



Town of Beaufort, NC

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners
Regular Meeting
6:00 PM Monday, March 10, 2025
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 the pledge of allegiance.

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

Mayor Harker
Commissioner Gillikin
Commissioner LoPiccolo
Commissioner Oliver
Commissioner Spiegler

ABSENT:

Mayor Pro Tem Cooper

Commissioner Gillikin made a motion to excuse Commissioner Cooper from the meeting.

The motion carried unanimously.

Agenda Approval

Mayor Harker asked for a motion to amend the agenda to remove Item #7 (Lease with Island Express Ferry Service LLC) from Items of Consent and relocate it to Item #4 under New Business.

Commissioner Spiegler made a motion to approve the amended agenda.

The motion carried unanimously.

Commissioner Spiegler also noted she had spoken to Interim Manager Charlie Burgess prior to the meeting and would like to move the Beaufort Waterfront Operations and Finance Committee Update to the beginning of the agenda, before the public hearing items. She also shared that Vic Fasolino would be providing a presentation during that update.

The consensus of the Board was to move the update and presentation up on the agenda.

Volunteer Board Recognitions

Mayor Harker recognized several volunteer board members for their service to the Town of Beaufort. The list of recognitions are as follows: Ann Carter (Board of Adjustment); Jonathan Hass (Historic Preservation Commission); Tammy Hunsucker (Historic Preservation Commission); Michael Rave (Parks & Recreation Advisory Board); Barbara Francis-Heckman (Parks & Recreation Advisory Board); Dianne Meelheim (Planning Board).

Items of Consent

1. Meeting Minutes- January 27th & February 10th
2. Wooden Boat Show Event Application
3. Lions Club Bridge Run 2025 Event Application
4. FY 2025 Audit Contract
5. Pivot Parking Contract Amendment
6. NCBIWA Resolution

Commissioner LoPiccolo made a motion to approve the Items of Consent (1-6).

The motion carried unanimously.

Old Business

1. Beaufort Waterfront Operations and Finance Committee Update

Vic Fasolino made a presentation on underground storage tanks related to the waterfront project. He shared the four contractors interviewed indicated that it would be a tight schedule to have the fuel tank installation complete by December 1, 2025. He shared the recommendations from the Beaufort Waterfront Operations and Finance Committee as follows:

- One 20,000 gal diesel tank now. Possibly one 6,000 gallon gasoline tank in the future.
- Two separate locations- diesel in west parking lot now and future gas in the east parking lot.
- Diesel tank just behind sidewalk in west parking lot, midway east and west.
- After tank installation, remainder of west lot becomes new greenspace or is repaved and restored to parking with tanker access. The contractor will need an answer as tank installation proceeds.

Commissioner Gillikin explained that the committee came to the recommendation of pursuing the diesel first in the west parking lot because the idea of the hybrid tanks cost more and there was a longer lead time of fabrication.

Commissioner Spiegler shared there would be an upcoming community conversation event related to the project, and the question of turning the west parking lot into greenspace or restoring it to a parking area with tanker access would be a point of topic where the committee would be asking for feedback.

Commissioner LoPiccolo asked how many parking spots would be lost if the tanks were placed in the west parking lot.

Mr. Fasolino shared only the place where the tanker would need to fill, maybe one parking space.

Commissioner Oliver noted there were other options for facilitating gas in the area. He shared his support for the idea of the fuel tanks being in the west parking lot and the need

for fuel delivery during a time that is not busy, such as early morning or late night. He suggested moving forward with the installation of the tanks as soon as possible.

Mr. Burgess shared the design aspect was being worked on now and the pricing would follow. He shared there had been some questions related to the selected firm and further discussions were needed to determine if that was the company they wished to move forward with. He shared there was not a current contract with any firm, but the Town had accrued cost associated with the design work.

Commissioner LoPiccolo made a motion that the Town place the diesel fuel tanks in the west parking lot and to allow the Beaufort Waterfront Operations and Finance Committee to bring back a final recommendation of a vendor and quote for installation.

The motion carried unanimously.

Mayor Harker thanked Mr. Fasolino for his presentation and said they would continue to discuss the topic in the coming weeks.

Public Hearing

1. Case #25-01 (FDPO Text Amendment)

Commissioner LoPiccolo made a motion to open the public hearing.

The motion carried unanimously.

Michelle Eitner, Town Planner, shared the request was a staff-initiated text amendment to reflect current Flood Insurance Rate Maps (FIRMs). She explained the purpose for the amendment, as provided in the meeting packet, and noted the amendment proposes to provide 160D-style map adoption language in advance of future map changes.

Mayor Harker opened the floor for public comments. There were no comments.

Commissioner Gillikin made a motion to close the public hearing.

