



**Minutes**  
**Town of Atlantic Beach**  
**Town Council and Planning Board Joint Meeting**  
**January 8, 2019**

**Town Council Members Present**

Mayor Trace Cooper  
Mayor Pro Tem Richard Porter  
Harry Archer  
Rich Johnson  
Danny Navey  
Austin Waters

**Town Council Members Absent**  
None

**Staff Present**

Michelle Shreve, Planner  
Katrina Tyer, Clerk  
David Walker, Town Manager  
Nick Krebs, Planner

**Planning Board Members Present**

Neil Chamblee, Chair  
Lynne Brown  
Norm Livengood  
Doug McCullough  
Llewellyn Ramsey  
Curt Winbourne

**Planning Board Members Absent**

**Others Present**

Ron Cullipher, Engineer  
Mike Shutak, Carteret News Times

**CALL TO ORDER**

Mayor Cooper called the meeting to order at 6:00pm and explained the process of the joint meeting.

**APPROVAL OF AGENDA**

Councilmember Archer made a motion *to approve* the agenda. Seconded by Mayor Pro Tem Porter. Vote was unanimous, 5-0. Motion carried.

**APPROVAL OF MINUTES**

Councilmember Navey made a motion *to approve* the September 3, 2018 Joint Council Planning Board meeting minutes. Seconded by Councilmember Waters. Vote was unanimous, 5-0. Motion carried.

Winbourne made a motion *to approve* the December 4, 2018 Planning Board Minutes. Seconded by Ramsey. Vote was unanimous, 6-0. Motion carried.

**TOWN COUNCIL & PLANNING BOARD DISCUSSION**

**MSP-19-01 Channel Bay/Windfare Condominiums**

Windfare Condominiums is major site plan development proposal to build nine duplexes at 402 Old Causeway Road.

Mayor Cooper reviewed the major site plan approval process and the history of this project. In April, Council and Planning Board reviewed and approved the Concept Proposal, since that time the plan has changed. The board needs to define what qualifies as 'significant' changes to the major site plan and clarify it in the UDO for future plans. In this case it was determined that the re-design of the plan with lesser units was a significant change and required review to begin again with phase 1.

**Staff Presentation**

This major site plan proposes redevelopment of the current Channel Bay Mobile Home Park. The proposed nine duplexes proposed will be contained on one parcel, with condominium-style ownership of each dwelling unit. There will be individual electrical, plumbing, and septic service and driveways for each dwelling unit. There will be open spaces and a private street provided within the common area. The initial plan proposed 4 units along the water edge, now there are only 3 units in order to meet the required 15 foot setback. Michelle reviewed the applicable ordinances and the requirements.

Councilmember Johnson asked about impervious surface area and the state permit requirements. Michelle explained the state permitting process.

Ron Cullipher confirmed the site will be filled and that permits are being modified to account for the modified site plan.

### **Public Hearing**

Mayor Pro Tem Porter made a motion *to open* the public hearing. Seconded by Councilmember Waters. Vote was unanimous, 5-0. Motion carried. The time was 6:23pm.

No comments

Mayor Pro Tem Porter made a motion *to close* the public hearing. Seconded by Councilmember Archer. Vote was unanimous, 5-0. Motion carried. The time was 6:23pm.

### **Council and Planning Board discussion and recommendation**

Based upon discussion and findings by Council and the Planning Board it was determined the proposed Master Site Plan, Channel Bay/Windfare Condominiums complies with Town Ordinances. Councilmember Navey made a motion *to approve* the Site Plan for MSP-19-01: Channel Bay/Windfare Condominiums as presented. Seconded by Councilmember Archer. Vote was unanimous, 5-0. Motion was carried.

### **REVIEW OF UDO AMENDMENTS**

#### **Staff Presentation and Council and Planning Board discussion**

Council and Planning Board have been discussing amendments regarding street setbacks, mechanical/electrical equipment setback encroachment, land disturbance permit standards and docks established prior to principle use for the past few months.

**Street setbacks:** it was the consensus to move forward with setback amendments as proposed.

**Mechanical/electrical equipment setback encroachment:** based upon previous discussions regarding location and noise, Michelle presented two options for the mechanical unit encroachment amendment.

Councilmember Waters wants to ensure the amendment does not encourage building bigger and closer to the setbacks. There was additional discussion on noise and location.

It was the general consensus to amend with option 1, mechanical electrical or other similar equipment, including platforms may encroach into a front setback no more than 18 inches and rear setbacks no more than 36 inches, and side setbacks such that it is no closer than for feet to any lot line. Michelle with review other town ordinances and present to the Planning Board in February.

**Land disturbance permit standards:** After Planning Board made a recommendation for the amendment, Council reviewed and suggested the following changes. Michelle wanted to discuss the amendments before the joint board.

- b. silt fencing or other approved soil erosion prevention device shall be installed along the perimeter of the project for the duration of the work
- c. Land Disturbance Plan is designed and certified by a NC professional engineer, and shall be designed to retain the first two inches of stormwater runoff generated by a given rain event on-site.
- d. installation of the designed plan shall be inspected and approved by the designing engineer or other professional engineer licensed to practice in the State of NC prior to issuance of a certificate of occupancy.
- e. in no instance shall fill be placed in a manner that raises the elevation of the subject lot higher than the elevation of the surrounding lots, as measured from the natural grade.

There was discussion on natural grade and how to clarify the wording. The boards feel the requirement not to shed more than two inches of stormwater is reasonable. Michelle will further review and amend for presentation at the February Planning Board meeting.

**Docks established prior to principle use:** The way the ordinance is written now, it is not allowed to establish an accessory structure (dock/pier/storage) prior to having a principle structure.

It was the consensus of the boards to pursue this amendment.

#### PLANNING BOARD ONLY

##### Public Hearing

Winbourne made a motion *to open* the public hearing. Seconded by Boardmember Brown. Vote was unanimous, 6-0. Motion carried. The time was 7:33pm.

No comments.

Ramsey made a motion *to close* the public hearing. Seconded by McCullough. Vote was unanimous, 6-0. Motion carried. The time was 7:33pm.

##### Planning Board Discussion and Recommendation

Winbourne made a motion *to recommend* the proposed amendments and *to approve* the Statement of Consistency. Seconded by McCullough. Vote was unanimous, 6-0. Motion carried.

#### MAYOR/COUNCIL/PLANNING BOARD COMMENTS

None.

#### ADJOURNMENT

There being no further business meeting was adjourned. The time was 7:35 pm.

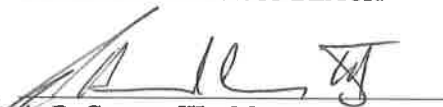
These minutes were approved at the August 6, 2019 Joint Town Council Planning Board meeting.

TOWN OF ATLANTIC BEACH

ATTEST

  
Katrina Tyer - Town Clerk



  
A. B. Cooper, III - Mayor