

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, April 9, 2019. This meeting was held in the Dare County Board of Commissioners meeting room located at the Dare County Administrative Building, 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 6:00 pm

MEMBERS PRESENT John Finelli, Chairman
Michael Barr David Overton
Terry Gore II Buddy Shelton
David Hines

MEMBERS ABSENT Beth Midgett

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the March 11, 2019 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as submitted. Michael Barr seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

Thirteen people spoke against the conditional use permit amendment requested by Commercial Ready Mix Products.

Leslie Robinson of 25216 Laughing Gull Lane can hear noise from the plant inside her home. They already work past the 5:00 p.m. closing time. She works three jobs and is concerned a 3 a.m. start time would be detrimental to her sleep/health.

Anne Vroman lives at Lances Landing unit 3B. She submitted a photo of the plant from her home. It is unacceptable to start at 3 a.m. in a residential area. She is not able to open windows at night if the plant operates at night. Extra hours will be harmful to community residents.

Thomas Kogat of 25239 Laughing Gull Lane has a 3 year old and a 7 year old. He is extremely concerned about how 3 a.m. hours would affect his children and their sleep. The neighborhood will suffer and there is no state of emergency to justify extra hours.

Chandra Rutledge lives at 25230 Laughing Gull Lane and read an email from Amber Weeks. Ms. Weeks was assured by Mr. Newsome when she purchased her home that he would not be seeking extended hours. Her rental cottage will be negatively impacted by extended hours. Ms. Rutledge also expressed her opposition to extended hours. She believes the extra hours are requested to complete the project for a bonus.

Susan Yan lives in Manns Harbor but owns 25218 Sea Isle Shores Lane behind the concrete plant. Her investment will be drastically affected by extra hours. There are roughly 100 homes in the area surrounding the CRMP site. Negative reviews on Tripadvisor and other travel sites are difficult to overcome once posted.

Matt Nuzzo lives in Buxton and owns property adjacent to the CRMP site. Travel reviews online are important and they are already having to defend why the plant is there in first place. They will never be able to justify why they rented someone a vacation home knowing the plant would be operating overnight. Visitors will not come back to the outer banks because of the negative experience.

Natalie McIntosh works at REAL Watersports and lives in Salvo. The residents will be negatively impacted. She doesn't believe 3 a.m. is needed since other bridges have been built without the 3 a.m. start.

Donna Peele manages vacation rentals at Watermen's Retreat and Lance's Landing. Lance's Landing is workforce housing for many residents of the tri-villages. They work late hours at restaurants and their sleep will be negatively impacted by 3 a.m. start.

Trip Forman owns REAL Watersports and Lance's Landing. He presented a written statement. There are 98 homes adjacent to the CRMP site. Concrete plants are typically found in industrial areas and not in a residential setting. The extra hours will affect long-term rentals and short-term rentals.

Jason Forest is a manager for Lance's Landing rentals. He provided a handout and played a video from unit 2A. Watermen's Retreat near the concrete plant gets a 5 star Trip Advisor rating. This will not be the case if the 3 a.m. hours are approved. Once negative reviews are posted, they cannot be undone.

Caroline Gray is co-owner of the campground next to the concrete plant. The hours of operation at plant now are fine. Please don't extend them to 3 a.m. That would negatively impact her campground rentals.

Graham Hunt owns Waves Village Market. His business is open every day until midnight. He employs 15 people, some of them live at Lance's Landing. Their sleep will be impacted by a 3 a.m. start.

Heather Arms is co-owner of Waves Village Market. The extra hours will be detrimental to residents and visitors.

The public comment portion of the meeting closed at 6:40 p.m.

OLD BUSINESS

-None-

NEW BUSINESS

Request to Amend Conditional Use Permit 3-2104, Hours of Operation, Commercial Ready Mix Concrete, 25691 NC 12 Highway, Waves

Tim Newsome, Commercial Ready Mix Concrete; Starkey Sharp, Attorney representing the applicant; and Ted Holmes of Flatiron Construction were present at the meeting.

Donna Creef said this is a request to amend the concrete plant hours of operation. The conditional use permit allows hours of operation from 8 a.m. until 5 p.m. Commercial Ready Mix Concrete is asking to be allowed to operate from 3 a.m. until 5 p.m. on any 3 weekdays per week.

Starkey Sharp said the jughandle bridge is different than the prior two bridges. They will be working from both ends to complete it. The two lane bridge will be the only road in the area when completed. Changing the hours of operation will produce a better quality bridge that will last longer. That is the reason for this request.

