



Town of Beaufort, NC
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Board of Commissioners
Regular Meeting
6:00 PM Monday, June 10, 2024
Train Depot, 614 Broad Street

Call to Order/Pledge of Allegiance

Mayor Harker called the meeting to order at 6:00 p.m. and invited all to join in reciting the Pledge of Allegiance.

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

Mayor Harker
Mayor Pro Tem Cooper
Commissioner Gillikin
Commissioner LoPiccolo
Commissioner Oliver
Commissioner Spiegler

ABSENT: None

Agenda Approval

Commissioner Cooper made a motion to approve the agenda as presented.

The motion carried unanimously.

Items of Consent

1. Meeting Minutes- May 13th, 14th, 22nd, and 28th
 2. Capital Reserve Fund Amendment #18
 3. Case #24-11 - Special Use Permit (SUP) for "The Watering Hole" - Order
- Commissioner Oliver made a motion to approve the Items of Consent as presented.
The motion carried unanimously.

Public Hearing

1. Proposed Fiscal Year 2025 Budget
- Commissioner Cooper made a motion to open the public hearing.

The motion carried unanimously.

Todd Clark, Town Manager, provided a recap of the budget process and summarized the recommended changes following the budget work sessions. He shared the total proposed FY 2025 Budget was \$21,468,948. He noted with the adoption of the proposed budget, the stormwater fee would be increased to \$5 a month for residential property owners and \$10 a month for non-residential property owners.

Mayor Harker opened the floor for the public to make comments on the proposed budget.

Robert Harper, 1020 Broad Street in Beaufort, spoke in opposition of the proposed stormwater fee and suggested the Town encourage residents to build in a way that limits stormwater runoff.

Commissioner Cooper made a motion to close the public hearing.

The motion carried unanimously.

Commissioner Oliver made a motion to approve the proposed FY 2025 Budget with notable changes as presented, with the adoption of the corresponding budget ordinance as referenced in the meeting packet.

The motion carried unanimously.

Quasi-Judicial Proceeding

1. Case 24-09 - Special Use Permit (SUP) for "The Periwinkle"

Mayor Harker opened the discussion regarding Case #24-09.

Michelle Eitner, Town Planner, shared new evidence had been provided and was referenced in the meeting packet as "Attachment B" for the item. She explained the additional evidence was provided by the applicant to comply with the Board's request for additional financial information to review the principal verses accessory use of the business.

In consideration of the additional evidence, the Board consensus was that The Periwinkle's principal use does not require a SUP, as it is not a Tavern/Bar/Pub; and therefore, it was recommended the applicant rescind the application.

Beckie Davis, applicant, said if they were not required to have a SUP they would like to rescind the application.

Commissioner Oliver made a motion to terminate the SUP request. Commissioner LoPiccolo seconded the motion.

The motion carried unanimously.

Public Comment

There was none.

New Business

1. Case # 24-10 - Towns at Live Oak Site Plan

Ms. Eitner shared the request was from Ron Cullipher, agent for 1809 LLC, for a site plan review to construct a 135-unit Townhome development at 1809 Live Oak Street. She explained the Town of Beaufort's site plan review process is an administrative review process that is measured against the requirements and standards set out in the Land Development Ordinance (LDO). She shared the vicinity map that better describes the 14.033 acre tract. She noted the zoning district as Townhome, Condominium and Apartment (TCA). She noted several features and aspects included in the proposed site plan, all included in the meeting packet. She noted the preliminary plat provided was to exemplify that the project is for true townhomes, which subdivides the land underneath the

unit to ensure the unit and land are sold together. She also discussed landscaping requirements. It was noted that the Planning Board voiced concerns regarding the lack of applicability of requirements for street trees, sidewalks and additional parking throughout the site plan, but recommended approval at their May 20th meeting.

Commissioner Oliver confirmed the lots could be sold individually. He raised concerns about stormwater management for two adjacent lots not included in the application.

Commissioner LoPiccolo asked about the garage spaces for each unit.

Ms. Eitner confirmed they were single car garages. She also shared that according to Town ordinance, the requirement for parking spaces was two per unit in this case.

Commissioner LoPiccolo asked if there was a traffic study performed for the development.

Ms. Eitner confirmed that to her knowledge, there had not been a traffic study completed nor was one required. She did share the Town was in the process of making several road improvements in that area, such as a middle turn lane. She also noted the County had been collecting information in that area as part of a comprehensive transportation project.

