



Town of Beaufort, NC

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Town of Beaufort Board of Commissioners Regular Meeting 6:00 PM Monday, January 10, 2022 Via Zoom Due to COVID-19 Pandemic Minutes

Call to Order

Mayor Harker called the meeting to order at 6:00 PM

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

Mayor Harker
Mayor Pro-Tem Hagle
Commissioner Cooper
Commissioner Hollinshed
Commissioner Oliver

ABSENT:

Commissioner Terwilliger

Mayor Harker informed the group that Commissioner Terwilliger was unable to attend the meeting due to personal reasons and asked for a motion to excuse him from the meeting.

Commissioner Hagle made a motion to excuse Commissioner Terwilliger from the meeting.

Voting Yea: Commissioner Hollinshed, Commissioner Cooper, Commissioner Oliver, Commissioner Hagle

Agenda Approval

Commissioner Hollinshed made a motion to approve the agenda.

Voting Yea: Commissioner Hollinshed, Commissioner Cooper, Commissioner Oliver, Commissioner Hagle

Manager Report

Todd Clark, Town Manager, said he was working with the mayor and in the process of scheduling dates for the Board of Commissioners Retreat. He reported that the annual audit should be presented in February. He also mentioned transitioning the Human Resources part-time position to a full-time position and said he anticipated that to be an item at the January 24, 2022 Work Session. Mr. Clark shared that the Beaufort Fire Department ISO rating should be released by the end of January. He also shared that Pruitt Health Care has recently submitted their building permits to the Planning department.

Public Comment

Paloma Capanna; 127 Middle Lane, Beaufort, NC 28516

Ms. Capanna shared her concern about the 806 Cedar Street item, as she was not notified with a letter, nor did she see any signage posted. She mentioned knowing the neighbors but said it was only a consequence that she found out the item was on the agenda. She said she spoke with Kyle prior to the meeting, and it was her understanding that Beaufort has no notice requirements for any permit, not even for new construction, and that any notice requirements is set per North Carolina State Law, with no notice requirement for 806 Cedar Street. She requested the Town adopt a 30-day notice requirement, tiered by distance to the scale of the project, to be attested to by the applicant. She also said she would like the Town to adopt a seven-day publication requirement for the agendas to all meetings, at which a permit application is filed, including that the seven-day publication requirement applied to the Town website uploads; she said she would be glad to follow up with a letter to the Mayor referencing these requests. She ended with again stating she just happen to find this item on the agenda mid-day today and wanted to bring her concerns to the board's attention.

Kevin Sisson; 314 Marsh Street, Beaufort, NC 28516

Mr. Sisson said he had a couple questions about the 806 Cedar Street item on the agenda; referencing the site plan, at the south and west corner of the plan there is a notation, an as drawn, the affected area appears to be on two separate adjacent parcels. He said that the notation says a 5 ½ tall wooden fence on adjacent property, coordinate with owners to repair and complete missing section. He said he was unaware of the details of the fence and would like to know more about what he is required to do, offsets, requirements by the Town. He also asked if there was a grading and drainage plan showing direction of water flow at times of heavy rain; he said their property was immediately adjacent and noted that on the site plan it indicates lowering elevation of the southwest area, which abounds his property by .10 feet. He discussed the proposed elevation of the building in the south and east corners, stating the asphalt parking lot partially drains into an area right outside the backdoor of his building. He said he would like consideration to be given, at least, to address the finish grade at the southwest parking lot corner, if that was possible.

Items of Consent

1. Minutes- July 26, Aug. 17 and Sept. 27, 2021
2. Minutes- November 22, 2021

~~3. 806 Cedar St Mixed Use - Site Plan~~

Commissioner Hagle made a motion to remove item number three from the consent agenda and move it as item number one under items for discussion and consideration.

Voting Yea: Commissioner Hollinshed, Commissioner Cooper, Commissioner Oliver, Commissioner Hagle

The motion carried unanimously.

Commissioner Cooper made a motion to approve the minutes listed on the consent agenda.

