



## **Town of Beaufort, NC**

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### **Town of Beaufort Board of Commissioners Work Session Meeting 4:00 PM Monday, September 27, 2021 - Zoom Meeting due to COVID-19 Pandemic Minutes**

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#### **Call To Order**

Deputy Clerk, Rachel Johnson, read the following statement: *Hello and welcome to the September 27, 2021, Work Session Meeting of the Town of Beaufort Board of Commissioners. For individuals who wish to speak during the general Public Comments, please type "public comment" and your name in the chat box on your screen and you will be recognized at the appropriate time. If you are an individual with standing and would like to testify during the quasi-judicial proceeding, please type letters "q-j" with your name and address in the chat box on your screen and you will be recognized at the appropriate time. Thank you.*

Mayor Newton called the meeting to order.

#### **Roll Call**

Deputy Clerk, Rachel Johnson, conducted roll call.

Present: Mayor Newton, Commissioner Carter, Commissioner Hagle, Commissioner Harker, Commissioner Hollinshed, Commissioner McDonald

#### **Agenda Approval**

Commissioner Hagle made a motion to approve the agenda as presented. Mayor Newton conducted a roll call vote. The motion passed unanimously.

Voting Yea: Commissioner Carter, Commissioner Hagle, Commissioner Harker, Commissioner Hollinshed, Commissioner McDonald

#### **Public Comment**

No Public Comment.

#### **Project Updates**

Greg Meshaw, Town Engineer, provided an update on Town projects. He said that there were 13 active projects, but three were completed today – two stormwater projects and one building project.

Cedar Street Park. Mr. Meshaw referenced the bi-weekly update, where the Board was notified that staff contacted NCDOT for an update on the dedication of right-of-way where Cedar Street Park is going to be located. He said NCDOT is in the midst of a property transfer to the Fasolinos. NCDOT said that they would like to start with the abandonment of the right-of-way process for the future location of Cedar Street Park, noting that the division office said the process would take roughly six months. He added that there had been discussions of NCDOT reimbursing the Town rather than completing the resurfacing work prior to dedication. NCDOT agreed to reimburse the Town in the amount of \$55,000.

Town Wide Sidewalks. Mr. Meshaw said that Carteret Avenue from Lennoxville Road to Third Street is nearing completion, and that there is still some site work that needs to be done. He added that there is a raised crosswalk at Third Street and Craven Street, and that pavement markings still need to be completed. He said staff believes the markings and the rise in the pavement will help slow traffic. Mr. Meshaw then showed a map of the sidewalks that have been completed. He said the next stretch will be on Live Oak where the library is located, going down Live Oak toward Wellons Drive.

Downtown Parking Area. Mr. Meshaw referenced a recent budget amendment for the Downtown Area Parking project. He said that the Purchase Order has been issued and that a contractor has been selected.

Wastewater Asset Inventory Assessment – USDA Funded Utility Project. Mr. Meshaw said that the television inspection of the gravity sanitary sewer has been done. He then discussed a map showing the areas that have been inspected through the Wastewater Inventory Assessment, USDA funds, and additional areas that were inspected with remaining funds.

Charles Street Area Drainage Improvements/Maintenance. Mr. Meshaw referenced a drainage improvement project along Charles Street. He explained that this drainage system goes to Lennoxville Road, crosses Lennoxville and then runs in pipes across 1501 Front Street, and then out to Taylors Creek. He said along that route, on private property, there were large sinkholes. Staff found the sinkholes all were a result of failing pipe joints which have been sealed to prevent any soil from penetrating the pipe. He added that town staff is responsible for all of the work done with these projects.

Fire Station 2 Renovation. Mr. Meshaw said that Sam Bell has been working on the design for the renovation of Fire Station 2. He showed preliminary plans that have been done and explained that the plans are at 90% completion and said that they plan to have everything ready from the engineering department no later than the week of October 4<sup>th</sup> so that they can have everything in order and ready to obtain building permits.

Human Resources Office Renovation. There were several repairs that needed to be done in what is now Human Resources' Office, which is now complete.

