

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, July 10, 2012 6:00 pm. at the Manteo Town Hall, 407 Budleigh Street

The following members were present: Chairman Bill Parker
 Member Phil Scarborough
 Member Jack Gregory
 Member Grizelle Fearing

The following members were absent: Member Bebe Woody

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

Chairman Bill Parker called the meeting to 6:01 pm

Chairman Parker commented that "today, of course, there was the funeral for H.A. Creef. Out of respect and admiration, Randy Hester and his wife drove the 3 ½ hours from Durham to attend the service and then turned around to get back for a meeting." "In the early 80's, Randy was a young planning professional and he worked side by side with H.A. during the Town's first public planning process-a process that resulted in so much of what we still do today." "H.A. was a great believer in publically involved planning, the setting of goals, of having a roadmap for the Town's future." "He served the Town as a commissioner for twenty-two (22) years," "But whether he was in office or not H.A. seemed always to be trying to make Manteo a better place." "He was a great friend and supporter of this Board and our work, he will be greatly missed."

SUBJECT: Adoption of Agenda as presented or amended

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

SUBJECT: Approval of minute's regular meeting June 12, 2012-

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

PUBLIC COMMENTS - None

SUBJECT: Internet Gaming and Sweepstakes Cafes ordinance- As requested at the June Planning and Zoning Board Meeting, staff has draft language to address Internet Sweepstakes Establishments. The drafted language is based on the current language that

addresses Adult Oriented Businesses. The definition is based on the definition used by the Town of Nags Head. Please keep in mind the hours of operation may also be limited as well charging business license fee and a fee per machine. The number of machines may also be limited. The language is as follows:

Internet Sweepstakes Establishment. An business establishment that provides access to a machine(s) that runs one or more games or processes with any of the following characteristics: (1) payment, directly or as an intended addition to the purchase of a product, whereby the customer receives one or more electronic sweepstakes tickets, cards, tokens or similar items entitling or empowering the customer to enter a sweepstakes, and without which item the customer would be unable to enter the sweepstakes; or (2) payment, directly or as an intended addition to the purchase of a product, whereby the customer can request a no purchase necessary free entry of one or more sweepstakes tickets or other item entitling the customer to enter a sweepstakes.

12-9 Internet Sweepstakes Establishments

(a) No Internet Sweepstakes establishment may be located within 600 feet of Highway 64/264 or

Highway 400.

(b) No Internet Sweepstakes establishment may be located within 600 feet of a church's property line, a school's property line, or the property line of a residence.

(c) No Internet Sweepstakes establishment may be located within 600 feet of an Internet Sweepstakes establishment.

Ms. Burke model this ordinance after the Town of Nags Head ordinance, but did not include any fees as there is controversy over what is a reasonable fee and the state statutes do not address that. Our privilege license fee schedule will also have to be amended. The Board members discussed adding fees per machine like Nags Head does of \$2500 and a business license fee to the draft text amendment; they would also like hours of operation of 10 am to 10 pm Monday through Saturday and noon to 6pm on Sunday. Consensus of the Board is to have the Town Attorney research what is acceptable and give a recommendation for fees per machine and a business license fee for their review at their August meeting.

Review to do List-

Drainage of the marsh-there is nothing new to report. Ms. Burke commented that she and Mr. Skinner met with NCDOT about the planting of trees on Sir Walter Raleigh and they did not say no and she and Mr. Skinner will do some preliminary work to present to them. Discussion took place on the windmill ordinance and the way it is written allows for them to be on commercial property but not in residential areas. Ms. Burke will get sample ordinances from other Towns for discussion at their August meeting. Some restrictions were discussed such as not allowing them higher than the roof line; limiting installation because of the fall zone with a requirement that they can be folded and laid down during a storm; getting permission from adjacent property owners; whether or

not to allow only wind spires, wind turbines or both. The Board would also like staff to find out if there is any requirement that the power companies have to buy an excess power.

BOARD MEMBER CONCERNS

Member Gregory commented that hurricane season is coming and possibly posting high water marks and Ms. Burke stated that NOAA has posted a high water mark at the weather tower from Hurricane Irene; she also stated that the Town is getting updated storm drain maps.

Member Fearing commented that when people mow their yards the grass clippings go into the streets and eventually goes into the storm drains and clogs them up. She would like to know if there is anything the Town can do to prevent that and Ms. Burke stated we have nothing in the ordinance but will look to see if she can find anything. Ms. Burke also stated that we can put something on the Town's web page and facebook page reminding residents that nothing should be going into the storm drains but water.

MOTION: Member Fearing seconded by Member Gregory to adjourn at 6:50 pm was approved by the following votes Ayes: Member Fearing, Parker, Scarborough and Gregory. Noes: None. Absent: Woody

This 10th day of July 2012

Bill Parker, Chairman

ATTEST:

Becky Breiholz, Town Clerk