Ted Holmes had a power-point presentation. Flatiron Construction requested this change in hours of operation. When this bridge is complete, not only will the current road be demolished but the easement will revert back to the NC Department of Fish and Wildlife.

The local environment and remoteness of the project are aggravating factors. To a degree, the quality of the pour is weather dependent. Humidity, wind speed, and temperature all affect evaporation rate. Plastic shrinkage cracks occur when water evaporates from the surface faster than it can travel to the surface during the bleeding process. If there is wind blowing, the ambient temperature is high, or the temperature of the concrete is high, the rate of evaporation will be especially rapid. Travel times affect concrete and cause a decrease of entrained air content (causing reduced freeze thaw resistance) and an increase in temperature of the concrete. Specifications must be met for elapsed time for placing concrete.

The contractors are concerned with the quality of the pours for the bridge deck. There will be a total of 107 deck pours. Mr. Holmes said many of the deck pours for other bridges he's worked on take place at night. If the top of the deck is compromised, corrosive material can get through to the rebar. You will get a lesser product that will require repair earlier if the hours of operation remain as they are. If the hours are not changed, the bridge deck will not last as long. Methods such as shielding, fogging, and additives are used to help mitigate environmental factors. There will be a bridge built whether or not the hours are amended. Flatiron is communicating to the public that a

better bridge will be built that will last longer without repair if the hours of operation are changed.

There is erratic weather in the area. Construction schedules are set five weeks out and adjusted as weather forecasts are updated. The contractors chase the weather to complete their work.

Terry Gore asked why this was not addressed when the conditional use permit was issued. Mr. Holmes said that any construction project has many moving parts. Every problem can't be anticipated. Adjustments are made as needed.

Buddy Shelton asked if the Nags Head plant can be used. Mr. Holmes said placement times mean it is not physically possible to do the deck pours from the Nags Head plant. It is not just the driving time that is considered but the time beginning when water is added to the mixer at the plant. It may be an average of 15 minutes after that when the truck leaves the plant. Mixers don't travel very fast on the road. The truck will again be checked at the site so add on another 15-20 minutes. The truck will have to back-up onto the bridge that is under construction, another slow process, which will be over a mile long at times. This takes 2 hours 20 minutes on average and, if for some reason a load of concrete is rejected, the next load is an hour or more out. If the deck has a cold joint, the deck is no good. The leading edge of the concrete cannot set up.

Mr. Shelton asked if only the Rodanthe plant will be used. Mr. Holmes said the Nags Head plant may also be used for vent caps but not deck pours.

Terry Gore thanked Mr. Holmes, Mr. Newsome, and Mr. Sharp for their attendance this evening. He mentioned this is the cost of progress but that we need to decide where to draw the line. The economic impact of bad vacation rental reviews for the Rodanthe area will impact the entire outer banks. There is workforce housing adjacent to the concrete plant and that is a rare thing in Dare County. Workforce housing needs to be protected. In addition, waking children up at 3 a.m. would negatively impact the entire family. The human cost is too great. Mr. Gore believes the Planning Board should recommend denial of this request. Buddy Shelton and David Overton agreed.

Buddy Shelton asked if the Planning Board can recommend a start time other than 3 a.m. Donna Creef said an alternate start time can be recommended by the Planning Board and that recommendation will be carried forward to the Board of Commissioners. The original request of 3 a.m. until 5 p.m. will also move forward to the Board of Commissioners.

Buddy Shelton made a motion to recommend denial of the request to change the hours of operation to 3 a.m. until 5 p.m. on three weekdays per week.

Terry Gore seconded the motion.

Vote: Ayes – Unanimous

This will move forward for consideration by the Board of Commissioners at their meeting on May 20, 2019.

Starkey Sharp said if, after tonight, the contractor believes it is feasible to change the requested start time, they will notify staff and make that request.

OTHER BUSINESS

None

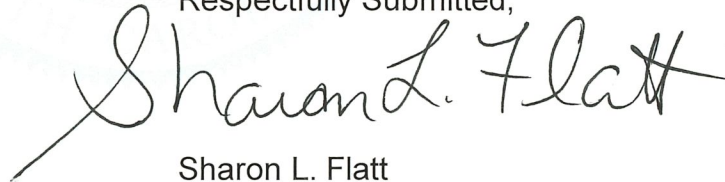
ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Michael Barr and seconded by Terry Gore.

Vote: Ayes – Unanimous

The meeting adjourned at 8:25 p.m.

Respectfully Submitted,



Sharon L. Flatt
Planning Board Clerk

APPROVED: May 13, 2019



John Finelli
Chairman, Dare County Planning Board