Voting Yea: Commissioner Hollinshed, Commissioner Cooper, Commissioner Oliver,
Commissioner Hagle

The motion carried unanimously.

Items for Discussion and Consideration

1. 806 Cedar St Mixed Use- Site Plan (Added)

Mayor Harker asked Mr. Clark to recognize a staff member to address the questions related to this item.

Kyle Garner, Planning Director, presented a brief PowerPoint- referenced and attached as Appendix I, that offered a detailed explanation of the project. Additionally, Mr. Garner informed the group that Laura and Vic Fasolino were tuned into the meeting as well and asked that they address the fence and drainage questions.

Vic Fasolino said he did not know the gentleman who made the comments about the fence, but assumed he was the property owner to the south side. He informed the group that there was a comment on the plans that said they would coordinate with the owner to repair and complete the existing section of fence; there is a fence on his property parallel to the back property line of ours, and it looked as if the last section (about 10-foot) of the fence had been hit or damaged by something. He said the comment was on there to confirm that they would be willing to complete or rebuild the last section of the fence for the owner, because that fence provides a visual screen between properties. He added that the fence was probably 60-feet long and it is only one section being discussed. Mr. Fasolino addressed the second question, regarding drainage, and said it was his intention for all the stormwater that falls on the parking lot to run forward on the site, out to Cedar Street. He said the way the grade is in the southwest corner is proposed, he saw the concern, as the proposed was showing as 100, and that would actually make it a little bit lower than the neighbor's property; what he would do is alternate the grade to raise it to 101, which would make the water come forward onto Cedar Street.

Mayor Harker asked if there were any questions for Mr. Fasolino.

Commissioner Oliver asked Mr. Garner if stormwater collection would be available as Cedar Street is developed, in the public aspect.

Mr. Garner said as part of the Cedar Street improvement, they were looking to put in some stormwater chambers, in conjunction with the NCDOT as partners. He said the water that drained into that area would be designed to go into one of those chambers.

Commissioner Oliver said he thought that was important for the public to know and wanted to confirm that the Planning Commission recommended approval of this request.

Mr. Garner said they did.

Commissioner Hagle made a motion to approve the site plan as presented, with the corrections Mr. Fasolino alluded to in the southwest corner elevation.

Voting Yea: Commissioner Hollinshed, Commissioner Cooper, Commissioner Oliver,
Commissioner Hagle

The motion carried unanimously.

2. Emergency Leave Policy and Returning to In-Person Meetings

Barbara Cooper, Human Resources Manager, explained the Emergency Leave Policy was originally adopted in July 2021 and it had recently expired. She asked that the policy be extended until the end of December 2022; she noted employees were using the policy and the pandemic was still a factor.

Commissioner Hollinshed said the policy does not specify being fully vaccinated, and that would be the only thing she saw that needed to be tweaked.

Commissioner Cooper asked if there was anything in the policy regarding those who did not get the shot due to religious reasons or things of that nature.

Ms. Cooper explained that when the board adopted the policy in July, they determined the only employees who would be eligible were those who had been vaccinated.

Commissioner Cooper asked if the staff was fully vaccinated.

Ms. Cooper said they were not and would guess about 50-75% were fully vaccinated.

Commissioner Oliver said he was in favor of extending the policy for three months, instead of twelve months.

Commissioner Hagle said they could do three months or there could be an understanding that the policy could be revoked when it was no longer needed. He suggested looking at it on a month-to-month basis. He explained that the policy was created with intentions of providing an incentive for employees to get vaccinated.

Commissioner Cooper suggested that the incentive did not work, as all employees were not fully vaccinated and proposed all employees be eligible for the leave regardless of vaccination status.

Mayor Harker said it was still a personal choice, whether to be vaccinated or not, and the policy being discussed was setup to address those who have been vaccinated are eligible for the leave.

Ms. Cooper said her concern if the policy was changed would be those people who were turned down over the past year that had not been vaccinated. She said that would cause issues among employees.

