

## MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, September 10, 2013 at 6:00 p.m. at the Manteo Town Hall, 407 Budleigh Street

The following members were present: Chairman Bill Parker  
Member Bebe Woody (late 6:45pm)  
Member Phil Scarborough  
Member Grizelle Fearing

The following members were absent: Member Jack Gregory

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

Chairman Parker called the meeting to order at 6:00 pm

**SUBJECT:** Adoption of Agenda-

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

**SUBJECT:** Approval of Minutes Recessed July 17, 2013 joint meeting with Board of Commissioners. Member Fearing stated even though she was not there on page 4 in the section Representation and Leadership the word convey seems to be missing and that on page 5 second paragraph next to last sentence "We defined the characteristics....." is unclear to the Planning Board Members.

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

**SUBJECT:** Approval of Minutes Regular Meeting August 13, 2013

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

PUBLIC COMMENTS- none

**SUBJECT:** Site Plan Review Old Towne Creamery the property at 500 N US HWY 64 was approved for retail sales of ice cream in a change of use by the Planning and Zoning Board in March of 2010. At the August meeting the Planning and Zoning Board reviewed and discussed the change of use and site plan for Mr. Zottoli. The board also discussed the existing violations and unpaid permits and licenses. Since that time Mr. Zottoli has paid his privilege license fees and has paid for his sign permits. Staff recommends the Planning and Zoning Board recommend approval of the proposed change of use at 500 N US HWY 64 per section 12-10 (d)(2) to the Board of Commissioners. The seating was discussed and it was noted that it is an eight seat restaurant and that is what the applicant paid sewer calculations on; outdoor seating is not calculated for sewer purposes as stated in our ordinance.

**MOTION:** Member Fearing seconded by Member Scarborough to approve the site plan as presented and to allow for an 8 seat restaurant was approved by the following vote: Ayes: Members Parker, Scarborough and Fearing. Noes: None. Absent: Woody and Gregory

**SUBJECT:** Review Code Violations-the Board went over the list: McDonald's is the new one that has been added to the list, there is a drainage basin that is full of dirt which has had standing rain water for up to a week and Mrs. Burke has sent them a 30 day notice to have that corrected. Signs also seem to be a big issue this year. Harbor Point Restaurant has not picked up certified mail that has been sent so it will be hand delivered by a police officer. Other items gone over on the list:

ABC Store: Mr. Skinner to contact

Hotline-check the buffers

Pugh's Fence-no progress will get Town Attorney involved.

Charter Communications-plan on planting this fall

Shallowbag Bay-no one wants to take ownership so everyone will get a notice of violation, but the sign is on the HOA property

Cypress Cove Flags-working with Town Attorney

Olde Towne Creamery-will be fixed

**SUBJECT:** Review to do list-no up dates.

**SUBJECT:** Discussion of Historical Building Inventory at the September Board of Commissioners meeting, Mayor Daniels discussed the importance of preserving historic structures in Manteo. He is concerned that buildings area allowed to get to the point of disrepair where their demolition is more cost effective than rehabilitating and repurposing. To this end the Board of Commissioners unanimously voted to direct the Planning Board or their appointee(s) to get a list of historic buildings, their condition, and possible uses for them before they go beyond repair. Mrs. Burke informed the Board

that the Manteo Preservation Trust has started a list of Town structures. The Commissioners would like the Planning Board or it's designees to inventory them; to plan for them instead of reacting to them when it is too late to do anything about. The publicly owned structures will be easier to deal with but the privately owned ones will be more difficult and the Davis house was given as an example. The members discussed updated the inventory and identifying those structures in disrepair. Member Fearing commented that she heard that Social Services will be taking over the old DMV office and that the concrete fence around that building is in disrepair and would like the County to have that fixed. Mrs. Burke commented that the PARC committee discussed this issue. Chairman Parker commented that he would like the PARC committee to handle the inventory and identify those that need repairs.

**MOTION:** Member Fearing seconded by Member Scarborough to recommend that the PARC committee work on the Historical Building Inventory with the help of the Planning Board if needed and to report back to the Planning Board was approved by the following vote: Ayes: Members Parker, Scarborough and Fearing. Noes: None. Absent: Woody and Gregory

Mrs. Burke reported that she has received a request from the Outer Banks Craft Rum Distillery about placing a distillery in Manteo, but currently our ordinance does not have that use listed of where to place it.

Adam Ball, Scott Smith and Kelly Bray with the Outer Banks Craft Rum Distillery introduced themselves to the Board and gave the members an overview of what they are trying to accomplish. They are looking at the property at 510 Budleigh Street for a production distillery and the production would be done on site. They would produce the rum and then it would be shipped to Raleigh which in turn would distribute it to the ABC stores, they are not allowed to sell the product on site, but they will sell merchandise such as shot glasses, mugs, t-shirts and other like items. They will also offer tours of the distillery. If and when they expand they will do that at another location and use the store in Manteo as their anchor store. They would like to open sometime in March or April of next year. Mrs. Burke commented that if the Board is interested in pursuing this she will need to draft language as to where it can be located. Consensus of the Board was for Mrs. Burke to draft language for discussion at their October meeting.

Member Woody arrived at 6:45 pm

#### BOARD MEMBER CONCERNS:

Chairman Parker and Member Woody wanted to discuss the Conditional Use permit for the Manteo Elementary School and a storage shed that does not appear on the original site plan but is on the property. (This item has been discussed for several months since the Board of Education wants to demolish the old Alternative School/gym for expansion to the elementary school) Mrs. Burke presented them with the original site plan of

August 31, 2004 and the amended parking lot site plan of March 1, 2007. The storage shed was not shown on the original site plan, according to the Members that building was to be removed and they were told by Mr. Winebarger that it would be removed. On the amended site plan when they reviewed the parking lot it was shown on the amended site plan, which the Planning Board approved. From the Planning Board's perspective they were only reviewing the parking lot expansion and they think it is a violation of their conditional use permit. Another violation that was discussed was the parking being allowed in the fire lane behind the school. A letter had been sent to them informing them of this violation about a week ago and they are no longer parking there but the Planning Board would like it to be on record that they were in violation of that also. Consensus of the Planning Board is to have the Town Attorney write them a notice of violation letter in regards to the storage building and the parking in the fire lane. Mrs. Burke informed the Board that the Town Attorney had informed the Board of Commissioners that since the amended site plan of 2007 was approved showing the storage shed there, that would be the plan looked at if there was ever any legal action taken.

**MOTION:** Member Woody seconded by Member Fearing for the Town Attorney to write a letter of violation to the School Board for the storage shed shown on the site plan dated 8-31-04 to be demolished but has not been demolished and to include the fire lane parking violation behind the school was approved by the following vote: Ayes: Members Parker, Woody, Scarborough and Fearing. Noes: None. Absent: Gregory

**MOTION:** Member Scarborough seconded by Member Woody to approve a motion to adjourn at 7:10 pm was approved by the following vote: Ayes: Members Scarborough, Parker, Fearing and Woody. Noes: None. Absent: Gregory

This 10<sup>th</sup> day of September 2013.

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Bill Parker, Chairman

ATTEST:

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Becky Breiholz, Town Clerk