Commissioner Spiegler asked if two per unit meant one in the garage and one behind the garage in the driveway.

Ms. Eitner confirmed that was correct.

Commissioner Spiegler noted the importance of providing enough parking spaces.

Commissioner Cooper also shared concerns related to traffic in the area.

Commissioner Gillikin encouraged the Town to pay close attention to the infrastructure improvements and construction of any turn lanes in the area.

Ron Cullipher, with The Cullipher Engineering Group, introduced himself as a representative of the developers, Dale and Allison Britt. He explained that the two parcels on the highway frontage did have some type of an agreement to share drains in prior years, but confirmed there was no longer a shared agreement for stormwater associated with the parcel in question. He explained there had not been a traffic study because related improvements to the area had already been proposed by the Town.

Commissioner Oliver asked questions regarding the construction and long-term plan associated with operation of the units.

Mr. Cullipher explained that when the appropriate number of sales were complete, it would then be managed by the HOA.

Commissioner Oliver spoke on the Town's prior commitment to provide water and sewer extensions. He asked for further explanation on the stormwater portion of the project.

Mr. Cullipher noted that the Town of Beaufort has a rule that is stricter than the state rules and regulations, requiring a large amount of water to be collected and held. He shared the stormwater pond met normal state regulations as well as the Town of Beaufort's. He also noted there was a large canal that drains off the property.

Commissioner Oliver asked if the covenants were adequate in protecting and informing property owners of ongoing maintenance responsibilities.

Mr. Cullipher noted the importance of having an active HOA. He explained the way it would be set up in the common areas, there would be folks mowing grass and maintaining the facilities and stormwater pond regularly.

Commissioner Oliver asked if phasing was involved in the construction of the 135 units.

Mr. Cullipher confirmed there would be phases to the project.

Commissioner Oliver asked if there were any comments or restrictions in the covenants regarding short term rentals.

Dale Britt, developer, shared he would be selling lots to Caviness and Cates Construction and they will be building the homes and selling them. He noted there had been no consideration of restrictions for individual lots. He explained as a developer, he hates to tie the hands of the builder and the buyers.

Commissioner Oliver asked if they felt they had done everything they could as far as planting trees and such on the entirety of the property.

Mr. Britt noted they had met all the requirements of the Town of Beaufort. He shared their goal was to build a beautiful community and would add whatever landscaping is necessary to make that happen.

Commissioner Oliver confirmed there was to be no parking on the streets. He suggested taking the word, "regularly", out of the section in the covenant that addressed the topic, so that it would read, "no parking".

Commissioner LoPiccolo said he hoped the developer would consider the comments regarding short term rentals. He also shared concerns about providing an adequate number of parking spaces. He suggested a unit could be removed to add extra parking. He noted it was a very dense development.

Mr. Cullipher explained the price per unit goes up when density is lost. He shared that they were trying to provide a workforce housing type of product.

Commissioner Spiegler asked if the average selling price for each unit was known.

Mr. Britt said he could not speak to that, at this point it was unknown. He noted the rising cost of building materials over the past few years. He suggested the goal was to have a blend of smaller units in with the larger ones to meet the demand and be more affordable.

Commissioner Spiegler expressed concerns regarding the varying definitions of workforce housing.

Mr. Britt said compared to other products being offered now, the proposed units would be less expensive.

Commissioner Spiegler also shared concerns about the number of parking spaces provided per unit.

Mr. Cullipher shared extra vehicles would have to use the overflow parking and people would need to make arrangements accordingly.

Commissioner Spiegler suggested the lack of interior sidewalks was a safety concern.

Mr. Britt said initially there would not be sidewalks put in because they would be torn up. He indicated the builder would be responsible for interior sidewalks when they pour driveways. He said he could make the commitment there would be interior sidewalks, but they would not be placed until the homes were built.

Commissioner Spiegler asked about trees and landscaping amongst the interior of the development.

Mr. Cullipher explained they were showing what was required. He noted he was not suggesting there would be no landscaping in the interior. He noted the amount of landscaping for the project was very expensive and they wanted to make it look nice.

Commissioner Spiegler discussed the benefits of having trees in the area.

Commissioner Cooper had additional questions regarding the covenants. He asked if Food Lion parking lot would be used during construction.

