



Town of Beaufort, NC

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Town of Beaufort Planning Board Regular Meeting 6:00 PM Monday, February 21, 2022 - Held Virtually Via Zoom due to the COVID-19 Pandemic Minutes

Call to Order

Chair Neve called the February 21, 2022 Planning Board meeting to order at 6:00 p.m.

Roll Call

Chair Neve asked Secretary Anderson to conduct a roll call.

In attendance: Chair Neve, Vice Chair Merrill, Member Bowler, Member LoPiccolo, and Member Meelheim, Member Vreugdenhil, Member Willis.

Secretary Anderson declared a quorum present.

Also present for the meeting were Town Manager Todd Clark, Commissioners Ann Carter, Melvin Cooper, Marianna Hollinshed, and Bob Terwilliger; Fire Chief Tony Ray, Town Attorney Arey Grady, Kyle Garner, Samantha Burdick, and Laurel Anderson.

Agenda Approval

Member Bowler made the motion to approve the agenda as presented and Member Meelheim made the second. Secretary Anderson took a roll call vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Minutes Approval

Member Meelheim requested the minutes be updated to show that she had asked a question rather than Member Bowler.

Member Meelheim made the motion to approve the amended minutes and Member LoPiccolo made the second. Secretary Anderson took a roll call vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Election of Officers

Town Attorney Grady explained the process for electing Board officers. He then opened the floor for nominations for Chair of the Planning Board. Member LoPiccolo nominated Member Neve and there were no other nominations.

Member Bowler made the motion to close the nominations and Member Meelheim made the second. Secretary Anderson took a roll call vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Members then voted for Member Neve for Chair.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Chair Neve then opened the floor for nominations for Vice-Chair of the Planning Board. Member Meelheim nominated Member Merrill, and Member Vreugdenhill made the second.

Member LoPiccolo made the motion to close the nominations. Secretary Anderson took a roll call vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Members then voted for Member Merrill for Vice Chair.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Public Hearing

1. Modify/Revise the Existing Planned Unit Development (PUD) for Beau Coast Subdivision

Chair Neve opened Case No. 22-05 and Kyle Garner presented on behalf of staff. He stated that conditions placed on the application in 2015 have been addressed, and asked if there were any questions from the board. Member LoPiccolo asked if the applicants were working with the town regarding improvements to Freedom Park as requested by the Board of Commissioners. Member Meelheim asked if the applicant had considered opening up memberships to Beau Coast amenities to the public. She also asked if the Beau Coast covenants addressed Airbnb or VRBO, and inquired about the timeline of plantings to improve conditions for other residents in the area.

Chair Neve asked if the lots backing up to existing residential areas contained a 5' rear setback.

Chair Neve then asked the applicant for his presentation and remarks. Don Mizelle spoke on behalf of Beau Coast West. He explained that the yearly update of the PUD amendment allowed the developers, town, and citizens to collaborate on a land-use plan as the project moves forward. This PUD was originally named Beaufort East Village and has been renamed Beau Coast West. The amenity site has been moved closer to Leonda Drive and Freedom Park Road.

Karl Blackley, President of Preston Development Company, then spoke on behalf of Beau Coast. He explained that Beau Coast amenities are solely for owners at that subdivision and they are not available for the general public. He addressed Member Meelheim's question regarding buffers between existing residences and the new subdivision, and explained that buffer planting is completed when it is required. He also said that he had been in contact with County Commissioner Wheatly since Freedom Park is county property, and had received verbal approval of improvements to the park, to include new landscaping, a new park sign, paving the gravel road

going into the park, a dog park, and a Frisbee golf course. Member Meelheim asked if the covenants restricted rentals, and Mr. Blackley explained that the original development was contracted with a developer who wanted to sell to investors and include short-term rentals. The covenants of the newer sections of Beau Coast including Beau Coast West are restricted to rentals of not less than one week, but he also explained that the requirement may not be enforced if challenged.

Member LoPiccolo requested that Beau Coast consider re-grading Freedom Park since it is very low-lying, and Mr. Blackley said they would take that into consideration but the county has oversight of that property.

Chair Neve then asked for any public comments for the board or applicants.

The first commenter, Suzanne Lea, expressed concern about the bike path at Ocean Street and Lennoxville Road regarding pedestrian safety and wetlands. Ann Delvaux then expressed her disappointment that the developers had three building lots planned on wetlands, and she was concerned about a drainage ditch between her property and the new development being preserved with good water flow, and the loss of habitat for the wildlife in the development area. The next commenter was Beep Grimley who was concerned about construction traffic coming in and out of existing residential areas, specifically George Street, and requested that construction trucks use Beau Coast roads. The last commenter was Harriet Altman, who asked why the tree buffers could not be left in place rather than planting immature trees that will take years to grow. She asked why the issues such as flooding, runoff, and loss of animal habitats stemming from the development could not be addressed to mitigate problems with future developments.

Chair Neve then closed the public comments and opened Board discussion.

Vice-Chair Merrill stated that it appeared there would be no buffer between the development and existing homes. Member Bowler asked about 20-foot buffers and if they would be vegetation or hardscape and Mr. Garner clarified that they would be addressed in the new business discussion. Chair Neve also discussed the buffer issues regarding existing homes and new PUD homes abutting each other and suggested increasing rear setbacks from 5 feet to 15 feet and side setbacks from 5 feet to 8 feet when abutting existing residences. Member Meelheim asked if buffers with faster growing native plantings could be included as a condition, and Mr. Garner stated that both hardscape and vegetation were addressed in the Land Development Ordinance. Member Bowler agreed that vegetation was preferable to hardscape to provide birds and animals with food. Member Meelheim suggested a 10 foot planted buffer between new and existing homes. Vice-Chair Merrill suggested both changing the setbacks and adding the buffer. Member Willis agreed with Member Meelheim regarding faster-growing vegetation. Chair Neve explained that developers have to address stormwater regulations and requirements which usually require taking down trees.

Mr. Blackley stated that the developers would look into vegetation buffers and asked for an opportunity to come back to the Board after studying the issue.

Member Meelheim asked for an update from the developers for the next meeting to include the history of and future planning for the development. Member Bowler also addressed the public comments regarding lessons learned in past developments and incorporating new projects such as Resilient Beaufort in current and future developments. Member LoPiccolo commented that there appeared to be much less buffering and space in the new Beau Coast West plans than the original Beau Coast development.

Chair Neve asked if there were any further questions for staff or the applicant, and there being none he asked for a motion.

Chair Neve made the motion to approve Case 22-05 with the added stipulations that rear setbacks are increased from 5 feet to 15 feet and side setbacks are increased from 5 feet to 8 feet when abutting any currently developed R-8 or RS-5 property, and where the project abuts existing single-family homes that a Type-B buffer is required. Member Meelheim made the second. Secretary Anderson took a roll call vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Mr. Garner explained that the Board of Commissioners would have another formal public hearing on March 14, 2022 and the public would have another opportunity to express their comments at that time, and that the Town could print out any requested maps for the public.

New Business

1. Preliminary Plat - Beau East Village Phase 1

Chair Neve opened the New Business and Kyle Garner presented the first item on behalf of staff. Chair Neve asked if there were any questions from the board.

Member Meelheim asked if the 2016 traffic study had been updated and Mr. Garner said that it had not. Member LoPiccolo asked if there had been any recommendations with the study and Mr. Garner stated that a roundabout, number of access points, and dedicated turn lanes into Beau Coast had been included. Vice-Chair Merrill inquired about construction traffic which would be addressed by the applicant. Chair Neve asked about the maintenance of lift stations with standby emergency generators, and Town Engineer Greg Meshaw responded that the developer dedicates the infrastructure to the Town and at that point the Town maintains the generator. Chair Neve then asked about the multi-purpose path going through Lot 55 and Joe Boyd of WithersRavenel stated that an easement was planned for that lot.

Chair Neve asked if there were any questions for staff or the applicant, and there being none he asked for a motion.

Vice-Chair Merrill made the motion to approve the preliminary plat for Beau East Village Phase 1 and Member LoPiccolo made the second. Secretary Anderson took a roll call vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

2. Case #22-06 Special Use Permit for a Mini-Storage facility at 2150 & 2176 Live Oak Street

Chair Neve opened Case #22-06 and Kyle Garner presented on behalf of staff. Chair Neve asked if there were any questions from the board. There being none he asked the applicant for any remarks. Chase Cullipher gave a presentation and Chair Neve asked if the Board had any questions for the applicant.

There being no questions Chair Neve asked for a motion.

Member Bowler made the motion to approve Case 22-06 and Member Vreugdenhill made the second. Secretary Anderson took a roll call vote that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

3. Preliminary Plat for Salt Wynd Preserve Phase I

Chair Neve opened the next case and Kyle Garner presented on behalf of staff. Chair Neve asked Mr. Meshaw for the status of sewer and water allocations. Mr. Meshaw stated that the comments he had previously made had been satisfied by the applicant's engineer. Chair Neve then asked the Board if they had any questions for the staff.

Member Bowler made a motion for continuance and to table the item until the March meeting as the submissions had not been received 14 days before the current meeting to ensure the Board had time to review the packet, based on the Town's subdivision ordinance. Member Meelheim seconded the motion.

Member Vreugdenhill stated that the ordinance requires the Board members to have the package 14 days before the meeting, and Member Bowler specified that information is found on page 16, section 3 of the Town's subdivision ordinance. Member Meelheim further clarified that it is Article 7.

Secretary Anderson took a roll call vote.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member Meelheim, Member Vreugdenhil, Member Willis

Voting Nay: Member LoPiccolo

Vice Chair Merrill asked if public comment would be allowed at the next meeting, and Mr. Garner replied that public comment is always required but not specifically for new business as they are not public hearings. Town Attorney Arey Grady confirmed that the matter does not require a public hearing and the public comment period may come after the matter has been decided. He clarified that the order of the meeting is up to the Board and the Board can reorder specific items during the meeting. Member Willis asked if the Board should rearrange the order at the next meeting and put public comments before the vote on the new item. Chair Neve said that would be a decision for the Board to make, and at the beginning of the next meeting when the Agenda was voted on the Board would have the option to rearrange the items on the Agenda.

Public Comments

Harriet Altman urged the Board to think about Resilient Beaufort, the land use plan, and all the environmental issues that have been worked on recently. She asked the Board to consider all of that information moving forward on any decisions. Applicant Beth Clifford stated that she was confused about the submission date and would like the town attorney to interpret that law.

Commission / Board Comments

Member Vreugdenhil thanked the town staff for a thorough and comprehensive packet and he also thanked all the applicants and Beth Clifford. Member Bowler said that she appreciated the thorough application and her request for a continuance was just for time to review the packet. Chair Neve asked Mr. Garner to clarify the order of the Salt Wynd applications. He stated that usually the Board received annexation requests first, contingent upon approval of subdivision ordinances.

Staff Comments

Mr. Garner stated that the March meeting would contain many agenda items and notified the Board that the next meeting would be held at the Train Station. Member Meelheim requested the March meeting begin at 5:00 instead of 6:00.

Member Meelheim made the motion to change the March 21st meeting time an hour earlier due to the large volume of materials and Member Vreugdenhil seconded the motion. Secretary Anderson took a roll call that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Adjourn

Member LoPiccolo made the motion to adjourn and Member Vreugdenhil seconded the motion. Secretary Anderson took a roll call that was unanimous.

Voting yea: Chair Neve, Vice-Chair Merrill, Member Bowler, Member LoPiccolo, Member Meelheim, Member Vreugdenhil, Member Willis

Chair Neve then declared the meeting adjourned.

Chair Neve

Board Secretary Anderson