

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, March 11, 2003 at 6:30 p.m. at the Manteo Town Hall, 407 Budleigh Street

The following members were present:

Chairman Bill Parker
Member Jamie Daniels (Vice Chair)
Member Bebe Woody
Member Phil Scarborough
Member Christine Walker

The following members were absent:

Also present at the meeting:

Fred Featherstone, Planner
Becky Breiholz, Town Clerk

Chairman Parker called the meeting to order at 6:30 p.m.

SUBJECT: Adoption of Agenda-Chairman Parker added under Old Business building dimensional requirements for 7.06 B3 Midway Entrance.

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

SUBJECT: Approval of Minutes Regular Meeting February 11, 2003
Member Scarborough commented on last months meeting about the building they wanted to build on Gilbert Street that is in a B2 zone which prohibits manufacturing but you can build just as big a building for repairs. Member Parker commented would like to devote a little time to discuss that.

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

PUBLIC COMMENTS

Sandy Brooks Principal Manteo Elementary School-commented the PTA and school improvement team made up of parents, teachers and other community members, have been involved in the renovation for over two years and appreciate the support of the Town Council and Planning Board and asked "please vote tonight for our children and support our school. They are in desperate need of renovations.

Walter Holton-Member of the School Board but here tonight as a citizen, we need a renovation of the elementary school to make it a place to educate the children of this

community, environment does affect education. He addressed a couple of rumors one of which was about delaying of the project, “we are on a tight timeline and would be easy to delay for a year, if anything sidetracks this project it will delay the children’s ability to attend school.” He commented that certain aspects of the renovation can’t create a totally new look, but can create something that will work, and what they are going to do is something much better than we have. Mr. Holton asked that the Planning Board “try to work with us and not do something that would appear to stall the project.”

Button Daniels-Teacher at Manteo Elementary School- commented this is the opportunity to do something now and it is our time at Manteo Elementary School.

Malcolm Fearing-commented there has been many meetings and public debates about our schools and where we are now is an area of cooperation, there has been a lot of compromise. Mr. Fearing read a resolution that was passed in April of 2002 by the BOC and their supporting the funding of renovations and repairs and that these repairs and renovations begin in 2002. The Board of Education is before you tonight with a solid plan. There is talk of delay and the BOE is on a time table, they need to be started this summer while children are out of school. There is an urgency of acting quickly.

Lynn Tugwell-Teacher at Manteo Elementary commented she teaches exceptional children and her classes have been moved to storage spaces and it is not best for the children. We need the added space and please consider this plan and approve it.

Tom Maher a member of the Board of Education and commented this has been talked about since he was elected and would like this to project to get going now.

Karen Cobb Chairman of School of Improvement Team-commented it has been a long process and it is time for the Town of Manteo to step up to the plate. It will affect the quality of life for the Town and hopes the Board will support this.

CHAIRMAN’S AGENDA

NEW BUSINESS

SUBJECT: Site plan review Manteo Elementary School-Staff has been working on the review since the first submittal of 2-19-03. Planning Board Chairman Bill Parker, Commissioner John Wilson and Mr. Featherstone met with Jim Winebarger, Director of Maintenance of the Schools, Bob Farris, Civil Engineer and Don Van Ollefen, Architect on March 4, 2003 to discuss concerns of the site plan. A copy of the summary of this meeting was provided by Moseley, Wilkins and Wood will be made a part of these minutes. Chairman Parker requested that metal halide lighting (white) be used instead of sodium vapor (orange) however this was not referenced in the summary. Butch Luke, Town of Manteo Water & Sewer Superintendent asked that a note be added that utility lines on school grounds are not owned by the Town. Police Chief D’Ambra opinion on viability is offered only if the following factors are met: high school traffic is restricted from traveling on Wingina Street in the afternoon; an elementary school monitor is

