

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, July 14, 2009 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 Grizelle Fearing

The following members were absent: Member Bebe Woody

Also present at the meeting: Erin Trebisacci, Planner

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

SUBJECT: Adoption of Agenda as presented or amended

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

SUBJECT: Approval of Minutes Regular Meeting June 9, 2009

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

PUBLIC COMMENTS-several people wanted to speak on the newspaper boxes and were advised they would get a chance during the topic discussion.

SUBJECT: Text Amendment to affordable housing ordinance after a few discussions with the developers that are participating in the affordable housing program it has become clear that the ordinance should define the period in which a qualified and approved applicant has to act. Staff reviewed a few different approaches to deal with the concerned that applicants may be selected but might hesitate or choose not to act on upon their application leaving the developer with a lot and an applicant but no buyer. The proposed language is as follows:

Chapter XI: Inclusionary Zoning

Section 11-11 Eligibility of households

(d) Applicant must be under contract within 45 days of the awarding of the application. If the applicant is not under contract their application will be declared null and the property will be awarded to the next eligible applicant.

MOTION: Member Fearing seconded by Member Scarborough to recommend approval to the BOC to set a public hearing was approved by the following vote: Ayes: Members Parker, Storie, Fearing and Scarborough. Noes: None. Absent: Woody

SUBJECT: Discussion of newspaper boxes-The Waterfront Condominiums has removed the newspaper boxes and the free advertising dispensers from in front of the condos along Queen Elizabeth Avenue. There has been discussion about these boxes in the past, and an informal policy was suggested. The policy was to make sure they were properly maintained, and if they weren't kept clean and updated to remove them and contact the owner of the box. Chairman Parker gave a background and in the process of the painting of the waterfront condos the boxes were moved and once again the owners of the condos approached the Town to do something about it as they think they are unsightly. Chairman Parker commented that there is a first amendment right that allows newspapers to locate those boxes on public property and we are not sure that it is public property. Concerns were that they obstruct the sidewalk in areas where the planters are located and if the Board decided it was appropriate they can have an ordinance that a certain amount of the sidewalk remains open and free. Planner Trebisacci supplied the Board with an ordinance from Pinehurst regarding publication dispensers.

Michael McOwen-Sir Walter Raleigh commented that the issue of boxes has come up at a number of places around the Outer Banks and they have formed a publishing association to address these issues. The goal of this organization is to make sure publications are available to the visitors of the Outer Banks and that we focus on maintaining a high quality, keeping them nice and are integrated into communities properly. It is important to have the publications out there and we recognize we have a responsibility to the public to keep them looking nice. These publications support commerce and important to the local businesses. First amendment says we can put our boxes in public places; some residents have a "not in my back yard mentality." It is important we can distribute our publications here.

Review to do list-Chairman Parker commented the buffer at the Weeping Radish has been on the list for so long and these issues will be addressed when it comes back to the Board and would like to remove it from the to list.

At 6:30 some of the owners from the waterfront condos came to discuss the boxes at the waterfront and Chairman Parker allowed them to discuss their perspective on this topic.

Will Girling of the waterfront condos is concerned with the appearance of the boxes; the litter produced by the contents of the boxes and would like an ordinance. There are 34 owners and 9 businesses.

Marlene Roberts Brantley waterfront condo owner read a written statement; they have

been asking for years to find another location for the 18 free paper boxes; the boxes make the building look like a tenement; residents are tired of the mess made by litter; the Town should have some form of control over the boxes; a lot of money has been spent on renovating the building and would like a new location found for these boxes; also a member of the Planning Board is married to the principal of one of the publication companies and should recuse herself from any decision of the board.

Roberta Carol-waterfront condo owner and she has previously written a letter to the Town about the boxes and would like them removed. People come down the street and that is what they see, there are different shapes and sizes and getting nasty looking and does not give our building a nice look, it looks trashy. Ten years ago there were only 3 boxes.

Jean Pace-condo owner and works at Charlotte's and suggested that a bench be located on the sidewalk and narrow the boxes down to two or three.

Michael McOwen re-addressed his previous points made.

Georgia Griffs-condo owner would also like to see the boxes removed.

Chairman Parker-commented that it should have some conformity to them; also the idea of having the boxes monitored and kept track of by the Town would create more work on the Planner and we need to spend a little more time on it before we jump in with a solution. There has to be a way to compromise. After lengthy discussion and suggestions they will all work together to find a solution to the problem.

Review to do list- Chairman Parker went back to the review of the to do list- nothing proposed on the fences, an update on the PARC committee meeting of yesterday was given. Add to the to do list "This Place Matters."

MOTION: Member Fearing seconded by Member Storie to adjourn at 7:40 pm was approved by the following vote: Ayes: Members Parker, Fearing, Storie and Scarborough. Noes: None. Absent: Woody

This 14th day of July 2009

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk