



**Minutes
Town of Atlantic Beach
Planning Board Meeting
August 2, 2016**

Members Present

Neil Chamblee
Norm Livengood
Rich Johnson
Ray Langley, Chairman
Llewellyn Ramsey
Curt Winbourne
Steve Joyner

Staff Present

Michelle Shreve, Planner
Kim Tynes, Secretary
Arrington Moore
John Harrell

CALL TO ORDER

The meeting was called to order at 7:00pm by Chairman Ray Langley.

APPROVAL OF MINUTES

Chairman Langley called for a motion to approve the minutes from the June 8, 2015 meeting. Rich Johnson made that motion and Llewellyn Ramsey seconded it with a unanimous vote for the change.

NEW BUSINESS

Shreve stated at the end of April, a developer submitted plans that included a septic system within the setback. Per Section 2.25(B), this is not permitted. The developer applied for a setback Variance from the Board of Adjustment to build this single-family home. The variance was granted on June 20th, but the issue remains that some lots may not be developable because of this provision.

Due to the fact that there was not specific discussion of septic systems within the setbacks at the time the UDO was created, it has been determined that the placement of this end parenthesis could be in the wrong place. Several local municipalities do not regulate the placement of septic systems on lots, because the Carteret County Environmental Health Department adheres to State ordinances that delineate the placement of septic systems on lots. North Carolina State Statutes regulate the setbacks of septic systems from property lines based on size, soil suitability, and date of deed of the lot with minimum setbacks of five feet. In favor of the Carteret County Health Department's regulatory supervision and the possibility of a typo in this ordinance, staff suggests that the proposed text amendment be recommended to Town Council for review at the August 22nd regularly scheduled meeting.

Chairman stated he was here during the UDO creation and they used guidance from Holland Planners.

Carteret County Health Department is not involved in the setbacks set by the Town, they have their own guidelines and both must be met.

Johnson states the UDO currently reads stricter than the County regulations and does not want the Town to be difficult for development. State and County rules are good enough.

Chamblee suggested the Board of Adjustment make the determination as needed in cases where new building permits are requested. Required to be 5' away from septic may cause encroachment into setback and they must allow space for stormwater infiltration systems which could be a problem on smaller lots. If the system fails, then we have to work with them.

Ramsey wants to impose no further hardship and to contain on property within 5' minimum.

Chairman requested approval to changing rules or deny approval and leave as is.

Ramsey made a motion to adopt recommendation and comply with County and State encroachment regulations, second by Livengood. Unanimously approved.

Other:

The board voted unanimously to receive a hard copy of the agenda packets at least by the Friday prior to the meeting.

Ramsey mentioned how well received the handicap mats on the beach are and the need to proceed with fund raisers to purchase more.

Shreve stated Council invited the Board to join the work session on August 18th at 9am for a presentation from Code Wright discussing the UDO updates.

ADJOURNMENT

Being no further business, Chairman Ray Langley called for a motion to adjourn the meeting at 7:30. The motion was made by Norm Livengood and Llewellyn Ramsey. The vote was unanimous.

These minutes were prepared by Kim Tynes, former Secretary to the Planning Board, and approved at the November 15, 2016 meeting of the Atlantic Beach Planning Board.

ATTEST



Katrina Tyer, Town Clerk

Approved by:



Ray Langley, Chairman