

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, March 8, 2011 6:00 pm. at the Manteo Town Hall, 407 Budleigh Street

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

The following members were absent:

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

OATH OF OFFICE- Members Grizelle Fearing's term of office has expired and the Board of Commissioners re-appointed her. Town Clerk Becky Breiholz gave Member Fearing the oath of office.

Chairman Parker called the meeting to order 6:05 pm

SUBJECT: Adoption of Agenda as presented or amended;

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

SUBJECT: Approval of Minutes regular meeting February 8, 2011 -

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: Discussion of allowing urban chickens- At the request of the Mayor, staff investigated ordinances from across the state which allows chickens in an urban setting. The following language was crafted from those ordinances:

Chickens will be allowed upon issuance of a valid permit within the municipal

limits of the Town of Manteo provided that:

1. No more than 6 chickens shall be kept or maintained on any individual lot.
2. No male chickens/roosters shall be allowed.
3. The chickens must be confined in a chicken coop not less than four (4) square feet of floor area for each chicken. Chicken coops must not exceed eight (8) feet in height at the peak of the roof. Coops may not be greater than 64 sq feet.
4. Chickens may be allowed outside their coops during daytime hours if temporary fencing is constructed to restrict the chickens from leaving the owner or possessor's property. The temporary fencing must be completely enclosed and removed when chickens are in coops. The temporary fencing must also have a top cover. In no such case shall the temporary fencing be left out overnight. If the owner or possessor wishes to allow the chickens to roam freely, a more permanent fencing is required to prevent the chicken from leaving the subject property.
5. The chicken coop and/or property shall be kept clean, sanitary and free from accumulation of animal excrement and objectionable odors.
6. The chicken coop shall be a minimum of thirty (30) feet from the nearest residence other than that of the owner and a minimum of five (5) feet from the lot line.
7. If chickens are removed from the premises for a violation of this Ordinance or other applicable law, the owner or possessor is not allowed to obtain a chicken permit for a minimum of one (1) year from the date of removal.
8. No slaughter or sale of slaughtered chickens is allowed within the Town of Manteo.
9. It is recommended that the owner take an educational course on chicken care provided by the Dare County Cooperative Extension Office.

The above is a draft ordinance for the Planning Board to review. This was brought up by some members of the Board of the Commissioners and our codified ordinance now states no livestock. Mrs. Trebisacci commented that this is just for chickens only no other fowl. Mrs. Trebisacci commented that item #6 could restrict some properties from having chickens. Mr. Parker would like something added that we recognize the fact that not all town properties will be able to meet the requirement of 30 feet from the nearest residence. Ms. Fearing has a problem with item #8 and thinks that if you have a problem chicken you should be able to slaughter it and thinks it should just say no sale of slaughtered chickens. Member Storie asked about what would happen if a cat gets to one of the chickens and it was discussed that it was the chicken owner's responsibility

to keep the chickens safe. Item #4 was discussed and the word temporary is confusing. Mrs. Trebisacci commented that they could change it to say: Chickens may be allowed outside their coops during daytime hours a permanent fencing is required to prevent the chicken from leaving the subject property; they also would like something included that it is the responsibility of the chicken owner for their safety. Member Woody asked who would enforce it and Mrs. Trebisacci commented that it is a codified ordinance and if it is an animal violation they will contact the SPCA if it is a structure violation then the Planning Department would enforce it. Item 9 could say that before they get a permit that they have to take an educational course on chicken care. Sanitary conditions were discussed; and how to address run-off from contaminating the water. Mrs. Trebisacci stated she would see if she could find something that addresses this problem. Chairman Parker suggested adding stormwater run-off containing chicken excrement will be contained on the owner's property. Chairman Parker asked that Mrs. Trebisacci take the suggestions they have talked about and incorporate them into the language for the Board of Commissioners review. The Board would like Mrs. Trebisacci to make sure that the Commissioners know of their concern about the excrement waste and predators. A copy of the ordinance with the changes discussed will be made a part of these minutes.

Chairman Parker commented that something they have been discussing on Sir Walter Raleigh Street on the west side is the zoning which is R2M which allows for mobile homes. Mrs. Trebisacci showed the Board a zoning map that denotes where mobile homes are allowed. Commissioner Collins was here to discuss this item with the Planning Board and Commissioner Collins wants to preserve the entrance area to Collins Park and the historical significance of the area and to do that would mean the re-zoning of the area to just R2 and removal of the trailers after they have met their life expectancy. Chairman Parker asked staff to do a survey of the property owners and Mrs. Trebisacci is to send a letter to all of the affected property owners in that area explaining what that would mean and how it would affect them if the property was to be re-zoned; and also explain that the long term vision that over time to have permanent housing in that area to preserve the historical significance of the area.

BOARD MEMBER CONCERNS:

The Board discussed signage especially in the corridor and Mrs. Trebisacci commented that she had issued a notice of violation to the ice cream vendor.

Member Scarborough asked about the marsh burning; Mrs. Trebisacci

commented that our window of opportunity is slowing closing.

Member Woody-commented that the property across the street owned by Ray Hollowell has been seized by the bank and would like us to negotiate with the bank to acquire a portion of the back piece of property to do some type of draining for the flooding problem in that area; Mrs. Trebisacci commented that we have received a grant for storm water and that is one of the areas that a design engineer will be surveying and she will let them know the property might be available.

Member Storie commented that she is concerned about Budleigh Street and the fact that businesses are leaving on and the Town does not want to let that street die and possibly doing some type of revitalization on Budleigh. Parking was discussed as was the way Budleigh goes from a two way to one way street. Mrs. Trebisacci commented that she will look at the traffic study that was done.

MOTION: Member Fearing seconded by Member Woody to adjourn at 7:10 p.m. was approved by the following vote: Ayes: Members Parker, Fearing, Woody, Storie and Scarborough. Noes: None. Absent:

This 8th day of March 2011

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk