



**DRAFT MINUTES**  
**Planning Board Meeting**  
**Wednesday, January 3, 2024**  
**Hampstead Annex Auditorium**  
**6:00 PM**

**MEMBERS PRESENT:**

Delva Jordan, Chairman  
Damien Buchanan, Vice-Chairman  
Jeffrey Pitts  
Jeff Beaudoin  
Norman “Ken” Teachey  
Margaret Mosca

**MEMBERS ABSENT:**

John Gruntfest

**OTHERS PRESENT:**

Daniel Adams, Planning Director  
Justin Brantley, Deputy Planning Director  
Tucker Cherry, Current Planner  
Donna Sayre, Planning Technician  
Trey Thurman, County Attorney  
Members of the Public

**1 CALL TO ORDER**

Chairman Delva Jordan called the meeting to order at 6:03 pm.

**2 ROLL CALL**

**3 INVOCATION**

**4 PLEDGE OF ALLEGIANCE**

## 5 ADOPTION OF AGENDA

Mr. Adams requested two amendments to the agenda. He requested the election of Board officers which would consist of the Chair and Vice-Chair. Mr. Adams proposed that item be placed under number five. Mr. Adams also requested a map of recombination be added to the agenda under item 9.2.

Motion to approve the agenda with the two additions made by Mr. Buchanan, seconded by Mr. Teachey.

*Motion to approve*

|                      | <b>For</b> | <b>Against</b> | <b>Abstained</b> | <b>Absent</b> |
|----------------------|------------|----------------|------------------|---------------|
| Delva Jordan         | X          |                |                  |               |
| Damien Buchanan      | X          |                |                  |               |
| Jeffrey Pitts        | X          |                |                  |               |
| Margaret Mosca       | X          |                |                  |               |
| John Gruntfest       |            |                |                  | X             |
| Jeff Beaudoin        | X          |                |                  |               |
| Norman (Ken) Teachey | X          |                |                  |               |
|                      | 6          | 0              | 0                | 1             |

CARRIED.

## 6 ELECTION OF BOARD MEMBERS

Mr. Thurman explained the procedure to adopt both the Chairman and Vice-Chairman to the Board members.

Mr. Thurman opened the floor to nominations for the position of Chairman. Mr. Buchanan nominated Mr. Jordan. Due to no further nominations being made, Mr. Thurman closed the floor. A vote was taken, and the election of Mr. Jordan was unanimously approved.

Mr. Thurman opened the floor for nominations of Vice-Chairman. Mr. Pitts nominated Mr. Buchanan. Due to no further nominations being made, Mr. Thurman closed the floor. A vote was taken, and the election of Mr. Buchanan was unanimously approved.

## 7 ADOPTION OF MINUTES

Motion to approve the December 5, 2023, minutes made by Mr. Buchanan, seconded

by Mr. Pitts.

*Motion to approve*

|                      | <b>For</b> | <b>Against</b> | <b>Abstained</b> | <b>Absent</b> |
|----------------------|------------|----------------|------------------|---------------|
| Delva Jordan         | X          |                |                  |               |
| Damien Buchanan      | X          |                |                  |               |
| Jeffrey Pitts        | X          |                |                  |               |
| Margaret Mosca       | X          |                |                  |               |
| John Gruntfest       |            |                |                  | X             |
| Jeff Beaudoin        | X          |                |                  |               |
| Norman (Ken) Teachey | X          |                |                  |               |
|                      | 6          | 0              | 0                | 1             |

CARRIED.

## **8 PUBLIC COMMENT**

No public comment.

## **9 PUBLIC HEARING**

### **a) REZONE 2023-58**

Tucker Cherry, Current Planner, presented the staff report.

Weston Lyall, PE, PLS, PLLC, applicant on behalf of Shugarts Family Properties, LLC., owner, is requesting approval of a Zoning Map Amendment to rezone one parcel totaling approximately 1.52 acres of land from the PD, Planned Development zoning district to the GB, General Business zoning district. The subject property is located on the east side of US Hwy 17, north of the intersection of US Hwy 17 and Edens Lane in the Topsail Township and may be further identified by Pender County PIN 4204-97-4618-0000.

Mr. Jordan asked if the lot behind this subject property is wooded and zoned PD also. Mr. Tucker responded that the three lots located on Edens Lane are wooded and zoned PD.

