

## MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, June 13, 2006 at 6:00 p.m. at the Manteo Town Hall, 407 Budleigh Street

The following members were present: Chairman Bill Parker  
Member Phil Scarborough  
Member Bebe Woody  
Member Christine Walker  
Member Jamie Daniels (Vice-Chair)

The following members were absent:

Also present at the meeting: Erin Burke, Planner  
Becky Breiholz, Town Clerk  
Johnny Boniface-Building Insp.

Chairman Parker called the meeting to order at 6:01 pm

**SUBJECT:** Adoption of Agenda as presented or amended.

**MOTION:** Member Daniels seconded by Member Woody to adopt the agenda as presented was approved by the following vote: Ayes: Members Parker, Daniels, Woody, Walker and Scarborough. Noes: none. Absent: none

**SUBJECT:** Approval of Minutes Regular meeting May 9, 2006

**MOTION:** Member Walker seconded by Member Scarborough to approve the minutes as was approved by the following vote: Ayes: Members Parker, Walker Woody, Scarborough and Daniels. Noes: none. Absent: none

**PUBLIC COMMENTS-**Chairman Parker asked if anyone who wishes to speak to please come forward. None

**SUBJECT:** Review of Dare County Board of Education request for renewal of Conditional use permit for modulars. This item was tabled from the May meeting since there was no representative from the School Board. There are 8 modulars currently located at the High School and will be needed through the completion of the addition and renovation. There is no estimated time line for this project but by the site plan approval the modulars must be removed prior to the final Certificate of Occupancy. The Elementary School is scheduled for

completion and opening for the 2006-07 school year. Staff recommends approval for the renewal of the Conditional Use Permit for the eight modular units located at the High School for the 2006-07 school year. Mr. Jim Winebarger was present for any questions the Board has. Member Daniels commented that it was his understanding that the modulars at the elementary school would be removed when the elementary school was done and Mr. Winebarger commented yes and he thought he could safely say that within the next 10 days the 3 modular classrooms located in front of the Manteo Elementary School will be removed that they were included in the renewal and that is not an issue now, they only need to renew the 8 modulars at the high school.

**MOTION:** Member Daniels seconded by Member Woody to recommend approval to the BOC the conditional use permits for the 8 modulars for the high school be approved for one year was approved by the following vote: Ayes: Members Parker, Scarborough, Daniels, Walker, Woody, Noes: None. Absent: none

**SUBJECT:** Site Plan review Salt Meadow Landing-This project came before the board two months ago and the Board will be reviewing the master plan conditional use permit and then site specific with each phase. Ms. Burke commented that some of the concerns: the islands; the dumpsters have been addressed. The lighting plan was included but she has not yet received the cut sheets for the fixtures. The 3 parking spaces located on Russell Twiford Road have been eliminated. The developer has made some changes and alterations to this plan and resubmitted for approval. The plan contains 26 market rate units and 8 affordable units and there are 131 required parking spaces provided. The lighting plan has some numbers that exceed the maximum of four foot candles and there have been no cut sheets provided for those fixtures. A shared access easement has been provided by the shared property owners. The Basin between buildings 4 and 3 must be maintained properly and may not be a "hole with a fence around it." The ordinance gives examples of different ways to address stormwater and a fence retention area is not one of those options. As stated at the last meeting, the stormwater notes must clearly state that the first 1.5 inches must be maintained on site. The building facades have been presented in a very preliminary form; there are some discrepancies between the drafts that have been presented and the Manteo Way of Building. The Board discussed placing a pedestrian area near the restaurant. Staff recommends approval with the following conditions: 1) Building elevations must meet the Manteo Way of Building; 2) The lighting levels shall not exceed four foot candles and the fixture cut sheets must be provided and approved; 3) the landscaping and plantings

shall meet the ordinance. The Board would like to add a fourth condition that a pedestrian crosswalk be added near the restaurant at the south end.

