

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, December 10, 2002 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

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

SUBJECT: Approval of Minutes Regular Meeting October 8, 2002
Member Daniels-page 4 of the October 8 minutes under Subject Weeping Radish Parking add the word "may" in the second sentence after the word completion, Chairman Parker page 3 last paragraph first line in the Motion delete word "make" after the word to

MOTION: Member Woody seconded by Member Scarborough to approve the October 8, 2002 minutes as amended was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None.

SUBJECT: Approval of Minutes Recessed meeting October 17, 2002
Motion Member Daniels-page 1 on Motion made for Site Plan Review Revisions Shallowbag Bay Club add the words after 10-17-02 "to include the landscaping plan."

MOTION: Member Daniels seconded by Member Scarborough to approve the minutes of October 17, 2002 as amended was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None.

SUBJECT: Approval of Minutes Regular Meeting November 12, 2002

Phil Scarborough's comments under Board Concerns page 5 should read "stated that the minimum rear yard set back for Shallowbag Bay was 16 feet from the building to the fence and 7 ½ feet from the porch to the fence.

MOTION: Member Woody seconded by Member Daniels to approve the minutes of November 12, 2002 as amended was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None.

PUBLIC COMMENTS-

Malcolm Fearing-Manteo-Comes to the Board tonight about the proposal on the agenda from the Board of Education. Mr. Fearing commented that he attended the meeting of the School Improvement team for the Manteo Elementary School last week and it was their recommendation to request to the Board of Education to table this action or presentation tonight and the reason being they recognized that there is a lot a traffic on the back of Wingina Avenue to go through town and there might be a better way to do this. "We are not trying to be a stumbling block to the Board of Education we are trying to help find another alternative and if you could give that committee 30 more days to work through that I believe that there will be a solution forth-coming that would be pleasing to most everyone if it can be worked out."

Member Daniels-asked Mr. Fearing "are you speaking on behalf of the committee?"

Mr. Fearing responded "No. I am not." I am a member of it I attended it, I have no authority to come before you to say that, I am coming to you as an individual who attended the meeting.

Neal Songer-Wingina Avenue- He would like them to look at another alternative, there is already a lot of traffic on Wingina.

Member Daniels stated that he spoke with someone from the school improvement committee and he was under the impression that this was to be tabled also.

NEW BUSINESS

SUBJECT: Discussion and consideration of request from Dare County Board of Education to modify parking lot to install a drive aisle on Wingina Avenue. Mr. Jim Winebarger who is with the Dare County Board of Education commented that he has not received any information or request from the school improvement team or the Board of Education to table this item. The Board of Education is asking to install a roadway on the campus of Manteo Elementary School and although it is privately owned they are making every attempt to comply with town zoning ordinances. The proposed street is to be used during student drop off and pick up only and will be a one way street. The street will be gated at each end and will be closed to traffic during hours other than those mentioned. All work n this project with the exception of the fencing is being funded and performed by the NCDOT. The proposed roadway layout has been coordinated with architects performing design for Manteo Elementary School and poses no problem to building

renovation. The proposed roadway has been coordinated with NCDOT, the Manteo Police Department and other emergency response organizations and all involved have voiced support for the potential improvement to traffic flow on highway 264/64 this change brings. Mr. Winebarger commented that the roadway would be fenced on both sides. Member Woody asked if other alternatives were being discussed. Mr. Winebarger commented that the only other ideas they have discussed are some opportunities in front of the school but the traffic engineer does not think it will make much of an improvement. There has also been some talk of potentially working with some adjacent property owners but he does not know where that sits. Member Woody asked if the high school traffic will shift or will there will be something in the plan to make them shift, because we have serious problems with the high school kids, not just on Wingina but all through town. Discussion took place on the high school traffic and not allowing cars to make a left hand turn onto Wingina. H.A. Creef, a member of the audience-commented that he was on a previous Town Board and they had placed conditions that there would be no left hand turn from the high school parking lot onto Wingina and it was done for several years, and then it stopped. The high school kids are dangerous and just creating more problems. Mr. Fearing commented that the NCDOT idea is to keep traffic flowing through town, and what is occurring, when Belva stops traffic at the school crossing it messes the stoplights up, they are on a computer system and if there is a disruption like that it throws everything out of sync. Mr. Fearing also commented that Michael McOwen was going to organize a group from the school, town, NCDOT to look at all the traffic issues together, not just one school but how it impacts all them. Member Walker asked if there was an estimate of cars that go through the drop of and pickup area. Mr. Winebarger responded that he doesn't have that figure tonight but he could probably get it. Member Scarborough asked about the school crossing guard on the main highway, and "if you move her what are you going to do about school crossing there." Mr. Winebarger stated that there is a crosswalk there and flashing lights, and it would be the same situation if you didn't have a crossing guard anywhere else. You have a crosswalk and it is a school zone. Mr. Winebarger commented that they believe a lot of folks utilize that crosswalk now simply because she is there, and they go and park in the library parking lot because it is convenient, these same folks once the situation changes may chose to go to the other parking lot and drop their kids off.