Mr. Cullipher explained they would be using their driveway and tying into the lanes that run east and west. He shared there was no official agreement for shared parking with Food Lion and noted they had been great to work with. He suggested if any problems arose, they would be addressed accordingly.

Commissioner Cooper expressed the importance of maintaining a clean construction site. He suggested the short-term rental comments and concerns be relayed to the builders.

Commissioner Gillikin thanked Mr. Britt for making the verbal commitment regarding the interior sidewalks even though it was not a requirement. She suggested when an affordable housing committee was established, the builder and developers could be invited to take part in those conversations. She also expressed the importance of trees throughout the development.

Commissioner Oliver asked who would be collecting the trash.

Mr. Cullipher said Waste Management would be responsible and explained there were multiple dumpsters on site.

Mayor Harker discussed workforce housing and the need for it in the area, especially for those working in the service industry. She asked they seriously consider what housing affordability looks like for the community, to be able to offer the opportunity for homeownership.

Commissioner Oliver shared several items that should be further discussed. These included: short-term rentals; cleaning up the covenants to be more definitive on no parking in the streets; and re-examining the garbage collection.

He noted that he would like the developer and builder to consider short term rentals be no less than 30 days. He asked the Town Attorney if that could be a condition of approval.

Mr. Grady explained it could not, as the Town's ordinance did not allow that action.

Commissioner Oliver made a motion to table the request until the next regularly scheduled meeting. He asked that the developers consider the issues discussed and report back to the Board.

The motion carried unanimously.

2. Sewer Allocation Request- The Towns at Live Oak

Commissioner Cooper made a motion to table the sewer allocation request, as the site plan at The Towns at Live Oak had been tabled, to allow the items to potentially be approved concurrently.

The motion carried unanimously.

3. Sewer Allocation Request- Beaufort Maritime Museum Education Center

Mr. Meshaw noted the request for sewer allocation was 7,250 GPD per plumbing fixture. He shared the site plan for the Beaufort Maritime Museum Education Center was approved in March of 2024.

Commissioner Gillikin made a motion to approve the sewer allocation request as presented.

The motion carried unanimously.

4. Acceptance of Public Improvements- Beau Coast Subdivision, Phase 5

Mr. Meshaw asked the Board to consider adopting a resolution accepting certain sewer and water utilities, sewer and water easements, public streets, public access and sidewalk infrastructure, and the public lands, rights-of-way, and easements, related thereto within Phase 5 of the Beau Coast subdivision. He noted construction of the improvements have been observed by both Blue Treasure's engineer and Town Utilities staff on a periodic basis and were deemed satisfactory.

Commissioner Cooper made a motion to accept the Public Improvements for Phase 5 of Beau Coast Subdivision with approval of the resolution as presented.

The motion carried unanimously.

5. Resolution- Petition for Annexation, 233 Leonda Drive

Ms. Lewis noted that a petition for annexation had been submitted for 233 Leonda Drive; with the application, a map and supporting documents were provided as part of the meeting packet. She explained the first part of the process was for the Board to instruct the Town Clerk to investigate the sufficiency of the petition.

The Board suggested the Town Clerk contact the surrounding ETJ property owners to gauge their interest in annexing their lots as well.

Commissioner Cooper made a motion to adopt a resolution instructing the Town Clerk to move forward with investigating the petition for annexation.

The motion carried unanimously.

Manager Report

Mr. Clark provided a monthly Town Manger's report which was projected and shared with those in attendance. The monthly report can also be found online at: <https://www.beaufortnc.org/boardofcommissioners/page/managers-report>. Some notable upcoming events were the UDO Meetings and the Hurricane Forum.

Mayor/Commissioner Comments

Commissioner Oliver had no comments.

Commissioner LoPiccolo had no comments.

Commissioner Spiegler thanked those in attendance and online. She encouraged everyone to begin preparing a hurricane kit for the season.

Commissioner Cooper shared information about an upcoming Juneteenth celebration.

Commissioner Gillikin shared in June 1724, the trustees of the town of Beaufort deeded to the "wardens of the Parish of St. Johns and the rest of the Vestrymen," Old Town Lot 91.

Mayor Harker encouraged pet owners to be responsible, specifically to make sure dogs are leashed properly when in public. She thanked staff for their work in preparing the FY 2025 Budget.

Adjourn

Commissioner Cooper made a motion to adjourn the meeting at 7:40 p.m.

The motion carried unanimously.

Sharon E. Harker, Mayor

Elizabeth Lewis, Town Clerk