located to assist loading of students and vehicles at drop off times; afternoon high school traffic is re-routed to highway 64; and the area of the drive through be gated during school times. Mr. Winebarger commented he is pleased to come before the Board with a plan for the renovation and addition to the Manteo Elementary School. He will go over the plan briefly and as a closing address the schedule and take any questions. Here tonight are Chris Fenable and Steve Triggiano, both of which are architects with the firm of Moseley, Wilkins and Wood who have been working on this project. Also here is Mr. Bob Farris, Bissell Engineering and Mr. Chapman with Construction Control Construction Management. Mr. Fenable commented that they started out the study of the Elementary school with a series of public meetings and came up with several design options and in the end the committee itself selected the proposal to go to the school board which is the one they developed. Mr. Triggiano took the Board through the elements of the site plan and identified key elements which there may be questions about. He pointed out the additions to the building; parking; landscaping; loading and unloading of buses and parent drop off. He also pointed out an area behind the property that looks like a vehicular access, that is not a vehicular drive; but the drive aisle is a code required for fire truck access lane. Storm water infiltration area is located so it does not impact any existing landscaping and buffers and they have added to project an area for vehicles to turn around if dropping off children. The site has met the required buffers and landscaping buffer. The site lighting has parking lights and the intensity of the light has been reduced by the number of light poles. There will be major renovation in the first, second and third building, and a new addition to give the school a new identity. They have created a focal point at the front of the school and they have redesigned the rear of the building so it does not look so boxy. They are replacing windows, roof, soffit and fascia. Mr. Winebarger addressed a couple of the elements of the schedule and some of the work needs to be done while there are no students and they have a very limited time. They need to do hazardous abatement when no students and few staff as possible are in the building and they have a very minimum time to do that. The time line begins late April of this year and finishes around January 2005 and the more it is dragged out the higher the price tag. Mr. Winebarger also commented that if there are any significant delays it will push them to the next available time line which happens to be the following summer. Chairman Parker asked when the hazardous abatement was to begin and Mr. Winebarger responded right after the kids out of school and hopefully it will be completed by early August. The new building will start mid April and completed January 2004, the next phase which is the main building will start in January 2004 and runs through mid July 2004, and phase three begins around June 2004 through January 2005. Member Daniels asked for a copy of the schedule and Mr. Winebarger responded that the Board of Education will be meeting shortly and a schedule for all the projects will be available. The Board discussed the turnaround on Wano Lane and Chairman Parker has concerns that the way it is drawn it may become a parking lot. Mr. Winebarger commented that we can try to enforce no parking there. Chairman Parker commented that there are other specific questions, one is regarding removal of some trees in the front and is it not possible to save those trees, and Mr. Bob Farris commented that there is a six inch water line coming in the front on the building and going all the way around and unfortunately they can't save those trees. They are showing new trees planted in the same places. The Board asked if the water line could be moved and Mr. Winebarger commented that it is

their policy to not place utilities where there is heavy usage. Member Daniels commented on the storm water plan and standing water. Mr. Farris commented that the site will drain as it does now, the difference is for all the hard surfaces being put in they are planning on having a storm water detention facility and in this case an infiltration facility, the water will collect where it naturally does anyway, the facility will be a foot deep and sized so that it will hold the water and that it will percolate into the ground within 24 hours, and it has a fence around it. Mr. Winebarger commented that by keeping the ditch clean has helped with drainage of water. Member Daniels-asked about the interior remodeling schedule and Mr. Winebarger commented that the schedule has not been finalized. Member Daniels asked about the trailers in front of the building and if they could be moved to the back. It was commented that there are certain areas where the trailers cannot be accessed during construction so this was the only option. Member Daniels inquired about the fire land and Mr. Winebarger commented the State Fire code requires it. Chairman Parker commented that statements need to be made that the gates would be closed, and to allay any fears that it not be paved without Planning Board approval. Chairman Parker also commented on another concern which is the impact of re-routing the front parking lot on the highway and having an independent traffic engineer do a traffic study. Mr. Winebarger commented that he met with NCDOT and they addressed that question and NCDOT reviewed the site plan and they felt comfortable with what they are showing is improving over existing but it is too early to tell how much an improvement. Member Walker commented that the Town should get something in writing from the NCDOT. Mr. Featherstone asked about children crossing over from Burnside and the library and what kind of provision there is. Mr. Winebarger does not have an answer for that. He suspects that the crossing guard will stay there. Board would like to know a schedule when each modular is to be installed and when it will be removed. The Board discussed the condition that the modular not be put on site a month before the construction begins and remain one month after the construction is completed the Board changed the time to allow modulares to be placed 45 days before construction begins. There are concerns that the modular units will not be moved. Mr. Winebarger commented there is no other option but to have the modulares and an effort will be made to preserve existing vegetation where possible. Chairman Parker's other concern was about the Public Hearing, he thought when they had a previous discussion that the scheduling of a public hearing worked with the Board of Education schedule and Chairman Parkers thinks the issues of traffic, classrooms and the fire lanes are all things that the public needs to know, and it was his understanding that a public hearing will not throw off the schedule. Chairman Parker remarked the Planning Board would not have a public hearing but could recommend the Board of Commissioners have a public hearing and vote on it next month. Chairman Parker stated he did not think having a public hearing was a problem but it sounds like there are some concerns about it, and Mr. Winebarger commented that there are some concerns, the discussion we had a week ago that it would be possible to get all the permits and approvals we needed to get a contractor on board, staged and ready to go, we feel like we need to proceed by mid April and we can't do that unless we know we are getting the approval and have them in hand. Chairman Parker commented he thinks it could be done in 45 days. The Board discussed when this could be put on the Board of Commissioner Agenda and Town Clerk Becky Breiholz commented that it could go on the Board of Commissioner's workshop agenda

