

FINAL



Town of Southern Shores

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Planning Board Meeting

September 16, 2019

5:30 p.m., Pitts Center

MEETING MINUTES

I. **CALL TO ORDER:**

Chairperson Morey called the meeting to order at 5:30 p.m. Planning Board Members Ed Lawler, Elizabeth Morey, David Neal, Don Sowder, and Andy Ward were present.

II. **PLEDGE OF ALLEGIANCE:**

Chairperson Morey led the Pledge of Allegiance.

III. **APPROVAL OF AGENDA:**

Don Sowder motioned to approve the agenda. Andy Ward seconded the motion. The motion passed unanimously (5-0).

IV. **PUBLIC COMMENT:**

None.

V. **OLD BUSINESS:**

A. Discussion of the Town's current requirements for building height and fill.

Chairperson Morey stated that the Board's discussion of a potential Zoning Text Amendment application (ZTA) was almost finished. One item remaining to discuss is retaining walls as previously suggested by ETJ Representative John Finelli.

Wes Haskett stated that he was not aware of any complaints regarding retaining walls.

Chairperson Morey addressed an existing retaining wall off of S. Dogwood Trl. and stated that she did not see any issues with retaining walls.

David Neal agreed with Chairperson Morey.

Andy Ward stated that he did not see any issues with retaining walls since Town Staff had not received any complaints. The only potential problem with a 6 ft. retaining wall is aesthetics.

Chairperson Morey opened the floor for public comments.

Mark Martin addressed a lot in Martins Point that involved 6 ft. of fill placed on the lot that was closed in along the Sound and the property lines. He did not support restricting retaining walls to 2 ft.

Don Sowder stated that he did not see any issues with retaining walls since Town Staff had not received complaints.

The Board unanimously agreed to not address retaining walls in the potential ZTA.

Chairperson Morey stated that the next item to consider including in the ZTA is fill material.

Wes Haskett stated that in most cases, the contractor redistributes the material on-site.

Andy Ward asked if there was previously a definition of fill in the Town Code. Wes Haskett stated that he was not aware of one if so.

Chairperson Morey, Andy Ward, and David Neal agreed that John Finelli's suggested definition of fill was acceptable. Chairperson Morey stated that materials should not include debris or organic material. The Board unanimously agreed.

Chairperson Morey asked if there were any comments.

Matt Neal stated that the suggested definition of fill is very broad and asked about sod for landscaping purposes.

Chairperson Morey suggested that mulch and sod should not be considered as fill material.

Wes Haskett stated that he would draft an exception for landscaping materials in the definition of fill.

Don Sowder asked if an inspection of fill material should be required. The Board unanimously agreed not to require an inspection of fill material.

Chairperson Morey stated that the last item to consider was height requirements for Banks.

Wes Haskett explained the current height requirements for Banks.

Ed Lawler stated that John Finelli had polled the business owners in the ETJ area and the majority supported preventing Banks from having cupulas that extend to 50 ft. in height.

Andy Ward asked how high TowneBank was allowed to go. Wes Haskett stated that the cupula extends to 50 ft.

The Board discussed the commercial lots in the Town and their proximity to residential properties and considered a restriction that would prohibit banks from building cupulas up to 50 ft. in height if the property is adjacent to residential property or does not have frontage on Hwy. 158.

Wes Haskett stated that he would add suggested language to the ZTA.

Andy Ward asked when the Town Council could consider the ZTA.

Wes Haskett stated that it could possibly be considered by the Town Council on November 6, 2019.

VI. NEW BUSINESS:

None.

VII. PUBLIC COMMENT:

None.

VIII. PLANNING BOARD MEMBER COMMENTS:

Don Sowder asked if the Town Attorney had provided an opinion on SB483. Wes Haskett stated that he had and concluded that SB483 would not preclude the Town from adopting a Weddings/Special Events Policy.

Andy Ward stated that SB483 misguided the Board and that he would like to look at the policy. Currently, there isn't a problem but it may be moving forward. The Board needs to be proactive.

Chairperson Morey stated that ZTA-18-09 PB01 was adopted by the Town Council with amendments. Councilman Connors asked the Board to continue looking at the nonconforming lots issue but it wasn't clear what needed to be addressed. The Board needs more guidance on what needs to be addressed.

IX. ANNOUNCEMENTS:

Wes Haskett stated that the next scheduled meeting is October 21, 2019.

X. ADJOURNMENT:

Ed Lawler motioned to adjourn. David Neal seconded the motion and the meeting adjourned at 6:15 p.m.

ATTEST:

Elizabeth Morey, Chairperson

RESPECTFULLY SUBMITTED:



Wes Haskett, Deputy Town
Manager/Planning Director