Mr. Brantley stated that in the past a special request was made for a Limited Subdivision which was approved by the Planning Board in 2022. He stated that the Planning Board approved a Limited Subdivision in order for the developers to create the four lots that are adjacent to this rezoning site.

Mr. Buchanan asked if the applicant can't simply develop the land for business purposes under the PD Zoning is due to some type of mixed-use component being

needed. Mr. Tucker stated that a residential component would be needed with any future development. Mr. Brantley stated that the developers would not be able to pursue a Master Development Plan due to the Future Land Use Low Density Residential category identifying commercial as inappropriate.

Mr. Buchanan stated that some of the commercial uses have been in this area much longer than the Future Land Use Map has been in existence. He stated that he feels this request is another example of an inconsistency within the Future Land Use Map not identifying legally non-conforming uses that have been in existence longer than the map has.

Mr. Jordan asked if there were any additional questions for the Planning staff and no questions were presented.

Mr. Jordan asked if the Applicant has a presentation. Mr. Adams stated that they are present in the audience and are willing to answer questions but do not have a formal presentation.

Mr. Buchanan expressed his support of the rezoning due to the desperate need for the services that would be attainable if the rezoning request is approved.

Mr. Buchanan made a motion to approve the Zoning Map Amendment and to make a finding that the approval is consistent with the Pender 2.0 Comprehensive Land Use Plan, while the proposed rezoning is inconsistent with the Low Density Residential Future Land Use classification in the Pender 2.0 Comprehensive Land Use Plan the proposal is reasonable and in the public interest because it has the potential to be generally consistent with current land uses in the vicinity. Ms. Mosca seconded the motion.

*Motion to approve*

|                      | <b>For</b> | <b>Against</b> | <b>Abstained</b> | <b>Absent</b> |
|----------------------|------------|----------------|------------------|---------------|
| Delva Jordan         | X          |                |                  |               |
| Damien Buchanan      | X          |                |                  |               |
| Jeffrey Pitts        | X          |                |                  |               |
| Margaret Mosca       | X          |                |                  |               |
| John Gruntfest       |            |                |                  | X             |
| Jeff Beaudoin        | X          |                |                  |               |
| Norman (Ken) Teachey | X          |                |                  |               |
|                      | 6          | 0              | 0                | 1             |

CARRIED.

b) MAP OF RECOMBINATION

Mr. Brantley, Deputy Planning Director, presented the request. He provided the Board members with a map. The map is recognized as **Exhibit A** and was accepted into record.

Mr. Brantley stated that last year the Planning Board approved a Limited Subdivision containing four parcels in Planned Development. He stated that the developers were not able to pursue a Limited Subdivision through staff and that Planning staff had to rely on the Board for guidance and approval.

Mr. Brantley stated that the owner, Jimmy Ellington, has been working with Wes Corden to reconfigure two parcels. Mr. Brantley stated that the owner is requesting to modify a property line to limit one parcel to an existing commercial use. He stated that the remaining parcel will have two residences that have been located on the property for years.

Mr. Brantley stated that currently the back parcel consists of 8.35 acres and the front parcel is 3.15 acres. He stated that the owner is proposing for the back parcel be modified to 9.55 acres with the front parcel being reduced to just under 2 acres.

Mr. Brantley stated that the Planning staff is requesting permission to execute this recombination plat to allow the owner to move forward with the land sale.

Mr. Buchanan asked if the proposed two lots meet all the necessary criteria. Mr. Brantley responded affirmatively.

Mr. Buchanan asked if Pansy Lane is used as an access to this property and if Pansy Lane is a private access. Mr. Brantley responded affirmatively.

Mr. Beaudoin made a motion to approve the recombination as presented by the Planning staff. Mr. Teachey seconded the motion.

*Motion to approve*

|                      | <b>For</b> | <b>Against</b> | <b>Abstained</b> | <b>Absent</b> |
|----------------------|------------|----------------|------------------|---------------|
| Delva Jordan         | X          |                |                  |               |
| Damien Buchanan      | X          |                |                  |               |
| Jeffrey Pitts        | X          |                |                  |               |
| Margaret Mosca       | X          |                |                  |               |
| John Gruntfest       |            |                |                  | X             |
| Jeff Beaudoin        | X          |                |                  |               |
| Norman (Ken) Teachey | X          |                |                  |               |
|                      | 6          | 0              | 0                | 1             |

CARRIED.

Mr. Buchanan made a motion to hold the February 2024 meeting in the Hampstead Annex building. Mr. Teachey seconded the motion.

*Motion to approve*

|                      | <b>For</b> | <b>Against</b> | <b>Abstained</b> | <b>Absent</b> |
|----------------------|------------|----------------|------------------|---------------|
| Delva Jordan         | X          |                |                  |               |
| Damien Buchanan      | X          |                |                  |               |
| Jeffrey Pitts        | X          |                |                  |               |
| Margaret Mosca       | X          |                |                  |               |
| John Gruntfest       |            |                |                  | X             |
| Jeff Beaudoin        | X          |                |                  |               |
| Norman (Ken) Teachey | X          |                |                  |               |
|                      | 6          | 0              | 0                | 1             |

CARRIED.

Mr. Buchanan made a motion to start the February 2024 meeting at 7:00 p.m.  
Mr. Pitts seconded the motion.

*Motion to approve*

|                      | <b>For</b> | <b>Against</b> | <b>Abstained</b> | <b>Absent</b> |
|----------------------|------------|----------------|------------------|---------------|
| Delva Jordan         | X          |                |                  |               |
| Damien Buchanan      | X          |                |                  |               |
| Jeffrey Pitts        | X          |                |                  |               |
| Margaret Mosca       | X          |                |                  |               |
| John Gruntfest       |            |                |                  | X             |
| Jeff Beaudoin        | X          |                |                  |               |
| Norman (Ken) Teachey | X          |                |                  |               |
|                      | 6          | 0              | 0                | 1             |

CARRIED.

## 10 NEXT MEETING DATE

February 6, 2024, at 7:00 p.m.  
Hampstead Annex Auditorium  
15060 US Hwy 17  
Hampstead, NC 28443

## 11 ADJOURNMENT

Mr. Pitts made a motion to adjourn with Mr. Teachey seconding the motion.  
The vote was unanimous.

*Motion to approve*

|                      | <b>For</b> | <b>Against</b> | <b>Abstained</b> | <b>Absent</b> |
|----------------------|------------|----------------|------------------|---------------|
| Delva Jordan         | X          |                |                  |               |
| Damien Buchanan      | X          |                |                  |               |
| Jeffrey Pitts        | X          |                |                  |               |
| Margaret Mosca       | X          |                |                  |               |
| John Gruntfest       |            |                |                  | X             |
| Jeff Beaudoin        | X          |                |                  |               |
| Norman (Ken) Teachey | X          |                |                  |               |
|                      | 6          | 0              | 0                | 1             |

CARRIED.

N/F  
"TAYLOR MEADOWS" LANDS, LLC  
MB 53, PG 38  
3283-70-6141-0000

CERTIFICATE OF OWNERSHIP, DEDICATION AND JURISDICTION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of a subdivision with my (our) own free consent and dedicate all drains, ditches, streets, paths, easements, and other areas to public or private use as noted. All roads and drainage easements are dedicated for public utility purposes. Further, I (we) certify the land is shown hereon is located in the subdivision jurisdiction of Pender County, North Carolina.

| DATE | OWNER |
|------|-------|
|      |       |
| DATE | OWNER |
| DATE | OWNER |

State of North Carolina  
Pender County

Review Officer's Certificate

I, \_\_\_\_\_, Review Officer of Pender County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer \_\_\_\_\_  
Date \_\_\_\_\_

Certificate of Registration by Register of Deeds  
Pender County, North Carolina

Filed for registration on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ a.m./p.m. and duly recorded in book \_\_\_\_\_ at page \_\_\_\_\_ side \_\_\_\_\_.

Register of Deeds: \_\_\_\_\_

N/F  
CYPRESS GROVE  
TOWNHOMES HUA INC  
DB 4607, PG 2545  
3282-58-1496-0000

I, CLAUDIO F. CORREIA, CERTIFY THAT THIS PLAN WAS DRAWN UNDER BY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION DEED DESCRIPTION IN BOOK 4367, PAGE 1200, ETC. (OTHER: THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000); THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOK 4367, PAGE 1200; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-39 AS AMENDED.

