

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, December 13, 2011 6:00 pm. at the Manteo Town Hall, 407 Budleigh Street

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

The following members were absent: Member Grizelle Fearing

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

Chair Parker called the meeting to order 6:00 pm

SUBJECT: Adoption of Agenda as presented or amended

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

SUBJECT: Approval of minutes November 8, 2011

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

PUBLIC COMMENTS

SUBJECT: Beekeeping at 419 US Hwy. 64. This has been discussed in the past; the applicant Winborn H. Evans has placed six bee boxes on the property at 419 US Hwy. 64 without seeking approval from the Town. There are no other uses being made of this property. After a review of the Zoning Ordinance and the principal uses permitted in the B-2 Zone, staff is unable to fit this use into one of the existing categories. Staff recommends denying approval as it is not listed in the principle uses permitted in the B-2 General business district. There have also been complaints from the neighbor who is highly allergic to bee stings and has to carry an Epi pen.

Chairman Parker commented that our ordinance is written so that if a use is not listed then the Board has to give thoughtful consideration and beekeeping is not listed. Mrs. Trebisacci commented that she received an email that the bees will be moved tomorrow. This is not to say that this use cannot be done in the Town but it would need to be discussed as to where this use can be located in the Town and as it stands now the use is

not permitted in the Town. Chairman Parker commented that we need to come up with criteria to make this an acceptable use in the Town. Member Storie commented that we should have an education on bees instead of a knee jerk reaction. Mrs. Trebisacci commented that the little research she has done is that it is placed in an agricultural district which the Town does not have. Chairman Parker asked anyone in the audience to give their input.

Jennifer Frost commented that bees are peaceful and we have someone in Town who is knowledgeable of bees.

Winborne Evans-the owner of the bees pointed out that people can be afraid of things we do not understand. Manteo is unique and accepting of creative differences. Ms. Evans proposes that we educate ourselves and that with proper education we can establish proper guidelines for hobby beekeeping in our area. Ms. Evans also spoke on her vast knowledge and education that she has received on beekeeping. The N.C. Agricultural Extension holds workshops to teach people about bees; it is also an educational tool used in elementary schools. Honey bees are docile and peaceful. One reason she does beekeeping is to save our food supply, there has been a sharp decline in the bee population. The location the bees are in now is not an ideal location and she does not want anyone to be scared or be a prisoner in their own home. She also spoke on Best Management Practices for beekeeping. Chairman Parker asked what criteria they needed to protect the residents from those who do not use Best Management Practices. Ms. Evans commented that the hives have to be registered with the state and there is an inspector who inspects the hives. Items discussed to be included in an ordinance were number of hives; land size; possibly placed in backyard only with a fence. Ms. Evans commented she would contact some people she knows to see what other small towns have in the way of an ordinance. Ms. Evans commented that she contacted the owner of the property next to the bee hives and told her that the bees do not fly during the winter months but we have had unseasonably warm weather. She stated that the neighbor told her that when she goes out on her porch she kills them, "I have to compliment her on her bravery as she is allergic to them." Ms. Evans commented that she had no intention to cause such uproar and she plans on moving them tomorrow. Moving them is a process it has to be done at night and she has been away at school but she now has more time. The Planning Board does not want to make a quick decision on this and if they are going to be moved there is time to look at the bigger picture.

Edward Mann spoke next, his mother Betty Mann is the next door resident and he stated that if due diligence had been done, if she had asked before placing them this would not be an issue. Mr. Mann asked how many hives constitute a hobby and how many hives constitute a business. Someone should not be held captive in their own home. "I wouldn't put my hobby on someone else; it is just being a good neighbor which was not done."

The Planning Board will work on an ordinance but it will take time to come up with

details and as a board this needs to be researched and have a compromise that works for everyone.

Ms. Evan stated she thinks she has been misrepresented that when the bees were set up she tried to speak to Mrs. Mann and educate her and at that time she could not move them; she did move them further away from the house and the entrances were not facing her property. She also commented that she contacted the Town a year ago and whoever she talked to said hoof animals were illegal but could find nothing in the ordinance about bees so she could do them.