**MOTION:** Member Daniels seconded by Member Walker to recommend approval of the master plan to the BOC with the following conditions: 1) Building elevations must meet the Manteo Way of Building; 2) The lighting levels shall not exceed four foot candles and the fixture cut sheets must be provided and approved; 3) the landscaping and plantings shall meet the ordinance. 4) adding a pedestrian crosswalk at the south end of the project was approved by the following vote: Ayes: Members Parker, Scarborough, Daniels, Walker, and Woody, Noes: None. Absent: none

**SUBJECT:** Site Plan Review ABC Store- the ABC store has to move from its current location because of the new Dare County Administrative complex, the parcel was owned by Dare County and subdivided and a portion was sold to the ABC Board. Chairman Parker commented that there were many things right on this plan but he was disappointed that there is no shared driveway and it was thought that when it was subdivided there would be a condition that there was a shared driveway and he is confused of the location of the retention pond being located in a future cross access easement. John Delucia gave the Board a presentation on the site and the driveway is at the existing curb cut; the retention ponds location is because they are going to have some open space there for the stormwater management and there is no reason to not use that area but they do not need it to meet the ordinance; a lengthy discussion took place regarding the driveway and Chairman Parkers concern is what assurance will they have that the other parcel won't ask for a curb cut; Mr. Delucia commented that they will provide an easement to the other property for access. Chairman Parker asked why the driveway could not bend to avoid removing the crepe myrtle and Mr. Delucia commented that it is so close and the area that goes in there is about 12 feet wide and if they try to shift the drive aisle he does not think it is a safe design but they have no problem moving the crepe myrtle. The Board discussed the shared drive and Chairman Parker commented that they will be required to provide assurance that the property next to theirs will use that shared drive. The Board discussed the architecture of the building and the windows and they need to be done using the Manteo Way of Building. The Board would like to see an access easement agreement be recorded with an assurance that the property next to this parcel will be using the shared driveway only. The Board discussed tabling this until next week June 20<sup>th</sup> giving the applicant time to get the access easement agreement.

**MOTION:** Member Daniels seconded by Member Walker to table until June 20<sup>th</sup> was approved by the following vote: Ayes: Members Parker, Scarborough, Daniels, Walker, Woody, Noes: None. Absent: none

**SUBJECT:** Discussion of establishing policy for abandonment determination The Board of Commissioners has requested that this Board make a recommendation for determining when a building/use is considered abandoned. Chairman Parker commented that this has been sent to the Town Attorney to help determine a policy for this.

**SUBJECT:** Discussion of changing setbacks from 50 feet to 20 feet The Board of Commissioners asked that this Board discuss the 50' setback along the highway in the B-2 General Business district. This language appears in all the dimensional requirements of the B-2 Zoning District: *Minimum front yard: 15 feet. Along Highway 64/264, front yard setback is 50 feet. No parking is allowed in the front yard setback.* Member Scarborough would like this repealed and the setback be 15 feet with parking in the back and sides. Member Scarborough gave examples of buildings located on Highway 64: East Carolina Bank, Centura Bank, Island Medical that could not meet the 50 foot setback and have no room for expansion. Chairman Parker commented that all these properties are grand fathered and all the ones that have come in the last 20 years have the setback of 50 feet. Chairman Parker commented that 45 % of the property will be green space because of stormwater so the question is where you want that 45%; to be and it would be more to the benefit in the front of the property. Member Daniels commented maybe consider keeping the same lot coverage and give a percentage of parking in the front. Chairman Parker asked the Board to think some more about it for future discussion.

### **Review to do list**

Chairman Parker went over the To Do list. The Board discussed establishing an architecture review committee. Cap on the number of affordable housing units was discussed and Member Scarborough had drafted a cap and the Board asked Ms. Burke and Mr. Boniface if they would review that for discussion at a later date.

### **BOARD MEMBER CONCERNS**

Member Woody asked about vacant property for sale that has windows broken out, and Mr. Boniface commented that we have no authority for housing maintenance the only thing he could do if the property is condemned.

Member Daniels-asked if we have money in our budget for a power point and was informed that we have a table top power point. He would also like an architecture review board established and Chairman Parker commented that they are working on that.

Member Walker asked about Ananias Dare and the holes in the roads; and Ms. Burke commented that it is being worked on.

**MOTION:** Member Daniels seconded by Member Scarborough to recess at 7:55 pm the meeting until June 20<sup>th</sup> at 6:00 pm was approved by the following vote: Ayes: Members Parker, Daniels, Scarborough, Walker, Woody, Noes: None. Absent:

This the 13th day of June 2006

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Bill Parker, Chairman

ATTEST:

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Becky Breiholz, Town Clerk