Commissioner Hagle made a motion to extend the policy like it is, with the understanding it can be terminated when it is no longer needed and is reviewed on a month-to-month basis.

Commissioner Hollinshed said she would like to amend the motion to include the term "fully" vaccinated in the policy.

Mayor Harker confirmed to include the definition of fully vaccinated and asked for a vote.

Voting Yea: Commissioner Hollinshed, Commissioner Cooper, Commissioner Hagle

Voting Nay: Commissioner Oliver

The motion carried with a 3-1 vote.

Mayor Harker provided recent COVID numbers in Carteret County and initiated a discussion regarding returning to in-person meetings.

Commissioner Hollinshed suggested it was not a good time to return to in-person meetings.

Commissioner Cooper said if we go back to in-person, he would like to see people masked and provide proof of vaccination.

Commissioner Oliver asked if the communication equipment had been installed yet.

Mr. Clark said it had not, the delivery date had been pushed back to March.
Commissioner Oliver said he would vote in favor of virtual for the month.

Commissioner Hagle said he would say continue with virtual for the month and discuss it at the next meeting.

Mayor Harker said it sounded as if the consensus was to stay virtual for the next meeting and discuss it again at the work session.

3. Appointment to Beaufort Harbor and Waterways Master Plan Advisory Committee

Mayor Harker explained former Commissioner Ann Carter held the Ex-Officio position on the Beaufort Harbor and Waterways Master Plan Advisory Committee and the position needed to be filled with a current Commissioner. She asked for a motion to open the floor for nominations.

Commissioner Cooper made a motion to open the floor for nominations to the Waterways Committee.

Voting Yea: Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

The motion passed unanimously.

Commissioner Cooper nominated Commissioner Bucky Oliver.

Commissioner Hagle made a motion to close the nominations.

Voting Yea: Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

The motion passed unanimously.

Mayor Harker asked for a vote for Commissioner Bucky Oliver to replace Ann Carter as the Ex-Officio position on the Harbor and Waterways Master Plan Advisory Committee.

Voting Yea: Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

The motion passed unanimously.

Commissioner Hagle made a motion to appoint Ann Carter into the voting member position, as she has been actively working with the committee over the past few months.

Voting Yea: Commissioner Hagle, Commissioner Hollinshed

Voting Nay: Commissioner Cooper, Commissioner Oliver

Mayor Harker voted to break the tie; her vote was recorded as a nay.

The motion was denied with a 3-2 vote.

Mayor Harker explained the position will be opened and filled through the normal process; individuals will have the opportunity to submit an application. She said she encouraged Ms. Carter to apply for the position if she was interested in serving on the committee.

Commissioner Hollinshed suggested Ms. Lewis take a look at past applications, as there were many qualified candidates who applied last year when the committee was formed.

Public Hearing

1. Rezone 2158 Live Oak Street totaling 0.579 acres from R-20 to B-1

Mr. Garner presented Case #21-26, as a rezoning request. He explained the supporting documents in the agenda packet by elaborating on the staff report, and surrounding vicinity maps. He said that in February 2019 the Board of Commissioners rezoned the property surrounding the lot from R-20 to B-1 as well as amending the Land Use Plan Map to reflect Commercial Land Use. Since 2019, the surrounding owner has now acquired this .579 acre tract and wishes to rezone the property to be consistent with the surrounding and a Land Use Map Amendment to be congruous with the adjacent property. He added that the Planning Board recommended approval of the rezoning request and corresponding CAMA Map amendment at their November 15th meeting. Mr. Garner said in addition to conducting a Public Hearing, it is requested that a statement of consistency is provided for the request and proposed amendment to the Future Land Use Map to commercial. He added the applicant and property owners were in attendance should there be any questions for them, and of course he would entertain any questions as well.

Mayor Harker asked for a motion to open the floor for a Public Hearing.

Commissioner Hollinshed made a motion to go into Public Hearing.

Voting Yea: Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

The motion passed unanimously.

Mayor Harker asked Ms. Lewis if there was anyone signed up to speak during the Public Hearing.