Chairman Parker apologized for her receiving that misinformation and that every once in a while uses are not in the ordinance and before change can happen there will need to be a public hearing.

Charles Evans apologized to the Town for dragging them in this dispute between neighbors and was not intended to cause any problems. He also congratulated the Town for thinking about the subject as it is important to have healthy honeybees. He feels they have been misrepresented and he assured Mrs. Mann that the bees will be moved and regrets the dispute this has caused the Town.

After a lengthy discussion it was concluded to start researching by contacting others on how it is done in their communities; such as number of hives; hobby versus business; use of best management practices, appearance standard, property size and also taking into account the fact that some people are highly allergic. Mrs. Trebisacci commented that she will have either a draft ordinance or have information for the Board to review for the January meeting. Edward Mann would like research also done on the other side of the issue. The Planning Board will inform the Board of Commissioners that they are working on it.

A recess was taken at 7:05 pm

SUBJECT: Discussion and consideration of Handicap ramp at Mount Olivet Fish House. Mount Olivet Church is requesting permission to build a handicap ramp to provide access to the Fish House located at 211 Ananias Dare Street. The ramp will connect the porch to the existing sidewalk along Lord Essex Ave. Staff recommends approving this application in accordance with 3-14 (c) Building Permits approved by the Planning and Zoning Board. PARC committees met and recommended using traditional style handrail with a 2x2 picket and a 2x4 top rail and also consider using wood for decking instead of composite as the experience from members that the composite material becomes very slippery with age and could be a hazard. This is only recommendations and not a condition for approval.

MOTION: Member Woody seconded by Member Storie to approve as presented and pass along those recommendations from PARC was approved by the following

vote: Ayes: Member Parker, Woody, Scarborough and Storie. Noes: None. Absent: Fearing

SUBJECT: Discussion and consideration of Wells Fargo Lighting Plan- In accordance with section 19-5 of the Zoning Ordinance, Wells Fargo has submitted a lighting plan to replace some existing fixtures and add new fixtures. The lighting fixtures meet town standards and the foot candles shown on the site plan do not exceed the maximum allowed. Staff recommends approval in accordance with section 19-5 of the Zoning Ordinance.

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

OLD BUSINESS

Add beekeeping ordinance to the to do list.

Mrs. Trebisacci has several zoning issues she need to bring to the Board; ongoing violations with Old Town Creamery signs and she has contacted the Town Attorney since her letters do not seem to work. Also, a property downtown had a lot of items in the yard and during Hurricane Irene that stuff floated to another person's property, three dumpsters have already been hauled away.

Member Storie-commented about finding good solutions for downtown businesses and looking at our ordinances that help or hinder businesses downtown. At the Commissioner meeting there was an issue with Magnolia Grill and a lot of business had concerns about what the Town is planning on doing there. At that meeting Terry Gore volunteered to help establish a committee; group of citizens finding creative positive solutions for downtown businesses; and having a meeting to set the pace on how to go forward. The Commissioners stated this was a good idea. The meeting is set for Monday and they are also going to contact New Bern to see what they have done to revitalize their Town. Member Storie commented that some issues such as transportation, signage and not using a social media to attract visitors will be discussed at this meeting. Chairman Parker commented that it is more than filling up a space; we have to look at the bigger picture. How can the Town offer incentives to bring in businesses.

Member Scarborough would like to see burning the marsh next to Marshes Light development on the to list. Also open back up the ditch along Grenville that was closed to drain the marsh. Mrs. Trebisacci commented that we have already plans for a burn but have to wait for the right conditions but does not know of a permit that will allow us to excavate the marsh to open that ditch up; she will find out from CAMA if this can be done.

MOTION: Member Woody seconded by Member Storie to adjourn 7:45 pm was approved by the following vote Ayes: Member Parker, Woody, Scarborough and Storie. Noes: None. Absent: Fearing

This 13th day of December 2011

Bill Parker, Chair

ATTEST:

Becky Breiholz, Town Clerk