

## MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, March 9, 2010 6:00 pm. at the Manteo Town Hall, 407 Budleigh Street

The following members were present: Chairman Bill Parker  
Member Phil Scarborough  
Member Grizelle Fearing  
Member Bebe Woody  
Member Beth Storie

The following members were absent:

Also present at the meeting: Erin Trebisacci, Planner  
Becky Breiholz, Town Clerk

Chairman Parker called the meeting to order at 6:05 pm

**SUBJECT:** Adoption of Agenda as presented

**MOTION:** Member Fearing seconded by Member Scarborough to approve the agenda as presented was approved by the following vote: Ayes: Members Parker, Woody, Storie, Fearing and Scarborough. Noes: None. Absent:

**SUBJECT:** Approval of Minutes Regular Meeting February 9, 2010 -

**MOTION:** Member Fearing seconded by Member Storie to approve the minutes as presented was approved by the following vote: Ayes: Members Parker, Fearing, Woody, Storie and Scarborough. Noes: None. Absent:

PUBLIC COMMENTS- none

**SUBJECT:** Change of Use Coastal Living Realty- The office currently occupied by Coastal Living Realty. They currently occupy all 1,816 square feet of the building located at 500 US HWY 64. They are proposing to continue use of 1,240 of the building as offices but would like to take 576 square feet of it and convert it to retail sales. The business proposed would be known as Olde Towne Creamery. The sales would include ice cream and bottle drinks and rentals of bicycles would also be available. The business would offer no more than 10 interior seats and may offer additional outdoor seating.

They have contacted the Department of Agriculture and are handling the food service permitting issues. There will be a few upgrades for electrical and plumbing that will be permitted and inspected by the building inspector. Staff recommends approval for this change of use per §12-10 (d) (2) Change of use not requiring a site plan. There is adequate parking on site.

**MOTION:** Member Fearing seconded by Member Scarborough to approve the change of use was approved by the following vote: Ayes: Members Parker, Fearing, Woody, Storie and Scarborough. Noes: None. Absent:

**SUBJECT:** The Board of Commissioner's requested that the Planning Board work on language requiring a permit be pulled for all fences. The Commissioners concerns were that the fences are on the right property and not encroaching on their neighbors. In addition to having to get a building permit they would have to provide a survey and this can be quite expensive to the property owners. The members thought low fences should not require a permit it was discussed and the State Building Code recommends that a permit be issued if the fence is over 6 six feet; and the Town could adopt the same requirements as the State. Consensus of the Board is to recommend to the Commissioners that anything six feet or over will require a permit. Discussion took place on opaque buffers between commercial and residential properties and meeting the setbacks.

**SUBJECT:** Review and discussion of Pump Out ordinance -The BOC discussed this at their regular March meeting and would like the Planning Board review at their March meeting and give the BOC a recommendation. The Town Attorney will also have to review and add language. The Commissioners would like all the pumps out to be operational and specific language added that would allow the Town to inspect those pump outs. Pirates Cove and Shallowbag Bay Club have pump outs they put in voluntarily and were not required to do so which are not operational. Marshes Light has a pump out also and it will be coming on line soon The language presented below is very minimal and the Town Attorney said he would like to see some more specifics about inspections, how they are maintained; the Town will do inspections and check on them annually or bi-annually and requiring them to keep a log of pump outs. Consensus of the members is that they support a text amendment supporting the BOC and the Town Planner will work with the Town Attorney to draft an ordinance. The text amendment will go in the Zoning Ordinance under §12-7 Marinas

*All marinas with more than ten slips in the Town of Manteo shall have and maintain in good condition, a pump out station for boaters. The Town of Manteo Water and Sewer Department shall reserve the right to periodically inspect these facilities.*

**SUBJECT:** Stormwater Ordinance Discussion-this will be discussed at the joint workshop meeting that the BOC would like to have with the Planning and Zoning Board on March 17<sup>th</sup> at 4pm at the Town Hall. The Board was urged to review the ordinance and if they have questions to please bring them up during the joint meeting.

Review to do list-Chairman Parker went over the to do list. The Arts Council is still planning on moving into the old courthouse. Writing on the gym at the COA building near the skateboard park was discussed. Mrs. Trebisacci commented that as long as there is nothing lewd or obscene the kids can paint at the skateboard park; problems with graffiti needs to be turned over to the police department; when the roads were going to be paved was discussed; as was the burning of the marsh. An update on the water garden park was given.

**MOTION:** Member Woody seconded by Member Storie to recess at 7 pm until March 17, at 4pm for a joint workshop meeting with the BOC was approved by the following vote: Ayes: Members Parker, Fearing, Woody, Storie and Scarborough. Noes: None. Absent:

This 9<sup>th</sup> day of March 2010

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Bill Parker, Chairman

ATTEST:

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Becky Breiholz, Town Clerk