Turner Street Traffic Calming: 4-way Stop. Mr. Meshaw reminded the Board of guidance last year for staff to look into traffic calming measures at the intersection of Turner Street and Broad Street. He then asked Sam to speak about his findings. Mr. Bell showed existing conditions at the intersection, and pointed out visibility issues, and other pedestrian-related safety concerns. He explained that he'd come up with two options. Option one is a raised crosswalk on Turner Street, South of the intersection. He said some of the elements in both options would include better visibility crosswalk markings, noting that the markings currently in place are quite faded. Another issue he observed is that the corner with the courthouse driveway is problematic, and cars frequently get bunched up in the area. He said shifting the driveway east so that it is no longer on the sidewalk, and further away from the intersection itself, it would provide pedestrians with a landing area at that corner. He further recommended adding a bumpout to match the other side of the street. He added that rumble strips could also be placed on Turner Street to alert drivers of the crosswalk in advance. Mr. Meshaw added that the proposed bumpout gives the opportunity to have a crosswalk on Turner, closest to the courthouse. Option 2 is very similar to Option 1 but has a 4-way stop rather than a raised crosswalk.

Commissioner Hagle said that both options are good ideas. He said that oftentimes there is traffic that comes down in groups from the Turner/Cedar Street intersection. He said stop signs are good but wonders if it would impede ingress and egress at the courthouse.

Commissioner Carter asked if the stoplight is going to be removed. Mr. Meshaw said that it hadn't been considered, but that it could be removed. If the Board opted for the 4-way stop, it would need to be removed.

Commissioner Hollinshed said that the medians are much larger in this part of town than in others. She voiced concerns about visibility with the bulbouts for cars stopping before the crosswalks.

Commissioner Harker asked if there would be rumble strips on the northbound side of Turner Street as you approach the intersection south of the raised crosswalk. Mr. Bell said that is something that could be considered. Commissioner Harker asked Mr. Meshaw if there had been any progress on refinishing some of the crosswalks in town that have become faded overtime. Mr. Meshaw said that there is still a supply issue, but that staff is still trying to get the materials.

Commissioner McDonald said that the intersection Mr. Bell spoke about is a very high-traffic area, and any improvements need to be considered thoroughly.

Mayor Newton applauded Mr. Meshaw and Mr. Bell for their work and progress. Campen and Live Oak project completion connects kids from the east side of the road to school, and kids in the Professional Park neighborhood can walk to the library now.

Mayor Newton asked if the Board would like to place the Turner/Broad on the agenda at the next meeting as a discussion item. The Board unanimously agreed.

## **Items for Discussion and Consideration**

1. COVID Numbers in Carteret County, Mask Ordinance Discussion and Returning to In-Person Meetings Check-In

Mayor Newton said that as of the 4:00 p.m. update, active COVID cases in Carteret County have decreased from 319 to 258, with hospitalizations down from 20 to 15. He added that there is an additional death from COVID reported in the county. Mayor Newton asked the Board to look at three things: the mask ordinance, in-person meetings, and emergency leave provisions.

The Board agreed unanimously to continue holding meetings virtually, and to reevaluate at the October meeting.

Commissioner Harker said that she felt the mask ordinance is no longer necessary as numbers are coming down and people are masking on their own. Commissioner Carter, Commissioner Hagle, Commissioner Hollinshed, and Commissioner McDonald supported keeping the ordinance in place.

The Board agreed unanimously to keep the emergency leave provisions in place as they are currently.

2. Minutes

Deputy Clerk, Rachel Johnson, explained that there is a backlog of minutes, but that staff has a plan that staff and former employee, Kate Allen will be working to get the minutes caught up. Discussion ensued. The Board emphasized the importance of the minutes and suggested a new policy moving forward. Town Manager, John Day explained that this will be the top priority for the incoming clerk.

3. Presentation Request

Rachel Johnson, Deputy Clerk, said there is a request for the next meeting from a Beaufort Resident. Doug Doubleday has requested to speak for ten minutes about the subject of Plastic

Free By the Sea. The Board agreed unanimously to place the presentation on the regular meeting agenda.

4. Water Rate Adjustment – Eastman Creek Subdivision

Greg Meshaw, Town Engineer, reminded the Board that the County Board of Commissioners voted during its June 21 Regular Meeting to raise water rates in the county by 95%. The Beaufort Board of Commissioners responded by adopting new water rates on August 23 during the Work Session, with those newer rates structured to allow the town to break even when it comes to providing water and maintaining the distribution system. He explained that during the September 20 Regular Meeting, the Board of Commissioners did a partial reversal of their decision and decided to reduce water rates by 25%. Mr. Meshaw explained that the proposal before the Board for consideration at the next regular meeting is an alternate rate, reduced from \$33.80 to \$23.25, while keeping the variable fee unchanged. The proposal includes flat fees for one and one half, two-, and three-inch meters just in case someone puts in a larger meter at some point.

The Board agreed unanimously to place the item under Discussion and Consideration at the next meeting.

5. To approve or deny the Site Plan for Pruitt Health Care Nursing Home/Skilled Care Facility to contain 104 Beds/Units.

Sam Burdick, Town Planner, provided an overview of the request for Pruitt Health Care, as well as a brief background of the subject property.

Mayor Newton asked Ms. Burdick or Mr. Day to speak to the traffic impact and coordination with NCDOT. Mr. Day explained that NCDOT is paying close attention to impacts as it is their road. He added that since this is a satellite annexation, there will be little to no impact on town traffic as it's surrounded by unincorporated areas.

Commissioner Hagle asked several questions about the stormwater retention pond that he would like addressed at the next meeting, as well as concerns about the amount of pervious surfaces in the proposal.

Commissioner Carter asked Mr. Meshaw to confirm that the 12,890 gallons of sewage has already been included in the Town's obligations. Mr. Meshaw confirmed.

Commissioner Harker asked if the retention pond would be able to support growth in that area in the future. Chase Cullipher, The Cullipher Group, said that the pond is sized for the future addition of the building and parking expansion. He said there is potential for additional development at the southwest corner but noted that there is no plan for it at this time.

The Board agreed unanimously to place the item under Discussion and Consideration at the next meeting.

6. Case #21-24 Final Plat – Front Street Village Phase 4

Sam Burdick, Town Planner, provided an overview of the request, along with a brief background of the subject property. She explained that the applicant has chosen to request to bond the infrastructure improvements and has submitted cost estimates of \$594,112.50. She said that there is no sewer allocation request being made since this was due to the prior approval to the January 11, 2021 Wastewater Allocation Policy's adoption. In addition, the applicant will be paying \$5,875 in recreation fees as part of the subdivision requirements.

The Board agreed unanimously to place the item under Discussion and Consideration at the next meeting.

7. Financial Notes

Christi Wood, Finance Director gave an overview of the financial report for August, along with notes about tax balances for July and August. She added that, like months prior, the sales tax distributions were included, noting that September is for June sales in the amount of \$250,815.

John Day, Town Manager, added that this concluded the fiscal year collection, which was 32% higher than the previous year. He reminded the Board that for FY20, as a COVID precaution, the Town reduced the budget amount for sales tax assuming there would be a drop in business and travel. Sales tax revenue exceeded the budget amount by \$894,000. He said that his recommendation would be to hold that money in a capital reserve for outstanding projects that do not have committed funding. The Board agreed that the money should be put away.

### **Reconvene Quasi-Judicial Proceeding**

1. Request for Special Use Permit – 1550 Lennoxville Road - Gas-Service Station (Jim Dandy Stores); Case No. 21-17

Mayor Newton read the following statement, *“This hearing is a quasi-judicial evidentiary hearing. That means it is like a court hearing. State law sets specific procedures and rules concerning how this board must make its decision. The Board of Commissioners must base its decision upon competent, material, and substantial evidence in the record. A quasi-judicial decision is a decision contained by the standards in the land development ordinance and based on the facts presented. All applications for special use permits must be consistent with the Land Development Ordinance for the Town of Beaufort and whether the special use is appropriate in the proposed location. For certain topics the Board of Commissioners may hear open opinion testimony from expert witnesses. Individuals providing expert opinion must be qualified as experts and provide the factual evidence upon which they base their expert opinion. Witnesses must swear or affirm their testimony. If you've been sworn in before, you don't have to be given the oath again.”*

**Mayor Newton:** Where we have been... we started with the applicant and his description of the project, then we went to the residents and the residents also brought in their experts. We whittled that away to three different areas: traffic impacts environmental impacts and zoning. And from there, we whittled that away to one topic this evening, which is traffic impacts. And unless the commissioners, the majority of commissioners, want to do so, we will not open the aperture beyond that those traffic impacts. So, with that being said, are there any experts left from the last time that the commissioners would like to hear any kind of rebuttal on the traffic impacts? Are there any expert witnesses from the folks that would like to rebut the applicant's statements? I do believe I saw Dr. Bugg in the audience. Dr. Bugg?

**Dr. Zachary Bugg:** Yes, I am here. Hello.

**Mayor Newton:** Great. Okay. Do you need us to bring up a presentation, Dr. Bugg?

**Dr. Zachary Bugg:** I have it up and would be happy to share it.

**Mayor Newton:** Let's see if we can get that done. And if you can, please keep your comments to no more than 15 minutes.

**Dr. Zachary Bugg:** Yes, sir.

**Mayor Newton:** Thank you.

**Dr. Zachary Bugg:** Alright, it just looks like I need to be enabled here, share my screen here. My name is Zachary Bugg. I'm a Senior Engineer at Kittleson and Associates in Wilmington. I did go under oath and provide that a couple of weeks ago at the previous meeting. I've reviewed hundreds of studies like this. I've prepared my own for several hundred sites like this. And I have reviewed, on behalf of the residents here, the updated site plan provided by the applicant that is shown here.

**Dr. Zachary Bugg:** Just general comments. This is what has been called a preliminary site plan. So, scale, a lot of the design detail features here do not appear to be finalized yet. So, I base my review off of what you see here. So, I really have three general comments, and I will try my best to be brief here. You'll see up on the screen comment number one is related generally to tractor trailer movements serving the site. And I'll go through a few diagrams here the bullet points here will stay the same. But it appears that without any additional information beyond this site plan, it does not appear that fuel tankers will be able to access this site without tracking off of the roadways or potentially creating a hazard in the roadway. So, I'll show a few diagrams here. As shown on the site, the fuel storage is just shown here to the north end of the site and will be placed on the north end of the pumps. So presumably that will be where tractor trailer trucks fuel tankers will be servicing the pumps. See here that the site plan reflects the revised access that has been recommended by NCDOT, thereby providing a right-in and right-out access, removing the existing driveway closer to Ocean Street, and then providing a full access via Ocean Street. With that said, it appears that truck egress will have to be done on to Ocean Street. I've shown just a general arrow here for where that truck movement will occur. The pink bar you see here is the approximate size of that tractor trailer. So, as you can imagine that would, by turning out of the site and on Ocean Street block movements onto Ocean Street. And then it appears that the site [inaudible] intersection, as improved here would not accommodate that truck to perform movements in or out at Ocean Street. Is there a question? Should I stop here?

**Mayor Newton:** No, no, please continue. Commissioner McDonald, do you mind muting please?

**Dr. Zachary Bugg:** Thank you. So that I've also pointed to a couple of the curve radii here that the one on the right, the Ocean Street and Lennoxville Road. Again, I acknowledge that this is a preliminary site plan, but as shown here, that radius would not be large enough for a fuel tanker to pull out of the site and make a right turn on Ocean Street. Similarly, the radius at the right-in, right-out driveway would not be large enough for a fuel tanker or a or a pickup hauling a boat, or car and boat combination. All of that would have to leave the Ocean Street ingress. So, those comments again are related to tractor trailer access. And just to summarize, it does not appear, without a truck turning diagram to review or anything like that, it does not appear that the site is set up to accommodate those large vehicles.

**Dr. Zachary Bugg:** Comment number two is related to the design of the improvements provided by the applicant at the request of NCDOT, namely the roadway widening, the median as shown here that it's meant to restrict access to right-in and right-out, and generally the roadway design. So, I'll go through a few markups here. One item of note is what's called the taper, which is really anything related to the transition area between the existing two-lane cross section to the widened area where we go two to three lanes with left turn lane, that transition length is called the taper. And as you can imagine, the shorter the taper, the more abrupt the change in the vehicle trajectory is going to be less comfortable, more potential for vehicles departing the roadway, hitting items, like the median or the curb. So, the longer a truck, the higher the speeds, the longer the taper needs to be. There's a formula for this. And on my calculations, the minimum taper to be provided should be 340-foot length. So, what is shown here, these arrows show 175-foot typical length. And then also on the other side of your screen here, you'll see that the roadway, as it narrows back to two lanes, the full length of the taper is not shown on this diagram. And it does not appear to be a 340-foot minimum. So, my main observation with this slide would be to increase the taper length that transition area which would thereby extend the extensive construction beyond what you would see here to widen the road. Also related to the design of these improvements, you see here, the median starts here another road, they've provided a four-foot median here to enforce the right-in and right-out operation of driveway that knows that the median should really begin in a transition area.

So that there's a document called *A Policy on the Geometric Design of Highways and Streets* that's published by the American Association of State Highway Transportation Officials. And it provides the standards for providing that transition length before you come to a median like this. Ideally, you should not just start a median in a two-lane roadway with no buffer and no widening in advance of the median that cuts down on the chance of vehicle striking that median knows when it starts that abruptly. So again, I would want to see a longer extensive construction here to the west of Lennoxville Road to really start that transition area so that you have a larger painted median before you begin that raised section. And finally, the on this comment, the streets and driveways in the north side of the road are not shown, and while they don't have anything specific to the design of those, it would be helpful to see the interaction of this these improvements and how they may affect Briarpatch Drive which begins just where this red rectangle is here on the way on the left side of your screen. Whether or not the median restricts access there, how turning movements may be conducted with the presence of the new median, basically all that would need to be reviewed in relation to where that intersection is and it's not shown on this preliminary site plan. Same thing with driveways, near Ocean Street, any planned .... All of that would need to be assessed in relationship to those off-street improvements on Lennoxville Road.