I ALSO CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXAMINATION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

WINNERS: MY ORIGINAL SURVEY, REGISTRATION NUMBER, AND REAL TIME DAY OF SURVEY ARE: \_\_\_\_\_



REVISION: ADD SUBJECT AND ADJACENT HOUSES 15/16/21

DRAINAGE EASEMENT  
AS SHOWN IN  
MB 4663, PG 1203

GENERAL  
UTILITY EASEMENT  
AS SHOWN IN  
MB 3891, PG 105

EXISTING AT&T  
EASEMENT 10' 20'  
AS SHOWN IN  
MB 3891, PG 105

EXISTING  
BELL SOUTH  
10' EASEMENT  
AS SHOWN IN  
MB 3891, PG 105

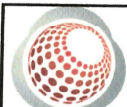
N/F  
LANE, CHARLES W  
DB 30, PG 225  
3282-98-0023-0000

N/F  
HAMPSTEAD ENTERPRISES LLC  
DB 4662, PG 51  
3282-98-4086-0000

N/F  
HAMPSTEAD STATION LLC  
DB 4787, PG 2914  
3282-98-4294-0000

N/F  
HAMPSTEAD STATION LLC  
DB 4787, PG 2914  
3282-98-5392-0000

N/F  
HAMPSTEAD STATION LLC  
DB 4787, PG 2921  
3282-98-7567-0000



**Bateman Civil Survey Company**  
Engineers • Surveyors • Planners  
30 CIVIL AVENUE, WILMINGTON, NC 28403  
Phone: 910.772.9113 Fax: 910.772.9128  
NCBELS Firm No: C-2378

MAP OF RECOMBINATION  
OF  
TRACT 1 & 2  
AS RECORDED IN DEED BOOK 4736, PAGE 1806  
A PORTION OF THE ABANDONED CSX RAILROAD  
AS RECORDED IN DEED BOOK 3582, PAGE 61  
OF THE PENDER COUNTY REGISTRY  
PENDER COUNTY NORTH CAROLINA  
TOWNSHIP 1 NORTH  
1"=40'

|                        |
|------------------------|
| Field By: DO           |
| Drawn By: DBG          |
| Checked By: CFC        |
| Scale: 1"=40'          |
| Project Number: 23W221 |
| <b>S-1</b>             |

TRACT 1

BOUNDARY INFORMATION  
TAKEN FROM  
RECORD DOCUMENTS:  
DB 4736, PG 1806  
MB 42, PG 67  
MB 53, PG 38  
MB 64, PG 126

3282-98-3423-0000

415,832 S.F.  
9.50 A.C.±

- NOTES:
1. BY GRAPHIC PLOTTING ONLY, THIS TRACT IS LOCATED IN ZONE "X" ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 3720328200 J DATED 2/16/2007.
  2. TRACT 1 AREA= 415,832 S.F. OR 9.50 AC.±  
TRACT 2 AREA= 82,109 S.F. OR 1.88 AC.±  
TOTAL SITE AREA= 497,941 S.F. OR 11.43 AC.±
  3. THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE-GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN UTILITIES.
  4. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY ENVELOPE.

N/F  
RANDALL, CHERRY C  
DB 569, PG 156  
3282-99-0283-0000

N/F  
RANDALL, CHERRY C  
DB 4704, PG 666  
3282-99-3012-0000

N/F  
SMITH, JERRY  
BURNS HEIRS  
DB 717, PG 272  
3282-98-3748-0000

- REFERENCES:
- MAP BOOK 64, PAGE 126
  - MAP BOOK 61, PAGE 143
  - MAP BOOK 53, PAGE 38
  - MAP BOOK 51, PAGE 55
  - MAP BOOK 32, PAGE 113
  - MAP BOOK 17, PAGE 62

- EASEMENTS:
- DEED BOOK 3550, PAGE 60
  - DEED BOOK 3891, PAGE 105
  - DEED BOOK 3897, PAGE 248
  - DEED BOOK 4663, PAGE 1203
  - DEED BOOK 3843, PAGE 375
  - DEED BOOK 4867, PAGE 2016

\*NOT APPLICABLE TO TRACT

LEGEND

- EXISTING IRON
- SET IRON
- CALCULATED POINT
- CENTER LINE
- R/W LINE
- ADJACENT PROPERTY LINE
- SUBJECT TRACT BOUNDARY LINE
- AT&T EASEMENT
- BELL SOUTH EASEMENT
- DRAINAGE EASEMENT
- SEPTIC EASEMENT
- GENERAL UTILITY EASEMENT
- EASEMENT

N/F  
SMITH, HENRY  
HEIRS CEMETERY  
DB 121, PG 453  
3282-98-4798-0000

SEPTIC & STORMWATER  
COLLECTION AND  
TREATMENT SYSTEM  
EASEMENT AS SHOWN IN  
DB 3951, PAGE 248