



MINUTES
Planning Board Meeting
Wednesday, July 6, 2022
Pender County Public Assembly Room
7:00 PM

MEMBERS PRESENT: Jeff Beaudoin
Damien Buchanan
John Gruntfest
Norman K. (Ken) Teachey
Margaret Mosca

MEMBERS ABSENT: Delva Jordan
Jeffrey Pitts

OTHERS PRESENT: Travis Henley, Planning Director
Donna Sayre, Administrative Assistant
Other Staff and Members of the Public.

1 CALL TO ORDER

2 ROLL CALL

3 INVOCATION

4 PLEDGE OF ALLEGIANCE

5 ADOPTION OF AGENDA

a) Motion to adopt agenda as is

Moved by Margaret Mosca, seconded by Damien Buchanan

Motion Approved

	For	Against	Abstained	Absent
Delva Jordan				x
Jeff Beaudoin	x			
Damien Buchanan	x			
John Gruntfest	x			
Jeffrey Pitts				x

Norman K. (Ken) Teachey	x			
Margaret Mosca	x			
	5	0	0	2

CARRIED.

6 ADOPTION OF MINUTES

a) June 7, 2022 Meeting Minutes

Moved by Jeff Beaudoin, seconded by Margaret Mosca

Ms. Mosca requested two changes to the June 7, 2022, Planning Board minutes. The first change is on page four, under number 8, Public Hearings, MDP-R 2022-38. On the fourth sentence down, she is requesting that it read as follows: "Ms. Mosca again stated she is concerned with elevation issues and the management of the run-off per UDO requirements." The second request is within the same hearing and is the eighth sentence down. She is requesting that the word "afraid" be replaced with the word "concerned". Motion to approve Planning Board minutes, with the requested changes by Ms. Mosca for the June 7, 2022, meeting.

	For	Against	Abstained	Absent
Delva Jordan				x
Jeff Beaudoin	x			
Damien Buchanan	x			
John Gruntfest	x			
Jeffrey Pitts				x
Norman K. (Ken) Teachey	x			
Margaret Mosca	x			
	5	0	0	2

CARRIED.

7 PUBLIC COMMENT

8 PUBLIC HEARINGS

a) Zoning Text Amendment 2022-15

Travis Henley, Planning Director, presented the staff report. Trask Land Company Inc., the applicant, is requesting approval of a Zoning Text

Amendment to the Pender County Unified Development Ordinance. Specifically, the request is to amend Section 3.2.1 'Zoning Approval' to allow for the issuance of clearing and grading permits prior to the issuance of full zoning approval.

Mr. Henley stated that this was originally heard at the June 7, 2022, meeting but was tabled due to the request of the Board members. He added that the Board requested that legal issues be further researched. Following the June 7, 2022, Planning Board meeting, staff and the applicant have worked together to clarify language stating that tree mitigation requirements run with the land and are required regardless of whether the corresponding development project moves forward or not. Additionally, the proposal now includes additional language in Section 8.1.3 of the Unified Development Ordinance, such that significant trees would include any tree planted under the requirements of an approved tree mitigation plan approved under the Unified Development Ordinance.

Mr. Henley provided an overview of the proposed changes. Mr. Henley clarified for the Planning Board what Zoning Approval entails. Zoning Approval is the approval of a site plan allowing the project to move forward. Mr. Buchanan asked if this amendment would allow the developer to move forward with site improvements while waiting for external permits that require additional time. Mr. Henley answered affirmatively.

Mr. Beaudoin asked if the developer must adhere to other permit requirements such as NCDEQ. Mr. Henley responded affirmatively.

Andy Wood, PO Box 422, Hampstead, NC, stated that he spoke at the June 7, 2022, Planning Board meeting and wanted to recap some of what he presented at that meeting. Mr. Wood stated that he feels that this amendment is a convenience to developers and does not help the residents of Pender County. He feels that this will diminish the quality of Pender County. Clearing acreage before anything definite is in place is putting the cart before the horse. Mr. Wood is asking for moderation with no need for being reckless. He feels the service industry is what the County needs for the economy. Mr. Buchanan asked the Board members if they had any questions for Mr. Wood. All Board members responded with no.

Ms. Mosca asked Mr. Henley what is meant by "all" circumstances. What does that cover? Mr. Henley stated that the language will run with the land. Ms. Mosca then asked who will enforce the tree mitigation requirements and Mr. Henley stated that the Planning Department will

enforce and can fine up to \$100.00 a day if it is not complied with. The Department can also take further action, if necessary. Mr. Teachey questioned who will guarantee that the tree mitigation requirements are enforced and Mr. Henley stated that the Planning Department will be responsible.

Mr. Teachey asked what if five or ten years have passed and the tree mitigation requirements have not been complied with and Mr. Henley stated that the process will be on a case-by-case basis.