**Dr. Zachary Bugg:** Finally, it is related to not just traffic but traffic impact, cumulative impact of the traffic on the site. This has been a topic of much discussion, I realize, but there's nothing other than a site plan that documents the anticipated impact additional traffic for the gas station use relative to the existing use. I'll provide a few thoughts here. These two movements with the updated site plan and the access restricted here, you're now funneling much more traffic on the left turns into the Ocean Street, the existing Ocean Street intersection to access the gas station, and also to leave the gas station. So, these would thereby be the highest volume movements at the site, just based on the six fueling positions that they provided but estimate that these two movements could be two or three hundred vehicles per day, each with a total impact to the Ocean Street leg of this intersection, approximately 800 vehicles a day relative to what is there today. And while I realized that may be much lower during the peak hour, there's no documentation or consideration of the existing traffic on Ocean Street, which is

likely much, much less than that 800 vehicles per day, and the cumulative impacts of that traffic. And finally, on this comment, made note that this queue storage, that's what I like to call it [inaudible] back up vehicle is lining up to make a turning movement into or out of the site. The applicant has shown preliminarily a 50-foot storage length for this westbound left turn Bay onto Ocean Street. That is only enough space for approximately two passenger cars. Just standard size vehicle, not a truck, not a pickup hauling a boat trailer, that sort of thing. So that's a pretty short queue storage. And again, with without any additional information provided by the applicant, the form of traffic impact study, there's really no way of assessing whether that queue may be longer, it could still back and hinder the flow of traffic in the mainline lane westbound on Lennoxville Road. You just don't know whether or not that queue storage bay is long enough to accommodate... typically what we plan for is the 95th percentile worst case for two years throughout the day. Additionally, this neck what we would call it in between the stop sign and Ocean Street. And the first driveway at the gas station is really less than one passenger car length, it's about 25 feet. So again, if there's more than one car that stacks up here, the access to the driveway potentially access to Ocean Street, you know, if cars, pull out of the driveway and block that intersection with Ocean Street, there's a potential for access to that old neighborhood to be blocked. And again, I would just suggest that a traffic impact study or traffic assessment be prepared to document whether that would occur or would not occur. So, with that said, I'm available for questions and discussion. Any discussion with the applicant? I would welcome to have that now. Thank you.

[Questions/Discussion Slide: Zachary Bugg, PhD, PE – Kittelson & Associates – zbugg@kittelson.com – 910.399.5699]

**Mayor Newton:** Alright. We'll see if there are any other experts who are willing to speak at this time and then we'll go to the applicant to see if there any comments. Are there other experts that are signed up? And if you're not an expert, you will not be allowed to speak during this time. Rachel, do we have anyone else signed up?

**Rachel Johnson, Deputy Clerk:** We have several people signed up that have stated that they are homeowners in the area. We have Barbara Buckley, Robin Smith, Lisa Cox, Suzanne Lea, Lori and Bob Cunningham.

**Mayor Newton:** Okay, so let's go through each one and have them state their expertise in traffic impacts.

**Rachel Johnson, Deputy Clerk:** The first one would be Barbara Buckley

**Barbara Buckley:** No, I do not have any expertise.

**Mayor Newton:** Okay. Thank you, Barbara. Who's next?

**Rachel Johnson, Deputy Clerk:** Robin Smith

**Mayor Newton:** Robin?

**Robin Smith:** Yes, thank you, Mr. Mayor. I'm actually an attorney representing a number of the homeowners and the like.

**Mayor Newton:** Excuse me, please. Are you an expert in traffic impacts?

**Robin Smith:** I am not an expert in traffic impacts. The point I wanted to make...

**Mayor Newton:** I'm sorry. I'm sorry to cut you off. I'm not rude by nature, but we need to stick to the traffic impacts, the traffic impacts portion of this as well. Who was next?

**Robin Smith:** Mr. Mayor, Mr. Mayor?

**Mayor Newton:** No, I'm sorry.

**Rachel Johnson, Deputy Clerk:** Lisa Cox.

**Mayor Newton:** Okay. Lisa, are you a traffic impacts expert?

**Lisa Cox:** Can you hear me okay?

**Mayor Newton:** Got ya loud and clear. Thank you.

**Lisa Cox:** Okay. I'm a traffic expert for this area. I mean, I drive on Lennoxville Road and Ocean every single day. And I can happily communicate that to the Board of Commissioners.