for discussion and then to their April 2nd meeting for approval, but the Board of Commissioners would have to vote to schedule a public hearing. Malcolm Fearing asked to speak and commented that when the Town hall was built there was not public hearing, when the courthouse was built there was not public hearing, when East Carolina Bank was built there was no public hearing, there is no reason to have a public hearing. This has been endorsed by the Commissioner's in resolution form for this construction project. Chairman Parker commented that if we could accomplish this in a manner which does not create a delay he thinks the Board of Education has suffered because it has not made all its activities and decisions as accessible to the public. Dr. Holton commented that the Public elects us to make these decisions, and asked what the purpose of a public hearing is? We have the ability and knowledge to make the right decision, we don't want to stop construction and it just smells of that. We are charged by the public to make those decisions and the public has been informed of this, every meeting is an open meeting. Chairman Parker commented that the best way to keep the project on track is to include everybody and that these are decisions that are going to affect us for many years to come, and to stay on track the Town probably needs to get the public input so that the community will stand behind you. Chairman Parker commented that if the issue isn't delay he does not understand why there would be any objection to putting this before the public. Chairman Parker commented that it would be the Board of Commissioner's decision to hold a public hearing or not. Member Scarborough commented leave it to the Board of Commissioners to decide if they want to schedule a public hearing and we should not make a recommendation to have a public hearing or not to have a public hearing. Chairman Parker commented that the last concern is Chief D'Ambra recommendation which is not on the site but as "we have done in the past to address Board of Education other site issues, as another one comes before us." The recommendation is having traffic from high school being re-routed from Highway 64 in the afternoons by eliminating left and right hand turns onto Wingina Street. The Board discussed whether to make the Public Hearing and high school traffic re-routing as part of the condition for the site plan approval and consensus of the Planning Board is to do the Public Hearing and high school traffic as two separate issues. Mr. Featherstone commented that the only point he would like to make is that some allowance be made for the children that have to cross the street that there be a crossing guard or mechanical stoplight.

MOTION: Member Daniels seconded by Member Woody to recommend to the Board of Commissioners approve the site plan as presented with the following conditions: a turnaround be shown for Wano Lane; gates to be erected at either end of the fire lane remain closed at all times except to provide fire vehicle access during and emergency; that the fire lane not be paved without Planning Board approval; that traffic study be performed by qualified engineer or NCDOT engineer and confirmed in writing the changes will not increase the traffic congestion on the highway and be presented to the BOC before their review of the project; modular classrooms not be put on site until 45 days before construction begins and remain on site no longer than 45 days after building is completed, existing vegetation be preserved where possible was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None.