Ms. Mosca stated that she is still unclear as to how the land will be protected. Can language be added? She is concerned more with the grading aspect. Mr. Buchanan stated that NCDEQ would be responsible for erosion control. Mr. Beaudoin added that if the site is graded and water is running off the site, then NCDEQ would be responsible for enforcement. Mr. Buchanan stated that he can see both sides and added that worst-case scenarios must be acknowledged. He feels that this process needs to run with the land.

Mr. Gruntfest stated that for small business owners, time is money, and the longer the process takes the more hardship it creates. The County is not alone due to the State also being involved in the approvals.

Moved by Jeff Beaudoin, seconded by John Gruntfest

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan				x
Jeff Beaudoin	x			
Damien Buchanan	x			
John Gruntfest	x			
Jeffrey Pitts				x
Norman K. (Ken) Teachey	x			
Margaret Mosca	x			
	5	0	0	2

CARRIED.

b) Zoning Text Amendment 2022-16

Michael Dickson, the Addressing Coordinator, reviewed the staff report. Pender County, the applicant, is requesting the approval of Zoning Text Amendments to the Pender County Unified Development Ordinance.

Specifically, the request is to amend Section 11.1 "Authority;" Section 11.3.1 "New Road Names;" Section 11.4.B "Petition for Road Names;" Section 11.4.3 "Prohibited Road Names;" Section 11.6.1.D, L, and Q "Numerical Addressing Requirements;" Section 11.10.2 "Identification;" Section 11.11.1 "Installation;" and 11.11.2 "Maintenance." These amendments are requested to increase the health and safety of the citizens through 911 addressing requirements, clear up ambiguous language, grant more property rights to the owners of unnamed access easements, align the code with current workflows and designated departments, delineate exceptions for addressing requirements, and to encode the necessity of street signs for private roads. He stated that the main reason for this amendment request is to make 911 addressing clearer and easier for EMS to find locations. Attorney Trey Thurman asked about easement rights. Does the person or persons who own the land the easement is on have sole control of what the road is named.

Mr. Buchanan asked if anyone who owns the road can petition the county. There must be a solution when parties do not agree on the name. Mr. Norwood stated that a sole property owner would not need to go before the Board of Commissioners for approval. Mr. Beaudoin stated that this may be an issue for older divisions of the land but does not think it should affect newer divisions as much.

Mr. Dickson stated that currently, the fourth house on the property would trigger this process. This process is typically not needed for three or fewer homes.

Mr. Norwood stated that this is not retroactive but rather for future issues. His department will not be trying to proactively locate unnamed easements. Mr. Buchanan asked the Board if they had any questions or comments.

Attorney Thurman asked for clarification as to the cost of a road sign and if it is the landowner's responsibility for replacing the sign if it is knocked over. Mr. Dickson stated that the County will replace the sign if it is destroyed or knocked over. Mr. Henley added that County will put up a sign but the replacement sign and pole will only be standard. Mr. Norwood stated that the developer is responsible for the first sign but after that, the County will replace it. He stated that since the mid-1990s, the County has been replacing signs on both private and public roads.

Ms. Mosca asked how long will a temporary address be valid. Mr. Dickson stated that there is no set time frame. This statute is more for emergency purposes. Mr. Buchanan asked the Board members if they

had any further questions or comments. Mr. Thurman and Mr. Norwood further discussed the easement issue. Mr. Buchanan asked Mr. Thurman if he is comfortable with the language Mr. Thurman stated that he has no issues with the language.

Moved by Norman K. (Ken) Teachey, seconded by Margaret Mosca

Motion to approve

	For	Against	Abstained	Absent
Delva Jordan				x
Jeff Beaudoin	x			
Damien Buchanan	x			
John Gruntfest	x			
Jeffrey Pitts				x
Norman K. (Ken) Teachey	x			
Margaret Mosca	x			
	5	0	0	2

CARRIED.

9 DISCUSSION

- a) Mr. Henley introduced the newly hired Administrative Specialist, Donna Sayre, to the Board members. Mr. Henley informed the Board members that the Planning Department is starting today to advertise for a Planning Technician. Charlie Ring will continue to handle the Zoning Enforcement aspect.

Mr. Henley read the following day's TRC meeting's agenda to the Board. Mr. Henley informed the Board members that Pender County received a \$200,000 grant that requires no matching funds from the County. The grant is to perform a Resiliency Analysis for Highway 210 from Rocky Point to Hampstead. The County will be partnering with NCDOT on this project. Mr. Henley stated that Wyndwater developer has filed an appeal and will be heard at the August 2022 Board of Adjustment hearing.

Attorney Trey Thurman stated that the County will be announcing the newly hired County Manager on Monday. The permanent County Manager should be in place at the beginning of September 2022.

10 NEXT MEETING DATE

- a) August 2, 2022

Pender County Public Assembly Room
805 S. Walker Street, Burgaw, NC

11 ADJOURNMENT