Michael McOwen- Manteo and is a member of the school improvement team and Chairman but is not here representing them. Mr. McOwen is against the BOE plans of the traffic on Wingina. He commented that he believes there is a solution. Mr. McOwen has an alternative plan, which he distributed to the Board. In his plan there would be one drop off area coming from the north and one coming from the south and exit traffic will only be allowed to turn one way and will no longer be able to cross the highway, continue to use library parking as drop off; continue to use crossing guard on Hwy. 64; no child crosses path of cars in parking area; parking is increased and playground are is free of road and no increased traffic on Wingina. Member Daniels would like to make a motion that this be tabled until next month and use that time to work on some of these issues, because school traffic in town is a problem and he would like to see experts involved on this and if something is gong to be done here he would like something done at the high school. Member Woody asked could we not ask them to go back to the drawing board

and see if there are other options that may be viable by meeting with the committee that's in place. Mr. Fearing commented that they would like to involve the town in the process.

Mr. Winebarger stated he would be more than happy to see what can be done to benefit both schools in the town but "I want to leave here tonight clear in my own mind what is expected of the Board of Education, are you asking us to hire a traffic engineer to look further into it or would you like someone from the Town to become involved with the school improvement committee," he needs to be clear on what the expectation is because he cannot commit to hire a traffic engineer to look into Town of Manteo traffic issues." Chairman Parker commented that what he understands is that there are a lot of ideas out there and other possibilities that include acquisition of other property and he thinks a lot of people would like to have some input in the process. Mr. Winebarger commented that he thinks "that the school improvement team that is part of their purpose and to the extent that the school improvement team can work with representatives from the town, somebody who can express the towns concerns and come up with a solution that benefits the town and the school system, then maybe that's the appropriate form for now and then the school improvement team bring back to the board a recommendation which way to go." Member Daniels commented that is what he would like to see a more comprehensive plan. Chairman Parker commented that he did not think the Board was asking anything from Mr. Winebarger just time to let everybody have some more input. Member Scarborough commented that they should not hold board of education responsible for traffic problems in Manteo.

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

SUBJECT: Discussion and consideration Pirates Cove amended site plan for building Gulf Stream Villas #100 and amended master site plan. Roanoke Properties has requested an amendment to the approved site plan for Gulf Stream Villas and as approved this was a twelve unit structure. The amended request is to increase to a fifteen unit structure. Mr. Featherstone commented that the parking is adequate. Staff has reviewed the site plan and recommends approval with several conditions: That an updated master plan be submitted prior to approval by the Board of Commissioners including: number of existing units, proposed units at build out; number of waste water gallons allocation for existing units, gallons required for build out and documentation of final total dwelling units and waste water allocation., and also ask the Town of attorney to research the agreements before approval by the Board of Commissioners. Member Daniels asked about the building footprint and Mike Robinson with Bissell is representing the developer stated the building foot print has expanded and it fits on the site. Member Daniels is confused about the water and sewer agreement, and Mr. Featherstone commented that we are asking for an updated master plan with total gallons which will answer those questions. Member Woody asked about the density and is it greater and Mr. Featherstone commented that there are 3 more units in this building than what is already approved, when Pirates Cove was annexed they had an agreement and that was before we considered marsh not being part of a planning development for calculations for density.

Member Daniels asked about the elevation and was told 17 feet. Chairman Parker commented about the setbacks from the property line and asked if they are okay with the adjacent building and Mr. Featherstone responded “yes”. Member Parker would like the dimensions between the two buildings, (the proposed building and building 200) be included in the site plan. Mr. Mike Robinson with Bissell asked when this needed to be submitted to the Town for the BOC meeting and Town Clerk Becky Breiholz commented December 18, 2002 for inclusion of the BOC January 2, 2002 meeting.