Ms. Lewis said there was not anyone signed up.

Commissioner Hagle made a motion to close the Public Hearing.

Voting Yea: Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

The motion passed unanimously.

Commissioner Oliver asked Mr. Garner on separate parcels like these that are commonly owned, what are the stormwater requirements?

Mr. Garner said if they are developed, they are looked at as one group when discussing stormwater; everything under one ownership must be taken into consideration.

Commissioner Oliver said he would like whatever motion is made on this to site that as a condition.

Commissioner Hagle made a motion to approve the item as presented, with the understanding stormwater is dealt with as one total parcel, and the statement of consistency for the proposed amendment to the Future Land Use Map.

Voting Yea: Commissioner Cooper, Commissioner Hollinshed, Commissioner Oliver, Commissioner Hagle

The motion passed unanimously.

Mayor/Commissioner Comments

Commissioner Hollinshed welcomed Mr. Clark and offered a positive outlook on the future.

Commissioner Cooper also welcomed Mr. Clark as the new Town Manager. He thanked all those who participated in the New Year's Eve Pirate Drop event and said it was a great representation of Beaufort. He also applauded Mr. Meshaw with his quick response to a resident's concern.

Commissioner Oliver thanked Mr. Clark for attending the Harbor and Waterways committee meeting and sincerely welcomed him in his new role. He also touched on the hybrid equipment at the Train Depot, noting that equipment is very important to him, as it will be a tool to help build relationships with not only the other Commissioners and staff, but the public as well. He followed up on a few outstanding items: the delinquent utility accounts, updated job descriptions from the consultant who did the recent pay study, and construction on the Godette property. He said he was noting these future items to ensure consistency and to make sure they did not get dropped in the transition period.

Commissioner Hagle welcomed Mr. Clark and said he was excited to work with him. He mentioned how great it was to see the continued work being throughout Town, on streets and sidewalks, and commended Mr. Meshaw on his reports and projects. He ended by noting how important the IT equipment at the Train Depot was, just as Commissioner Oliver had mentioned, and said that will really help with getting back to in-person meetings.

Mayor Harker also welcomed Mr. Clark to the Town and also thanked the staff for working hard during the recent time of severe flooding. She mentioned the upcoming series which was part of the NC Resilient Coastal Community Program; she encouraged all citizens to participate in the virtual meeting on January 27th at 5:30 PM. She also recognized Samantha Burdick, Town Planner, for her hard work in leading the program.

Adjourn

Commissioner Hagle made a motion to adjourn the meeting.

The motion carried unanimously, and the meeting was adjourned at 7:00 PM

Sharon Harker, Mayor

Elizabeth Lewis, Town Clerk



Case No. 22-01
Site Plan Review
806 Cedar Street

Request: Construct a two story 4,606 sq. ft. mixed-use structure on .180 acres at 806 Cedar Street on property that is zoned Cedar Street Mixed Use District (CS-MU)

•**Applicant:** Sound Shore Construction, LLC

Staff Comments:

This mixed-use project is permitted by right in Cedar Street Mixed Use District. The Cedar Street Mixed Use District does have specific design criteria which must be applied to Mixed Use & Commercial projects which the applicant has addressed as follows:

- Exterior Siding Material – *The Site Plan identifies that the exterior building material shall be fiber cement which is an approved material per Section 8-D-5-e of the LDO.*
- Outside Walls - Section 8-D-5-f of the LDO allows for a “total area of glass, windows, and/or any similar transparent areas for any side of a commercial structure shall not exceed thirty-five percent (35%) of the surface area for such side of the building and must be positioned uniformly along the face of the structure. *The Site Plan identifies that the ratio of glazed to total area = 32% which meets the requirement of being less than 35%.*
- Roof Forms – Section 8-D-5-g “The dominant shape of the roof shall be gabled, hipped or parapet.” *The Site Plan identifies that the roof as a parapet on the front and a hipped on the sides and rear.*
- Parking – A parking table is provided below providing a clearer picture of what is required and provided.

PARKING TABLE	Required Spaces	Provided Spaces
Mixed Use *	3	6

*Mixed Use shall provide 1.5 onsite parking spaces/unit. There are two (2) residential units so a total of three (3) spaces are required.

This site plan has been reviewed and approved by the Town’s Technical Review Committee which consist of the Fire, Police, Public Works & Public Utilities Departments as well as the Town Engineer and Planning.

Conclusion

This project meets the design criteria required in the LDO for mixed use projects in the Cedar Street Overlay District and staff recommends approval.



Carteret County, N.C.

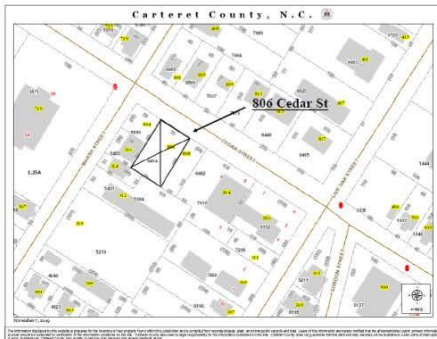


December 4, 2019

The information displayed by this website is prepared for the inventory of real property found within this jurisdiction and is compiled from recorded deeds, plats, and other public records and data. Users of this information are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this site. Carteret County assumes no legal responsibility for the information contained on this site. Carteret County does not guarantee that the data and map services will be available to users without interruption or error. Furthermore, Carteret County may modify or remove map services and access methods at will.

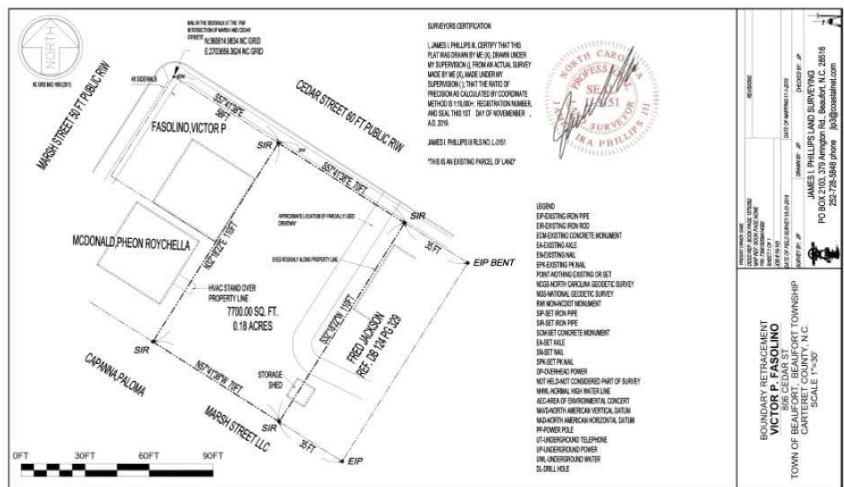
Project Location

806 Cedar St
Proposed 4-Unit Mixed Use Building
 Sand Stone Construction, 1911 Front St, Beaufort, NC 28516, 252-269-3415
 Tax Plus 780618396414000 Vacant Lot, Area 7700 sq ft
 Current Zoning - CS-MU
 Proposed Two-story Building, Total Area- 4666 sq ft
 First Floor, 2363 sq ft, 2 B-1 Business Units, 1151 sq ft each
 Second Floor, 2303 sq ft, 2 R-3 Residential Units, 1151 sq ft each
 Ownership Type: 4 units under single ownership



VICINITY MAP

← Cover Sheet



11 V 05

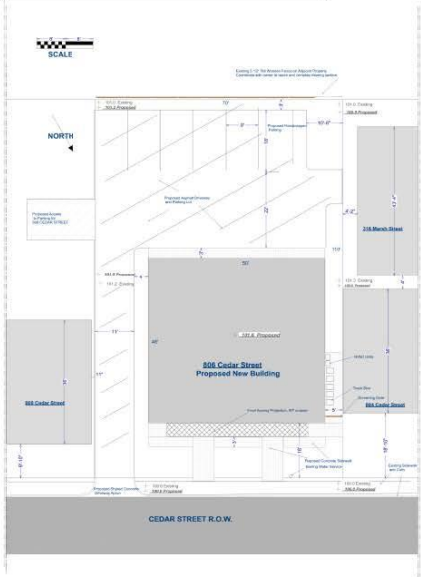
↑ Survey

806 Cedar Street, Proposed New Mixed Use Building

Parking: Section F, C, E, J - Mixed use: 1.5 spaces per unit: 1.5x4=6
Signage: 2 signs, mounted on lower freeze board, not to exceed 28 sq ft each
Exterior Building Materials shall be fiber cement siding, painted
Front Façade Area=130 Sq Ft, Front glazed area=261 sq ft
Ratio of glazed to total area= 20%
All other exterior walls shall have less than 15% glazed area
Roof: "Shingle" front, hip roof, sides and rear
Driveway area: 237 sq ft, Building roof Area: 2499 sq ft, Concrete walkway area: 386 sq ft
Nearest Fire Hydrant: 147' at corner of Marsh and Cedar Sts

SCALE

NORTH



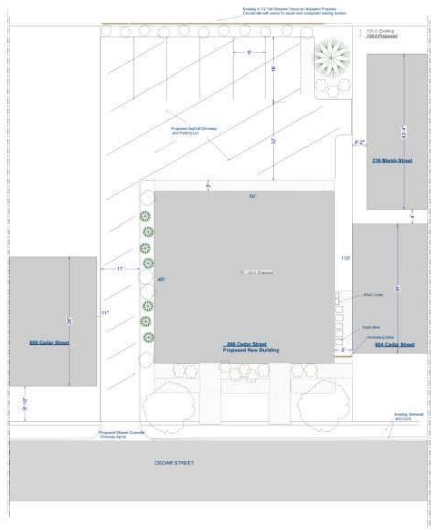
SITE PLAN

← Site Plan

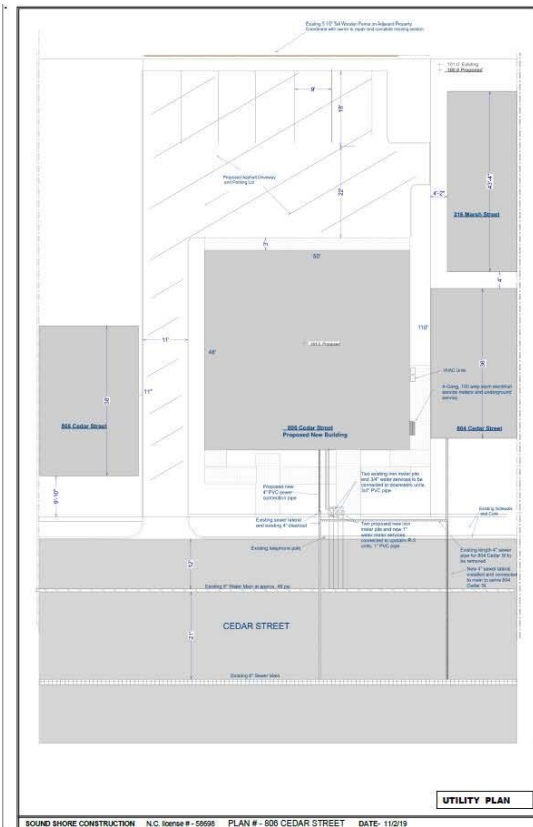
Plant Legend

	Crown Mallet	1" x 2" x 18"
	Duo Ball	1 1/2" x 12" x 8"
	Eucalyptus	2" x 10"
	Azalea	2 1/2" x 10"
	Shrub Cam	10" x 10"
	Tree	
	Hedge	10" x 10"

Landscaping →



LANDSCAPE PLAN



Requested Action

- Board Discussion

Board Options

- Recommend approval of the Site Plan.
- Recommend denial of the Site Plan based on specific failures to meet requirements of the LDO