The motion carried unanimously.

Commissioner Gillikin made a motion to approve Case #25-01, adopting the Flood Damage Prevention Ordinance (FDPO) amendments as proposed.

The motion carried unanimously.

2. Case #25-04 (1113 Live Oak Rezoning R8 to RS-5)

Commissioner Oliver made a motion to open the public hearing.

The motion carried unanimously.

Ms. Eitner shared that property owner Terry Allen has applied for a rezoning of his property at 1113 Live Oak Street. The requested rezoning is from the current R-8 Residential Medium Density District to the RS-5 Residential Single-family 5 Development District. She noted the application materials were included in the agenda packet for reference along with the staff report and maps.

Commissioner LoPiccolo asked if there was any paperwork on file regarding Loftin Lane homeowners who might govern the road.

Ms. Eitner said she did not have any HOA documents, but staff had spoken to property owners in a prior matter and felt they considered the road to be private. She noted there was uncertainty about how ownership of the road was structured.

Commissioner LoPiccolo noted this request had been before a prior Board and asked if the addition to the home could be made without changing the zoning.

Ms. Eitner shared the request in 2022 fell under a different land use plan, noting the future land use classification was being looked at differently.

Commissioner Oliver noted the permitted uses were similar in both classifications and suggested the main difference was dimensional standards changing in this case.

Mr. Allen explained his intension was to build a detached garage on the back of his lot. He noted there was currently a guide wire pole obstructing access and if the building could be moved to the back of the property, there would not be any access issues.

Mayor Harker opened the floor for public comments. There were none.

Commissioner Oliver made a motion to close the public hearing.

The motion carried unanimously.

Commissioner Oliver made a motion to approve the rezoning request as presented in Case #25-04, along with the statement of consistency and reasonableness as provided in the agenda packet.

The motion carried unanimously.

Public Comment

Cindy K Smith: 277 Steward Drive (Beaufort, NC 28516)

Ms. Smith shared her support of Island Express Ferry Service and the importance to have their presence on the Beaufort Waterfront. She noted the variety of people who visit Beaufort and utilize the ferry service year round. She discussed the revenue impact these visitors have on Beaufort.

Julie Owens: 357 Wayland Ct (Gloucester, NC 28528)

Ms. Owens expressed her support of Island Express Ferry Service and the potential impact the visitors have in the Beaufort area. She shared the importance of preserving Beaufort's history. She discussed the vital impact of leaving the ferry service on Front Street.

Nan Bejian: 111 Planters Way (Beaufort, NC 28516)

Ms. Bejian shared her experience utilizing Island Express Ferry Service, complimenting the staff and owners. She noted her and her family always shop, eat, and drink after their trip on the ferry. She suggested it was in the Town's best interest to successfully negotiated a contract to keep Island Express Ferry Service on the Beaufort Waterfront.

Jimmy Piner: 699 Seagate Drive (Newport, NC 28570)

Mr. Piner shared that he was a captain for Island Express Ferry Service. He shared the importance of keeping the ferry service on Beaufort Waterfront and the benefits associated with the well established company. He noted the sizable impacts related to revenue, history and other businesses in the area.

New Business

1. UDO Draft Vision Statement

Ms. Eitner introduced consultants from White Smith Cousino and shared that the UDO Steering Committee met earlier in the day to discuss vision for growth, guiding principles and UDO goals.

Kelly Cousino shared background on the UDO project and explained they were there to receive additional feedback on the draft vision statement, guiding principles and goals for the new UDO.

She shared the current vision for growth: *A future that reflects the history and potential of Beaufort's neighborhoods and our thriving natural resources and community.*

Commissioner LoPiccolo suggested a couple different versions as referenced below:

"A future that honors the history and potential of Beaufort's neighborhoods, while celebrating its thriving natural resources and strong community", or "A future of thoughtful sustainable growth, that honors the history and potential of Beaufort's neighborhoods while preserving its natural resources and strengthening its community".

Ms. Cousino explained she would capture all of the feedback from the Board and send back a revised document for review.

She shared the draft Principles Guiding Development of the UDO as follows:

1. Consistency with the 2023 Town of Beaufort Comprehensive and CAMA Land Use Plan and other adopted Town plans.
2. Implementing relevant aspects of the CAMA Plan's eight Community Goals and the Character areas drawn on the Future Land Use Map.
3. Outreach and opportunities are inclusive of all community members, businesses, and industries, including members of the development community.
4. Development of standards that recognize and give equal measure to all communities and areas within the Town's jurisdiction.
5. Discussions and opportunities for participation reflect minority representation consistent with the Town's demographics.
6. Standards and regulations consistent with the Town's authority under North Carolina law.
7. Policy options and standards generate community support and balance multiple aspects relevant to each subject area.
8. A format within the final, adopted UDO that is readily accessible to all users, including in hardcopy form as well as online.

