had free towing to that marina, free towing from that marina to the boatyard, free lifting out from the boatyard. And the only person that charged was the guy that was going to actually dispose of it, and that was \$2,700. But it would have been two or three times that if we had to pay everybody for all that moving around. It's very expensive.

I don't know if they're short staffed or We've reported some over at Whittaker Creek and they've Okay, thanks. Appreciate your time. Yep. You know, nothing happens. Allison, I hate to ruin our party here, but Oh, no. 4. 30, I'm going to have to keep going.

That's fine, that's fine. I think we've got a little bit more, but we're also supposed to meet on Friday. Yeah. As I said, it sounds like a great stopping place. Let's go ahead real quick and move on to new business..

We have several permits that have gone through, different ones that you signed off. There were two single family residences, relatively small houses on relatively large lots, plenty of extra space. There's a big carport going up behind the Tingle residence. Adding a deck, adding a shed, adding a carport.

You should be aware, though, that there are two parcels that are preparing for construction. And neither I, nor the building inspector, have any paperwork on them. One is at 1930 White Farm Road. I don't know if you've noticed construction out there. And the other one is at the end of Sea View, which is an undeveloped cul de sac out in Dolphin Point.

Where they have cleared the trees, there's lines strung up for a foundation. We have nothing. So police and the building inspector keep an eye on that and make sure nothing goes in the ground.

It's the only thing going on in the whole cul de sac. And it's off of Deerfield. In that case, just for your recording, we stopped at 9.224 Boat Fuel Services. So that's where we'll pick up on Friday. Okay. Morning. 8: 30-.

Chair DeWeese makes a motion to leave. Pete second that motion. 5-0.

ADJOURN:

Next Meeting scheduled for Nov 22, 2024, 8:30AM.

Allison DeWeese, Chair

Diane H. Miller, Clerk to the Board/LUA