

## MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, November 14, 2005. This meeting was held in the meeting room of the Dare County Administrative Annex building located at 204 Ananias Dare Street, Manteo, NC.

### CALL TO ORDER

<b>MEMBERS PRESENT</b>	Elmer R. Midgett, Jr. – Chairman	Ricky Scarborough, Jr.
	John Myers	Cathy Morris
	John Finelli	Beth Midgett

**MEMBERS ABSENT**      Joe Thompson

### APPROVAL OF MINUTES

None

### OLD BUSINESS

None

### NEW BUSINESS

#### *Wind Over Waves, Phase 3 – Waves – Preliminary Plat*

Chairman Midgett informed the Board that Mary Helen Goodloe-Murphy would like to make some comments regarding this.

Mary Helen Goodloe-Murphy, President of the Rodanthe/Waves/Salvo Civic Association told the Board that the Civic Association would like the Board to consider this submission a site plan review as opposed to a preliminary plat review as submitted. She stated the Civic Association has some significant concerns about Phase 3 of the proposed Wind over Waves subdivision.

Mrs. Goodloe-Murphy told the Board that the submission is deficient. She noted that the preliminary plat does not show “Wooded areas, marshes, swamps, mean high tide lines, vegetation lines, primary and other dunes, ponds or lakes, streams or streambeds and other natural features.”

Secondly, Mrs. Goodloe Murphy expressed concern regarding stormwater and the adjacent Brick Creek which functions as a stormwater and groundwater outlet for a substantial portion of Salvo. She stated this Creek needs to be protected, and the Civic Association would like for the Dare County Planning Board and Dare County Commissioners to request an easement for the creek with a sufficient buffer so that the interests of the community are protected.

Mrs. Goodloe-Murphy introduced Vicki Grist, a member of the Outer Banks Scenic By-way Committee. She stated that the By-Way committee would also like to call the Board's attention to an opportunity for us to look at installing an off-road paved pathway along the highway corridor.

Mrs. Goodloe-Murphy stated that she and members of the Civic Association and Scenic By-way Committee would welcome the opportunity to meet with the planning staff, NCDOT, Quible & Associates to discuss possible stormwater management issues.

Ryan Simons presented staff comments. He identified the following items for the Board's discussion:

1. Stormwater – NCDENR Division of Water Quality has reviewed and approved a stormwater management plan for this project and a State Stormwater Management Permit for Low Density Development has been issued.
2. The Street name conflict will need to be resolved with North Sanddollar Drive and Otter Way.
3. A note should be placed on the plat to reference Section 22.58.2 of the Dare County Zoning Ordinance.

Mr. Simon recommended that a typical building footprint be included on lots 54 – 57 to show how the integrity of the topography in that area may be sustained. He also noted that the design of lots 34 – 35 may need to be redesigned in order to satisfy setback requirements. He stated that the front, rear, and sides of that property also need to be identified. Similarly, lots 17, 18, & 19 are sort of curiously designed and there may need to be some reconsideration of that design as well.

Chairman Midgett stated that he does want to consider this a sketch plan tonight because he wants to go down and look at the property and talk with the engineer on it. He stated he doesn't want storm water run off to be a problem.

Andy Deel of Quible & Associates was present to represent this plat. He told the Board that he just wanted to address the concerns expressed by Mary Helen Goodloe-Murphy and the stuff that was sent to them by the Civic Association. He stated that the with regard to easements and the creek. The creek is actually jurisdictional and falls under CAMA jurisdiction; it is SA waters and anything that is done within 75' of that creek is going to require a CAMA permit.

The Board discussed the storm water, swales, etc.

Board considered this review a sketch plan; no action taken.

## **OTHER BUSINESS**

### ***WANCHESE ZONING – REPORT FROM WORKSHOP***

The Board discussed the final draft of the zoning regulations for Wanchese and written comments submitted by Mr. Finelli.

Lorraine Tillett discussed several revisions identified by the Committee.

The Board agreed to place this item on the December Planning Board agenda for recommendation to the Dare County Board of Commissioners. Chairman Midgett asked that the Board members submitted any errors to staff for correction.

### ***SED-1 Amendments – Revised Text and District Boundaries***

Senior Planner Donna Creef presented staff comments. She told the Board that in September the Planning staff presented a set of proposed text amendments to the SED-1 district. At that time staff was under the impression that the Dare County Water Department no longer used the well field, or that it was in an active status. Subsequent to that meeting, the Dare County Water Department Director read about the planning board meeting in the Coastland Times and contacted and told her that those well fields are still in use.

Mrs. Creef told the Board that the staff has been in conversation with the water department and wanted to make sure we could accomplish what we were trying to do which was to make the SED-1 regulations not as cumbersome for the property owners in that district who were struggling with the wetland buffer and the wetland fillings.

Based on their review, the Water Department has suggested that a new district, SED-1A be established that would apply to the sections in Buxton and a certain portion of the SED area in Frisco with the strict regulations of the SED-1 remaining unchanged along the well field area. The water department prepared a map illustrating the two districts.

Since this represented a substantial change from the original staff presentation in September, Mrs. Creef stated she felt it was important to share this information with the Planning Board prior to making a presentation to the Board of Commissioners. She stated it is scheduled to be presented to the Board of Commissioners next Monday with a request for public hearing on the changes.

She provided a summary of the changes as follows:

1. Establish a new SED-1A district which would allow mobile homes as permitted uses, wetland filling and alteration consistent with the Corps of Engineers regulations, and reduce the wetland buffer to 25'.

2. Amend the SED-1 text to add mobile homes to the list of permitted uses. No changes to the current prohibition on the alteration or filling of wetlands and no decrease in the 50' wetland buffer.

Mrs. Creef requested the Planning Board make a recommendation on the concept of two districts for Buxton Woods (SED-1 and SED-1A) She noted that the previous recommendation by the planning board against the addition of mobile homes to the list of permitted uses in the SED-1 will be conveyed to the Board of Commissioners in addition to tonight's recommendation.

Board discussed the proposed text amendments and the addition of mobile homes as a permitted use in the SED-1A district.

A motion to recommend approval of the proposed SED-1A & SED-1 to the Dare County Board of Commissioners was made by John Myers, seconded by John Finelli.

Vote: Ayes – Unanimous

#### **ADJOURNMENT**

There being no further business before the Dare County Planning Board, a motion to adjourn was made by John Myers, seconded by Cathy Morris.

Vote: Ayes – Unanimous

This meeting adjourned at approximately 9:05 PM

Respectfully Submitted,

Jacqueline J. Tillett  
Senior Administrative Support Specialist

APPROVED: December 13, 2004

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Elmer R. Midgett, Jr., Chairman  
Dare County Planning Board