Commissioner Gillikin suggested more consistency in the structure of the sentences.

Ms. Cousino shared the draft Goals of the Town's UDO as follows:

1. Alignment of future growth with the availability of infrastructure and the carrying capacity to serve it.
2. Increased housing options attainable to those living and working in Beaufort, in particular year-round residents.
3. Protection of the character of residential neighborhoods by limiting short-term rentals and allowing only limited and compatible non-residential uses.
4. Ensuring quality development and redevelopment of commercial and mixed-use areas in all areas of the Town.
5. Facilitating growth and building design that reduces impacts on natural resources and habitats, including forests, streams, wetlands and marshes, rivers, and creeks.
6. Locating new infrastructure and expansion of existing infrastructure outside of floodplain areas and the Non-Intensification Zone.
7. Including building standards and locations that will mitigate damage and facilitate recovery from storms.
8. Recognition of the changing shorelines that are predicted over time due to sea level rise.
9. Protection of the historic and cultural fabric of the Town including, but not limited to, the historic downtown neighborhoods and vulnerable communities.

10. Administrative processes that are as efficient as possible for those using the UDO, including homeowners and small and local businesses, while also achieving important Town objectives and its Vision.
11. Zoning and subdivision techniques that encourage efficient development patterns and modes of transportation directed to areas with existing infrastructure or areas in which existing infrastructure can be readily and economically expanded.

Ms. Cousino noted the goals for short-term rentals need to be clarified. She also shared several word changes as recommended by the steering committee.

Commissioner Oliver commented on goal number one, suggesting it reads as follows, "Alignment of future growth and services with the caring capacity of infrastructure to serve it". He also commented on number four, suggesting it should be tied to building code control, rather than ensuring quality development.

Commissioner Spiegler suggested number one includes both natural and built infrastructure.

Commissioner Oliver asked if the word infrastructure was defined anywhere.

Ms. Cousino said it would be in the UDO.

Commissioner Oliver shared his concerns about number six. He suggested there be further clarity on terms such as infrastructure and floodplain. He said as a community, he is concerned about the impact the term "Non-Intensification Zone" means in Town. He noted the Non-Intensification Zone encompasses a tremendous amount of area in Town. He explained that he did not believe number six was reasonable, with the number of different flood plains in the community and the Non-Intensification Zone. He went on to explain he specifically did not think it was reasonable unless they addressed the long-term methods of mitigation that have been historically used in the community. He said there is currently a large parcel in Town that is being developed using mitigation.

Commissioner Oliver noted the overall importance of the number six goal and explained he was in favor of the UDO review and the process but emphasized the importance of the foundation being discussed. He suggested mitigation must be addressed and they should be careful of the leading paragraphs that would guide the Town in the future. He suggested the term floodplain should be removed or defined. He noted the importance of being able to inject the capability to mitigate the effects of the conditions with approved methods of mitigation.

Commissioner LoPiccolo noted the importance of truly understanding the Non-Intensification Zone and the impacts it has on the community.

Commissioner Oliver suggested the conversations with every property owner outside of the boundary are extremely important, so it does not appear to be an unannounced taking. He said he was very interested to involve every one that is affected directly and to have ways to legally mitigate throughout the process.

Commissioner Gillikin noted the importance of recognizing the goal was both inspirational and aspirational. She explained it would be in front of the document and the goals were not legally binding.

Commissioner Oliver agreed but explained the importance of the guidelines.

Commissioner Gillikin shared she would be open to reviewing other versions of the statement and noted the spirit was to be more resilient.

Commissioner Spiegler shared it was important to keep in mind that the Non-Intensification Zone is large but much of it is land that cannot be developed. She pointed out the spirit of goal number six was coming from the 2023 CAMA Land Use Plan, where

the community provided feedback to incorporate the objectives in the UDO update as well.

Commissioner Oliver added that mitigation capabilities have been incorporated in the CAMA Land Use Plan. He suggested that goal number eight should be tied to a specific type of methodology, such as NOAA.

Commissioner LoPiccolo agreed that there should be a designation on records used to track sea level rise.

Ms. Cousino shared the steering committee suggesting adding another goal, one to encourage multi modal transportation connectivity and recreational components.

Commissioner Oliver suggested goal number ten should have deleted words, "homeowners and small local businesses" or change it to read, "including but not limited to". On number eleven, Commissioner Oliver said the terms readily and economically expanded do not narrow down or define the goal. He suggested there be additional direction provided in that subject area.