**Mayor Newton:** okay, I don't think that qualifies you as a traffic impacts expert. Thank you, Lisa. Who else, Rachel?

**Rachel Johnson, Deputy Clerk:** Next, we have Suzanne Lea.

**Mayor Newton:** Okay, Suzanne.

**Suzanne Lea:** Yes. Hi, this is, Suzanne Lea, I am not a traffic expert either. But I did want to speak about my experience with, uh with these potentials on Ocean Street when that comes to pass.

**Mayor Newton:** Thank you. And who else has signed up, Rachel?

**Rachel Johnson, Deputy Clerk:** We have Lori and Bob Cunningham.

**Mayor Newton:** Okay.

**Lori Cunningham:** This is Lori Cunningham. I am not a traffic expert. But I too have experience having lived on the street for years. And I think the

commissioners would value what we have to say and it would help in their decision making process to hear all of the information from the residents who live in this area. It's crucial to hear what we have to say please do not shut....

**Mayor Newton:** Thank you, Lori. Is there anyone else that signed up Rachel?

**Rachel Johnson, Deputy Clerk:** Then I have Chase Cullipher.

**Mayor Newton:** Okay. Now we're gonna go to the applicant and, Chase, I'm going to limit your comments to 15 minutes as well.

**Chase Cullipher, The Cullipher Group:** Okay, Mr. Mayor. Not a problem. Trying to start my video. Thank you, Dr. Bugg, actually made a lot of good points that since our last meeting, we've kind of come to realization and done some things to address some of the items he pointed out. I know that there was some concern with the concrete median being on Lennoxville. So, I had a couple items I wanted to add with regards to that, and I realized that in the last meeting, I've focused a lot on the improvements on Lennoxville, and my coordination with NCDOT. Since then, I've reached out to Greg Meshaw, with Town of Beaufort engineering, and discussed improvements to be made on Ocean Street, I think it would help with some of the items that Dr. Bugg pointed out, and also communicate with NCDOT. One thing that I stated last time, but I kind of wanted to reiterate for the record, is that this is preliminary. As far as a review, I mean, we can't have a 100% known road improvements plan until we actually apply to NCDOT for said improvements. We can't actually do that application, as long as JM Davis Industries is not the owner of the property. And he is not gonna be the owner of the property because that is contingent upon the special use being approved. So, I just wanted to state that, you know, this is an item that, I'm trying to put forth a likely scenario so that we demonstrate that it is feasible to have these traffic improvements here and still provide service for a gas station. With that said, can I share my screen?

**Rachel Johnson, Deputy Clerk:** Chase, you should have capability to do that.

**Chase Cullipher, The Cullipher Group:** Okay.

**Lori Cunningham:** Is Mr. Cullipher a traffic expert?

**Mayor Newton:** Mr. Cullipher is the applicant's engineer.

**Lori Cunningham:** Doesn't make him a traffic expert

**Chase Cullipher, The Cullipher Group:** Yes ma'am. I have an engineering degree from NC State, and I've worked in traffic divisions at Stewart engineering for several years before moving back home to Beaufort, where I do a mix of traffic-related and other land development projects.

**Mayor Newton:** And... please stand by just a second, Chase. No one.. No other people are going to be asked or allowed to interact right now except for the applicant and Dr. Bugg. Okay, please continue.