MOTION: Member Daniels seconded by Member Walker to recommend approval to the BOC the amended site plan for Gulf Stream Villas #100 with the following conditions: Town Attorney to review the original agreements and the 5th addendum to be able to compare them to the master plan; that an updated master plan be submitted prior to approval by the Board of Commissioners including: number of existing units, proposed units at build out; number of waste water gallons allocation for existing units, gallons required for build out and documentation of final total dwelling units and waste water allocation was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None

OLD BUSINESS

Chairman Parker gave an update of the previous Board of Commissioner’s meeting. Chairman Parker stated that the text amendments sent to the Board of Commissioner’s were all sent to public hearing with the exception about internal circulation Section 6.01 B7 Off Street Parking and it was agreed that some more time be spent on this text amendment. Mr. Featherstone will clarify the language and bring back to the Planning Board

Chairman Parker commented that there will be a Steering Committee meeting with the School of Design to be held next Thursday, December the 19th.

Chairman Parker-Discussion of letter that was included in the packet regarding the lighting levels at the rest area with the NCDOT. The problem seemed to be more of the shielding than the lighting and that the lights were installed at an excessive height. The NCDOT understand our issues and Mr. Featherstone stated that Mr. Conner called him and they will work to remedy the situation.

SUBJECT: Additions to site plan review check list policy. This check list helps with what requirements are to be included on a site plan before it is submitted to Staff for the preliminary review and staff is requesting to add two additional requirements: Correct building setbacks for use proposed and copies of all easements shown on site plan. Mr. Featherstone commented that if they don’t have an easement listed on the site plan they don’t have an easement and we are not going to honor it. Chairman Parker would like to add the size of the lot and parking calculations and also have a final sign off stamp. Member Scarborough asked about building heights and this is to be added to elevations.

SUBJECT: Discussion of change of use permits-This application will help staff in determining the applicants request for a change of use to property. Chairman Parker asked when privilege licenses are done and was told in July. Member Parker suggested that when anyone comes in for a privilege license that they fill out not just a change of use permit but use permit, to get everyone on record. Mr. Featherstone commented that any one that comes in to buy a privilege license that has not had one before for a new ownership of business he would like them to get one of these applications to fill out, what he would like them to do is fill the application out as best they can and sit down with him to complete it. Member Parker commented that wouldn't it be helpful to go ahead and have all those people renewing privilege license to have the business name, the address and then the use of the property. Mr. Featherstone commented that he thought that this information was already on the privilege license application but he would find out tomorrow from Evelyn.

SUBJECT: Review to do list

Weeping Radish parking lot-using a parking lot that doesn't meet town standards, a plan was submitted to the Board two years ago and has expired. It was suggested that Mr. Featherstone write another letter or get help from the Town Attorney. Mr. Featherstone suggested that since Member Daniels has already talked to Mr. Bennewitz that he possibly talk to him again asking Mr. Bennewitz if he plans on submitting a new site plan and if not that the town is going to have to enforce parking bumpers or the standards required for the area that they are parking on. Member Daniels said he would talk to Mr. Benewitz and will report back to the P&Z. Mr. Featherstone commented that after Member Daniels has spoken to Mr. Bennewitz that he let him know the results of the conversation and Mr. Featherstone will write a letter stating the Weeping Radish parking lot is not in compliance and ask Daniel Khoury, Town Attorney what options the Town has to bring it into compliance.

Chairman Parker would like the School of Design to address commercial usage on the waterfront.

BOARD CONCERNS

Member Woody asked who owned the Bay Tree and Harbor Town- Mr. Featherstone commented that it is owned by the Wellons Corp. Member Woody asked who is responsible that they follow the guidelines for who is renting out there. Mr. Featherstone stated that they have a site manager out there. Member Woody commented that she heard that it is a place to buy and supply drugs and Member Daniels commented that he also heard that something is going on out there. Mr. Featherstone is to supply Member Woody with the Wellons Corp. information and address.

Jamie Daniels-would like to see something done about the school traffic and thinks they need a more comprehensive plan involving all three schools.

MOTION: Member Daniels seconded by Member Woody to adjourn at 8:21 p.m. was approved by the following vote: Ayes: Members Parker, Woody, Walker, Scarborough and Daniels. Noes: None. Absent: None

This the 10th day of December 2002.

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk