



Town of Beaufort, NC

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Town of Beaufort Planning Board Regular Meeting
6:00 PM Monday, March 18, 2024 - Train Depot, 614 Broad Street, Beaufort, NC 28516
Minutes

Call to Order

Acting Chair Meelheim called the March 18, 2024 Planning Board meeting to order at 6:00 p.m.

Roll Call

Members Present: Vice-Chair Diane Meelheim, Becky Bowler, Vic Fasolino, Ryan Neve, Clark Patton, George Stanziale

Members Absent: Jeff Vreugdenhil

A quorum was declared with six members present.

Town Staff Present: Kyle Garner, Michelle Eitner, Jason Brinson, Laurel Anderson

Town Attorney Present: Arey Grady

Agenda Approval

Acting Chair Meelheim asked if there were any changes to the revised Agenda posted on the Town website on March 15th, 2024 and hearing none, she asked for a motion.

Member Neve made the motion to approve the revised agenda posted on the Town website on March 15th, 2024 and Member Bowler made the second. Acting Chair Meelheim took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Bowler, Member Fasolino, Member Neve, Member Patton, Member Stanziale

Minutes Approval

1. PB Draft Minutes for 021924

Member Stanziale made the motion to approve the Minutes and Member Fasolino made the second. Acting Chair Meelheim took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Bowler, Member Fasolino, Member Neve, Member Patton, Member Stanziale

Election of Officers

Mr. Grady gave an overview of the duties and responsibilities of the elected officers.

Member Bowler nominated Ryan Neve for Chair. Member Fasolino made the motion to close nominations for Chair and Member Patton made the second. Mr. Grady took a vote that was unanimously approved.

Voting yea: Acting Chair Meelheim, Member Bowler, Member Fasolino, Member Neve, Member Patton, Member Stanziale

Mr. Grady took a vote for Member Neve for the position of Chair.

Voting yea: Acting Chair Meelheim, Member Bowler, Member Fasolino, Member Neve, Member Patton, Member Stanziale

Member Stanziale nominated himself for Vice-Chair and Chair Neve nominated Member Meelheim for Vice-Chair. Member Stanziale made the motion to close nominations for Vice-Chair and Chair Neve made the second.

Voting yea: Chair Neve, Member Bowler, Member Fasolino, Member Meelheim, Member Patton, Member Stanziale

Secretary Anderson took a roll call vote for Vice-Chair.

Chair Neve voted for Member Meelheim

Member Bowler voted for Member Meelheim

Member Fasolino voted for Member Stanziale

Member Meelheim voted for Member Meelheim

Member Patton voted for Member Meelheim

Member Stanziale voted for Member Stanziale

Member Meelheim was elected Vice-Chair by a vote of 4-2.

Public Comment

Chair Neve opened public comments and asked if anyone would like to speak.

Tipper Davis, 309 Live Oak St, expressed his concerns regarding the zoning text amendment, specifically bar-related noise concerns.

Janet Woodward, 2217 Lennoxville Rd, spoke regarding her concerns about the airport expansion.

New Business

1. To recommend approval or denial to the Board of Commissioners for the proposed airport runway extension subdivision (624 Hwy 101) preliminary/final plat

Ms. Eitner gave the Staff Report and explained that the Beaufort MHC Airport Authority has requested to subdivide 624 Hwy 101 for the purposes of extending the runway protection zone in accordance with their runway extension plan.

Member Fasolino noted that this was only a request for a subdivision and no variances were requested or anything else outside of the Ordinances.

Member Patton noted the specific area to be subdivided. Chair Neve asked if the zoning could be changed to open space and Mrs. Eitner stated that the applicant could request that in the future. Chair Neve then asked if the zoning change could be a stipulation for the subdivision approval and Mr. Grady noted that no requirements could be added as the applicant had met the requirements of the Ordinance.

Chair Neve asked the applicant if she would like to add anything and Janie Mason, applicant for the airport, stated that there were no plans at the present time to develop the subdivided land.

Member Stanziale made the motion to submit to the Board of Commissioners and recommend adoption and Vice-Chair Meelheim made the second.

Chair Neve asked if there were any further discussion and Member Fasolino stated for the record that the request was for a subdivision and was not for rezoning or any other item and the applicant had complied with the Ordinance and had the right to approval.

Chair Neve took a vote that was unanimously approved.

Voting yea: Chair Neve, Vice-Chair Meelheim, Member Bowler, Member Fasolino, Member Patton, Member Stanziale

2. Case #24-07 Zoning Text Amendment - Tavern/Bar/Pub with outdoor operation as a Special Use in the CS-MU District.

Member Fasolino requested to be recused as he owns property in the subject district.

Vice-Chair Meelheim made the motion to recuse Member Fasolino and Member Stanziale made the second. Chair Neve took a vote that was unanimously approved.