**Chase Cullipher, The Cullipher Group:** Understood. I know there's a little bit of concern with concrete median in the right of way.. being local to Beaufort I just recall this Turner Street Extension being added here. And I think we're all familiar with this. This is Pine Street focus of looking west towards Gallants Channel Bridge, where they had a new concrete median put in the middle of Turner Street, which is a primary access for downtown Beaufort. I would note that there's a little bit of a nose there for Dr. Bugg's comments, but we actually address a little bit of widening with the safety for the where the concrete is just in the middle of two traffic lanes. And this is where it's actually down to about four foot in width, and this is what we're proposing right now that we would propose to do. I think that the public gets used to traffic changes when you have traffic pattern changes and a right-in and right-out, people respond and do what they need to do. And I think it's the safety measure, it makes the interactions on the road intersection safer. And that's why I included in my preliminary proposal. Further, when I spoke with Greg Meshaw – and I wanted to reach out to him and you know, I knew that we needed to show more improvements on Ocean Street and asked Greg what would the town be interested in doing so that we could demonstrate that this could work or not? He specifically said you know, fuel truck turning movements. So, Dr. Bugg is probably familiar with AutoTerm. It's a standardized AASHTO program software, where you can put in trucks and cars, and what I have here is the, the program that I have downloaded and would ... am somewhat familiar with from a past engineering firm. This is the package of vehicles I got and the WB40 most closely resembles what Jim has coming in for fuel. And that being said, last week before being aware of Dr. Bugg's comments, and speaking with Greg, I proposed the widening of Ocean Street. And what you have here is me driving the WD40 semi-truck trailer down eastbound on Lennoxville and turning it in where it would stop and then pulling back out where we continue eastbound. Every one of those little trucks is me clicking the mouse. This is a video of that said movement. And you see it comes in, it's able to make a stop, fuel of the underground storage tanks, and then it can come out and safely make that movement. And to Dr. Bugg's point earlier, we do know that this could be a conflict for people turning onto Ocean Street, we are more than willing to admit that we understand that. I think our point in contention to that is that's common in Beaufort. I think if you go down Front Street at nine o'clock in the morning there is a truck or two stopped in the roadway, and traffic responds accordingly, they drive around it. They're in the public right-of-way while they load and unload. I know that at Big Daddy Wesley's a similar sized vehicle actually pulls into the turning lane, and they dolly their goods and services across Turner Street into Big Daddy Wesley's. My office is in Morehead City, and I frequently drive past the Food Lion on Highway 70. In Morehead, if the Food Lion truck is pulling out onto that five-lane stretch of the road, it's blocking up five lanes and people instinctively slow down. I think that if these trucks, you know be it, Dorito's delivery, you know soda delivery, etc. They'll be able to come in be off the right-of-way unload and load their services or goods here. And then with time, they'll be coming to a different location, and I would not be surprised if these drivers learned to stop here and check and then they will be able to continue further east on eastbound to continue the same deliveries to the Boathouse for snacks, drinks, and fuel. This impediment to the right-of-way for people turning around Ocean Street would not happen for very long. In talking with Jim, it would only happen approximately once a day. Jim knows when his trucks come in and are staggered and they try to come in on off-peak times. So that way they do not impede, you know, when the site is being used significantly. And so, we're aware

of that little hang up, but I feel like with the traffic patterns, improved Ocean Street road widening, and other improvements along Lennoxville, that this site can be safely ingressed to egressed with a truck as long as a fuel truck and there is potential for smaller vehicles if necessary.

I have another screen... Commissioner Harker had talked about some other traffic patterns at our last meeting. This is a car that we chose – it's 19-foot, it's a pretty long car, I'd say my pickup truck is probably similar length. This is a similar video that I did with the car coming from the east side of Lennoxville and heading westbound, and as it drives through, it queues in, and some of these movements have been improved based on some of the comments that Dr. Bugg made, but they can see where they get fuel. And then they could get out of the site.

**Chase Cullipher, The Cullipher Group:** I was actually made aware of Dr. Bugg's presentation earlier this afternoon. And he may know something I don't. I know his PhD is specifically traffic. But this was in regard to the lane widening. So, we have a design speed and the posted speed is 35 MPH. The design speed is 40 MPH. Once you know that this design speed of 40 is what you want to use, you pick the formula as correct here. And he showed that in his presentation earlier, but where I would contend we'd defer is on the W, which is the width of lateral shift in this. And why I'm saying that is these are 11-foot lanes, which is typical for DOT, but we're doing symmetrical widening, where we're going to have an 11-foot of widening of the road, but it's going to be symmetrical based on the centerline where the five and a half would be done to the south side of the road, and five and a half will be done to the north side of the road. So, I would contend that that is a different number. And that it would if you use my five and a half lateral width, or the DOT policy and guidelines that this actually makes those tapers 147 feet, which I have on our plan that has nothing less than 150. And if I'm wrong, Dr. Bugg, I'd be happy to discuss I just do [a lot] with DOT. And I'm actually at home right now because my son caught COVID at Ann St. and so I wasn't able to get my [inaudible] book at my desk so I wasn't able to actually check that. But I knew I had that DOT slide, and I'm pretty sure DOT and AASHTO dictate the policies together. You know, that said, ultimately DOT isn't concerned with the land use of this property. I think the town's engineer, Mr. Meshaw, he's concerned with the town in general, and he's concerned with the impacts to utilities stormwater access. But I believe that if the Board of Commissioners is interested in this property to have this special use, then James Davis Industries will be able to coordinate with NCDOT, and coordinate with the Town of Beaufort, and make sure there's a as safe as possible application for ingress and egress of this roadway.

**Mayor Newton:** Alright, let's go to the Commissioners and see if they have any questions of the applicant or of Dr. Bugg. Commissioner Hagle?

