

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, May 14, 2012. This meeting was held in the Dare County Board of Commissioners meeting room located at 945 Marshall C. Collins Drive, Manteo, NC

CALL TO ORDER 7:00 P.M.

MEMBERS PRESENT John Finelli Beth Midgett
David Overton
Ricky Scarborough, Jr.

MEMBERS ABSENT Elmer R. Midgett, Jr. – Chairman
Dan Oden

APPROVAL OF MINUTES

There being no revisions to be made to the minutes of the April 9, 2012 planning board meeting, a motion to dispense with the reading them and to approve them as submitted was made by Beth Midgett, seconded by David Overton.

Vote: Ayes - Unanimous

PUBLIC COMMENT

None

OLD BUSINESS

Hatteras Island Ocean Center, Inc. – Hatteras – Zoning Text Amendment Petition

Mr. Andy Deel, project engineer, was present to represent this zoning text amendment submitted on by Hatteras Island Ocean Center, Inc.

The Planning Board tabled this item at their April 9, 2012 meeting to allow additional revisions to the proposed language to address concerns about the setback of the pier structure from the adjoining property lines in addition to the traditional setbacks for the principle use structures.

Planning Director Donna Creef told the Board that she met with Mr. Deel and reviewed the overlay of the property and came up with language to address the setback issue and the lighting improvements as follows:

- b. In order to access the ocean, the fishing pier shall be exempt from the rear yard setback requirements of this district. The fishing pier, however, shall maintain a 100 foot minimum side yard setback within the property and at the point where it crosses the rear property and at the point where it crosses the rear property line.
- h. Parking lot lighting shall be comprised of cut-off fixtures such that no direct light is focused toward the ocean.

Mrs. Creef told the Planning Board that a recommendation and a finding of consistency or inconsistency with the Dare County Land Use Plan are needed in order for the item to move forward to the Board of Commissioners. She provided the Board with a copy of policy PA #1 and PA #3 of the 2009 Dare County Land Use Plan that addresses public access. She noted that PA #1 supports the preservation and protection of the public's right to access and use of public trust areas and waters, and PA #3 recognizes the importance of shoreline access to our local residents and our tourist economy.

A motion to recommend approval of the text amendment as submitted was made by Beth Midgett, seconded by David Overton. This motion also included a finding of consistency with the 2009 Dare County Land Use Plan policies PA #1 and PA #3.

Vote: Ayes – Unanimous

NEW BUSINESS

Commercial Ready Mix Products, Inc. – Wanchese – Zoning Amendment Petition

Steve Michael, Attorney representing Commercial Ready Mix was present. Also present was Tim Newsome, Vice President of Commercial Ready Mix.

Mr. Michael told the Board that the applicants are requesting an amendment to the text of the MC-2 district to allow a temporary concrete plant. He stated that Commercial Ready Mix has secured the contract to supply the concrete for the Bonner Bridge replacement project.

Mr. Michael stated that unfortunately the property was purchased prior to verifying that the proposed use was compatible with the MC-2 district. He further stated that the site in question would provide the best and shortest access to the bridge site, and would allow the concrete to be delivered to the bridge replacement project within the timeframe needed for the required quality. He noted that NCDOT will have someone on site to check every load of concrete for compliance to NCDOT regulations prior to its use. Mr. Michael told the Board that a concern regarding dust from the plant has been raised. He stated that the portable concrete plant has a dust collecting system that would abate any issues with dust.

Mr. Newsome addressed the Board and explained that a portable concrete plant is just like any other concrete plant. He stated that it can be loaded on trailers and even has wheels on some parts of it that can be wheeled in and can be set up by a crane and then be taken back down and moved out.

Mr. Newsome stated that the project will begin in early 2013 and portable concrete plant will be utilized approximately 24 months, and will be dismantled and moved out when the job is finished.

Board member John Finelli stated that not only is the proposed site not properly zoned, but there have also been some concerns expressed about the height and noise of the proposed portable concrete plant. He suggested that a public hearing be conducted at the June 11, 2012 meeting to allow input from the general public.

Mrs. Creef asked Mr. Newsome to submit some language regarding the dust collecting system so that it could be included with the language that will be advertised for the public hearing.

Beth Midgett, seconded by Ricky Scarborough, Jr. made a motion to conduct a public hearing at the June 11, 2012 meeting.

Vote: Ayes – Unanimous

OTHER BUSINESS

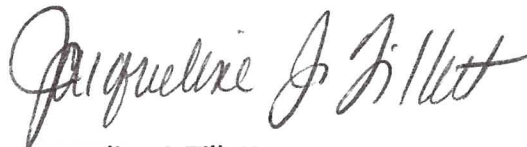
None

ADJOURNMENT

There being no further business before the Dare County Planning Board, Ricky Scarborough, Jr., seconded by John Finelli made a motion to adjourn.

Vote: Ayes - Unanimous

Respectfully Submitted,



Jacqueline J. Tillett

Senior Administrative Support Specialist

APPROVED: June 11, 2012



Elmer R. Midgett, Jr.

Chairman, Dare County Planning Board