Voting yea: Chair Neve, Vice-Chair Meelheim, Member Bowler, Member Patton, Member Stanziale

Mr. Garner gave the Staff Report and stated that in 2019 when the CS-MU District was created it was understood that like other districts amendments would possibly be submitted in the future. Now, almost five years later Staff is proposing a text amendment that would allow a Tavern/Bar/Pub with Outdoor Operations as a Special Use. This amendment would be consistent with other zoning districts such as the Historic Waterfront Business District, Historic Business District, B-1, BW (Business Waterfront), LI (Light Industrial), IW (Industrial Warehouse), TCA (Townhomes Condominiums & Apartment) which all allow outside operations as a Special Use. (See Attached Map). Prior to the zoning change in 2019 to CS-MU several properties were zoned B-1 and allowed outdoor operations with a special use permit. Also, staff researched the Planning Board minutes from the May and June 2019 meetings when uses were discussed as part of the creation of the CS-MU District and could not find any comments that would conflict with the amendment. Staff have included copies of those meetings in your packet for reference. Additionally, Staff has included a map showing the previous zoning before the CS-MU District was adopted thus providing a history. Staff has included "Draft" text language which shows text to be added as bold highlighted.

Mr. Garner also noted that conditions can be placed on special use permits that general zoning does not require. He also pointed out the Planning and Inspections staff does not enforce the Town's noise ordinance but stated the intention to lower the noise levels permitted in certain areas. He also noted the concerns regarding food trucks can be addressed when applicants apply for special use permits. He asked everyone to remember that the text amendment covers the whole corridor and not just a few properties.

Member Bowler asked what constituted outdoor operations as opposed to indoor operations. Mr. Garner explained that regarding bars and taverns, the site plan submitted for ABC permits would be required to show where the drinking areas were requested. In answer to Member Bowler's question regarding open doors and noise, Mr. Garner reiterated that the Planning and Inspections department did not enforce the noise ordinance and that was under the purview of the police department.

Member Stanziale asked if the text amendment were approved, existing bars/taverns in that area would be required to obtain special use permits and Mr. Garner stated that they would.

Chair Neve noted that some uses could require additional guidelines including buffers between the bar and residential areas.

Member Stanziale asked how the text amendment concerns began and Mr. Garner noted that some issues were noise and food trucks along with other issues and he and Mrs. Eitner decided to look at the entire Cedar St corridor as any business in that area could add music or food trucks.

Member Bowler asked if any other people besides Mr. Davis had commented on any issues and Mr. Garner stated that Mr. Davis had been the only person to contact the town staff.

Member Patton asked why the CS-MU zone stopped at Turner St and Mr. Garner noted that the proposed hotel and other businesses at that end of Cedar St would probably be rezoned CS-MU in the future and town staff had been waiting to see if the hotel would be built.

Member Bowler asked why the staff was proposing the text amendment at this time rather than waiting on the updated Land Development Ordinance and Mr. Garner noted that the current issues revolving around noise and food trucks needed to be addressed along with any other issues that may arise with new uses. Mr. Garner reiterated that if the Board proposes conditions the applicants do not agree with, the Board can deny those requests and the use will not be allowed and enforcement actions will be pursued.

The Board discussed possible additional items to include as conditions for special use permits in that zoning district and Mr. Grady suggested creating a uniform list of rules for the special use permits, giving as an example a business's hours of operation.

Member Bowler suggested instead of requiring the police department to enforce their noise regulations that numerous complaints and violations could result in a special use permit being revoked.

Vice-Chair Meelheim made the motion to submit to the Board of Commissioners and recommend adoption and also for Staff to include a list of possible conditions for consideration. Member Patton made the second. Chair Neve took a vote that was unanimously approved.

Voting yea: Chair Neve, Vice-Chair Meelheim, Member Bowler, Member Patton, Member Stanziale

Vice-Chair Meelheim made the motion to return Member Fasolino to the Board and Member Patton made the second. Chair Neve took a vote that was unanimously approved.

Voting yea: Chair Neve, Vice-Chair Meelheim, Member Bowler, Member Patton, Member Stanziale

Commission / Board Comments

Member Bowler thanked Mr. Garner and Mrs. Eitner for the historical perspective submitted with the Staff Reports and noted that Member Stanziale would have made a great Vice-Chair also.

Member Fasolino welcomed Member Patton to the Board.

Vice-Chair Meelheim also stated her appreciation of the history given in the packet and welcomed the new members.

Member Stanziale noted that the last Board of Commissioners meeting included an annexation request with a preliminary plat, and asked if the plat could be requested with all annexation applications. Mr. Grady responded that the plat could be included, and there was a short discussion regarding the annexation request.

Member Patton thanked the Board for welcoming him and expressed his appreciation for the history of the evening's applications.

Chair Neve said that he was glad to be serving on the Board again and noted that he was looking forward to working with and supporting the Board of Commissioners.

Staff Comments

Mr. Garner welcomed Chair Neve back and the other new Members Fasolino and Patton. He also introduced the Town's new IT director Jason Brinson.

He announced upcoming School of Government training for the Board in May and noted that Ms. Anderson would be contacting the Members to see who would be able to attend.

He discussed the Unified Development Ordinance and the potential consultant for that project.

Adjourn

Member Fasolino made the motion to adjourn and Vice-Chair Meelheim made the second. Chair Neve took a vote that was unanimously approved.

Voting yea: Chair Neve, Vice-Chair Meelheim, Member Bowler, Member Fasolino, Member Patton, Member Stanziale

Chair Neve then declared the meeting adjourned at 7:25 p.m.

Ryan Neve, Chair

Laurel Anderson, Board Secretary