**Commissioner Hagle:** I have no questions.

**Mayor Newton:** Thank you. Commissioner Carter?

**Commissioner Carter:** Just one question for the applicant. Approximately how many tanker trucks do you all anticipate? Daily, weekly, or however it comes?

**Chase Cullipher, The Cullipher Group:** I can defer to Jim, but I specifically asked him this question, and he essentially schedules it where there's one a day, so on Mondays might be the fuel truck on Tuesdays will be the Coca Cola truck on Wednesdays would be the Frito Lays truck, and they intentionally try and keep it off peak hours.

**Mayor Newton:** Okay. Commissioner Hollinshed? And, uh, Commissioner Hollinshed, you're muted.

**Commissioner Hollinshed:** Sorry about that. It's a masterful presentation, but I have no questions. Thank you.

**Mayor Newton:** Thank you. Commissioner Harker?

**Commissioner Harker:** No questions at this time.

**Mayor Newton:** Thank you. Commissioner McDonald?

**Commissioner McDonald:** I have no questions.

**Mayor Newton:** Okay. Thank you. By consensus... Are there any more questions that the Commissioners have before we further do the deliberations? Commissioner Hagle?

**Commissioner Hagle:** No questions.

**Mayor Newton:** Thank you. Commissioner Carter?

**Commissioner Carter:** No questions.

**Mayor Newton:** Thank you. Commissioner Hollinshed?

**Commissioner Hollinshed:** No questions.

**Mayor Newton:** Thank you. Commissioner Harker?

**Commissioner Harker:** No questions.

**Mayor Newton:** Thank you. Commissioner McDonald?

**Commissioner McDonald:** I have none.

**Mayor Newton:** Thank you. May I have a motion to close the public hearing?

**Commissioner Hagle:** So moved.

**Mayor Newton:** Motion has been made. Is there any discussion? Let's go down the roster for a vote. Commissioner Hagle?

**Commissioner Hagle:** Aye.

**Mayor Newton:** Thank you. Commissioner Carter?

**Commissioner Carter:** Aye.

**Mayor Newton:** Thank you. Commissioner Hollinshed?

**Commissioner Hollinshed:** Aye.

**Mayor Newton:** Thank you. Commissioner Harker?

**Commissioner Harker:** Aye.

**Mayor Newton:** Thank you. Commissioner McDonald?

**Commissioner McDonald:** Aye.

**Mayor Newton:** Thank you. What's the pleasure of the Board?

**Commissioner Hagle:** I move approval of denying the special permit for the reason that the proposed special use will not be compatible in harmony with the adjoining land uses and the development pattern in the immediate area. If you look across the street on both sides of this, it's residential and future land use shows that also.

**Mayor Newton:** Okay, a motion has been made to deny. Is there any discussion? Let's go down the roster for a vote. Commissioner Hagle?

**Commissioner Hagle:** Aye.

**Mayor Newton:** Thank you. Commissioner Carter?

**Commissioner Carter:** Nay.

**Mayor Newton:** Thank you. Commissioner Hollinshed?

**Commissioner Hollinshed:** Aye.

**Mayor Newton:** Thank you. Commissioner Harker?

**Commissioner Harker:** Aye.

**Mayor Newton:** Thank you. Commissioner McDonald?

**Commissioner McDonald:** I have a question if I'm in order...

**Mayor Newton:** No, sir. We've gone through the discussion and now we're in the vote.

**Commissioner McDonald:** Okay. I'll vote aye.

**Mayor Newton:** The request for a Special Use Permit at 1550 Lennoxville Road for a gas station/service station for Jim Dandy Stores, case number 21-17, is denied.

*Commissioner Hagle made the motion to deny the request for a special use permit. The motion passed with 4 in favor, 1 opposed.*

*Voting Yea: Commissioner Hagle, Commissioner Hollinshed, Commissioner Harker, Commissioner McDonald*

*Voting Nay: Commissioner Carter*

### **Mayor/Commissioner Comments**

Mayor Newton asked for Commissioner comments.

Commissioner Hagle had no comments except drive safely. Shorter light hours and driving too late in the afternoon, the sun is often blinding, so be careful and drive safely.

Commissioner Carter encouraged everyone to get vaccinated.

Commissioner Hollinshed wished to extend her sympathy to the Garner family.

Commissioner Harker echoed Commissioner Hollinshed's remarks. She also thanked Rachel for filling in as Town Clerk, adding that she's done a great job as always trying to keep the Board on track. She further added that she looks forward to seeing the new clerk next month.

Commissioner McDonald had none.

**Adjourn**

Meeting adjourned.

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Mayor

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Deputy Clerk