Ms. Cousino provided a review of the next steps for the project. She explained the community outreach process as well as meeting with the development community. She noted the first draft of the document would go to staff and the steering committee and then the Planning Board and Board of Commissioners for review and input.

Mayor Harker asked for a motion to take a short recess.

Commissioner Gillikin made a motion to recess.

The motion carried unanimously.

Approximately five minutes after the recess, Mayor Harker reconvened the meeting.

2. Sewer Allocation Reservation Request- Beaufort EMS Steel Tank Substation

Sam Bell, Town Engineer, shared the applicant, Beaufort Rescue & EMS Inc, is requesting that 200 gallons per day (gpd) of sewer treatment capacity be allocated for the proposed Steel Tank Rd substation. The capacity being requested is for 2 staff / 2 shifts at 50 gpd/person/shift. The location at the corner of Steel Tank Rd and HWY-101 is outside of Town Limits and outside of Town water service area. Water service will be provided by Carolina Water. The proposed sewer connection will be via a low-pressure pumping system into the existing low pressure sewer service line that serves Beaufort Fire Station #2. Applicable sewer tap fee, system development fee, and monthly service will be charged at out-of-town rates which are twice in-town rates.

Commissioner LoPiccolo asked if the Town would be responsible for any repairs to the sewer line.

Mr. Bell said the lines leading up to the right of way would be privately owned and maintained. He suggested the Town would be responsible for a small portion beyond the property line where the lines tie in. He noted the Town does not provide water in that area; it is served by Carolina Water Service.

Commissioner Oliver noted the importance of providing this service to this applicant, given their emergency service role in the community. He shared his concern related to providing sewer service to ongoing request outside of the Town's corporate limits.

Mayor Harker asked for clarity on the water service piece.

Mr. Bell said the applicant would be billed by the privately owned company, Carolina Water Service, and the Town would bill the applicant for the sewer service separately.

Alan Foley, with Stroud Engineering represented the applicant and shared that the total length located in the Town's right of way would be about 8-feet.

Commissioner Oliver made a motion to approve the 200 gpd sewer allocation request, recognizing the approval is based on the emergency services provided by Beaufort EMS.

The motion carried unanimously.

3. Case # 25-05 (Palmetto Plantation Phase 3 - Final Plat)

Kyle Garner, Planning Director, shared the applicant was The Cullipher Group and they were requesting to subdivide a 3.34 acre tract into 9 lots on Professional Park Drive. He noted recreation fees of \$1,757.42 and a bond amount of \$36,187.50 for incomplete infrastructure.

Commissioner LoPiccolo made a motion to approve the final plat as submitted for Case #25-05.

The motion carried unanimously.

4. Lease with Island Express Ferry Service LLC

After discussion amongst the Board in closed session, Mayor Harker explained they would work to finalize a lease agreement with Island Express Ferry Service and have it ready for approval at the March 24th Work Session. She noted the importance of the ferry service presence in Beaufort and thanked the owners of Island Express Ferry Service for working with the Board to fine tune several details in the document.

Manager Report

Mr. Burgess shared the Town received four responses to the advertisement for management of the Beaufort Town Docks: Beaufort Town Yacht Center LLC, ExplorUS, F3 Marina, and Latitude Marina.

Mr. Bell shared the Professional Park Stormwater Study public input session will be March 18, 2025, 4-7 p.m. at One Harbor Church East. He also shared the Town would be applying for the Hazard Mitigation Grant Program for funding assistance with design and construction of the Beaufort Waterfront Project. He explained why it was a better option than moving forward with the Building Resilient Infrastructure and Communities grant, noting the funds would be available sooner, there was not a match, and it could be used for design and construction.

Mayor/Commissioner Comments

Commissioner LoPiccolo spoke of the highly successful Mardi Gras Event. He acknowledged the recent loss of community member Patti Owens and asked the Board to take a few moments to remember her.

Commissioner Gillikin echoed Commissioner LoPiccolo's comments about Ms. Patti Owens and her positive contributions to the community.

Commissioner Spiegler shared there were a couple of BWOFF Committee members in Raleigh working to include the legislative appropriation request of 12 million dollars for the Waterfront Project. She also spoke about the Resilient Coastal Communities Program (RCCP) grant which recently opened, and she would be working with staff to identify Town projects that align with the application.

Mayor Harker thanked the audience for participating in the meeting.

Closed Session

1. Pursuant to NCGS 143-318.11 (a) (3)

Commissioner Gillikin made a motion to enter closed session pursuant to NCGS 143-318.11 (a) (3).

The motion carried unanimously.

Adjourn

Commissioner Spiegler made a motion to adjourn the meeting.

The motion carried unanimously.

Sharon E. Harker, Mayor

Elizabeth Lewis, Town Clerk