SUBJECT: Recommending to the BOC that a Public Hearing be held before the Commissioners approve the site plan to make sure there is support for the modular, fire lane and traffic lane. Member Woody commented that she is not comfortable unless she is sure that it is not going to affect the time line. Chairman Parker commented that he thought it could be accomplished so that it is on track and does not see any reason why that would not happen but if the worst it delays it by a month and he does not think a month's delay is unreasonable to try and get citizen input. Chairman Parker asked Mr. Winebarger to go over the schedule again because he was under the impression that it did fit into the schedule. Mr. Winebarger commented that the schedule he indicated earlier that the Board of Education be able to issue and proceed to a contractor by the end of April, backing up from there the need for bids and other things need to be done now. Chairman Parker, "you didn't back out the bidding when we had this discussion." Member Daniels commented he is afraid it will mess the schedule up and if he knew that this could be put on the Board of Commissioners meeting for March 19th for sure then he would be in favor of it.

MOTION: Member Parker made a motion to add the condition for site plan approval that to recommend to the BOC schedule a public hearing in order that there is support for modular, fire lane and traffic lane motion died for lack of a second

SUBJECT: The Board discussed the recommendation given by the Chief about the traffic from the high school and making it a condition to go with the site plan approval. The Planning Board would like to recommend to the Board of Commissioners to develop an ordinance regarding putting restrictions on high school traffic during afternoon hours.

MOTION: Member Daniels seconded by Member Woody that a recommendation be given to the BOC that high school traffic be re-routed to highway 64 in the afternoons by eliminating left and right turns on Wingina as noted in a memorandum by Chief D'Ambra **MOTION AMENDED** by Member Daniels seconded by Member Woody to add that this not be a condition for the approval of the site plan was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None

SUBJECT: Conditional Use for Temporary Modular Units at Manteo Elementary School-The Dare County Board of Education is requesting approval of Conditional Use Permits for seven (7) modular units to be located at Manteo Elementary in the Town of Manteo. This is necessary to provide flexibility during planned construction and renovation of the school. These modular units will be need from construction start through completion December 2004. The units are to be removed from the site at the completion of the construction activities. The two existing units will be removed and replaced with seven new units as depicted on the Elementary school site plan.

MOTION: Member Woody seconded by Member Daniels to approve the conditional use for temporary modular units to be placed on site no more 45 days before construction begins and that they remain no longer than 45 days after construction is completed and

not to exceed 24 months as specified in Section 7.05. C7 Member Woody **amended motion** seconded by Member Daniels to add that the two existing modular classrooms be removed when others are placed on site was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None

Recess taken at 8:35 p.m.

SUBJECT: Political Campaign Signs-The Mayors of Dare County Towns have discussed political campaign signs and the idea that it would appear logical to have more uniformity among the Towns in the handling of these signs. The Town Managers were to come up with a standard set of campaign sign regulations that all Towns could support and suggesting an amendment to the sign ordinance. The draft for sign regulations is as follows: Political Campaign Signs may be displayed no more than 4 (four) weeks prior to an election; signs must be removed within 5 (five) days after an election; temporary, no permit required, may not be illuminated; maximum sign dimension 24" x36" (assumes standard wire type); may not be placed on utility poles, trees or traffic signs; may be located on private property on vacant or developed lots with owner's permission or on public right of way no closer than eight feet from the roadway; maximum of one sign per candidate per lot. The Planning Board discussed that the Town has an agreement with the Roanoke Corridor Committee and there are some things that do not conform to the corridor requirements and the need to have a meeting with the corridor. The corridor regulations don't allow a sign to be displayed more than 2 weeks and needs to be removed day after election and it is technically a violation of state laws to locate signs in the public right of way. Mr. Featherstone commented we do not have an ordinance regulating political signs and suggested that the Planning Board take the proposed list and the corridor list to incorporate a political sign policy for the Town. He does not think we are obligated to adopt the same one as the other towns. Mr. Featherstone will set up a meeting with Dave Schindler. Member Daniels inclined to adopt what the corridor has Consensus of Board to meet with Dave Schindler and support the corridor language plus any additional language that is not conflicting that is proposed on the other list. Member Walker asked how people are made aware of this policy. Chairman Parker commented that he thought the corridor made candidates aware. Member Woody suggested that to add to the list that each town notifies their candidates of their regulations so many days before. Member Walker suggested the town to notify the candidates about our political sign ordinance.

OLD BUSINESS

SUBJECT: Discussion of NCDOT Traffic/Parking Study-The Board discussed the suggestions given and discussed marking of parking. Member Woody would like to have seen in the study that the minimum and maximum parking distance between the curb be given. Mr. Featherstone commented the Town had legislation to reduce distance in most of our intersections so we could expand our parking and Public Works has been out

painting corners. The Board discussed the marking of parking spaces and Mr. Featherstone commented this was done several years ago and the lines were gone in a year, the Town does not have the proper equipment to do this. Member Woody asked if the NCDOT could do the marking. The Board was reminded that the NCDOT will be giving a presentation at the BOC April 16, 2002 workshop.

MOTION: Member Daniels seconded by Member Woody to table this discussion until BOC workshop was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None

SUBJECT: Chairman Parker commented that a text amendment for Dimensional requirements for B1 and B2 were approved by the Board of Commissioners but the Planning Board forgot to include B3 Midway zone dimensional requirements recommendation. This proposed text amendment would make it consistent with the other business zones.

MOTION: Member Daniels seconded by Member Scarborough to recommend to the BOC to approve text amendment Section 7.06 B3 Midway Entrance District was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None

Mr. Featherstone commented that he had the opportunity to start the first change of use-The Clerks Office is being proposed as a flea market for antique sales, and this will give the Town the mechanism to bring it into compliance. It was a permitted use as governmental and now it is a permitted use as retail and in our efforts with zoning and policy the Planning Board will review any change from one permitted use to a different category.

SUBJECT: Review To Do List –The Board went over the list and were able to mark off several pending projects had been resolved.

BOARD CONCERNS

Member Scarborough-commented that last month a neighbor objected about the possibility of a boat building business being placed on Gilbert Street which is zoned B2 and the fact that boat building is manufacturing, which can not be done in that zone but they can build a building to do repairs. Fred Featherstone commented that he does not think it is a permitted use in B-2 since he considers it a manufactured use and under permitted uses the only thing that comes close would be woodworking/cabinet shops. Mr. Featherstone has been asked to make a decision and he would like the Board's input on this. Member Woody asked if the problem is we don't want manufacturing or the size of the building or both. Mr. Featherstone commented he thought it was both but the lot size will control the size of the building and it will be needed to add it as a conditional use. Member Daniels commented that the ordinance goes all around the type of uses and he thinks we could put something in there that would allow for traditional craft boat building. Member Daniels commented that he spoke with Billy Maxwell whose property

it is and they want to build charter boats for 4 months out of the year he wants to build a barn to build charter boats in temporary and when he got done would tear the barn down and if the Town made it a condition when he sold his property to tear the barn down he would. Mr. Featherstone read what is allowed in B1 and he does not find it as a permitted or conditional use. Mr. Featherstone commented he would a letter to Mr. Maxwell giving him the opportunity to petition this Board for a zoning amendment to add it as a conditional use or permitted use and let the Planning Board take it up and as it is written he does not believe B2 allows for boat building. Mr. Featherstone commented that he could combine his lots and could put an accessory building that meets requirements and if he does not have employees he is not commercial, "its his shop and what he does in his shop is his business," but when he starts having employees he has to have a parking lot, buffers, bathrooms, handicap accessibility.

Member Scarborough-commented discussed the sign at Ford Motor Company. The new logo and sign they want to install is smaller than the one there, but it is still too large and does not meet the zoning requirements. Member Scarborough asked if the pole was included in the sign size and Mr. Featherstone commented anything that supported the sign is included in that part of the calculation.

Member Woody-asked if we had heard from Telephone Company about their buffer and Mr. Featherstone stated he sent them the buffer requirements but has not heard back from him.

Member Walker asked about CVS and Chairman Parker commented they were approved with the condition that they get the access road but he is not sure of the status. Member Daniels commented he spoke with Mr. Tobien and he his still working on it.

The Board discussed what had happened earlier tonight about the elementary school site plan and the accusation of the Board try to stall it. Mr. Featherstone commented that one week before he got the first rough site plan he had a set of sealed drawings from the building that had already been approved by the Department of Insurance and DTI, those two things take a long time, that site plan could have been given to us when those working drawings were sent for their approval.

MOTION: Member Daniels seconded by Member Walker to adjourn at 9:45 p.m. was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None.

This the 11th day of March 2003.

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk

