

TOWN OF CAROLINA SHORES
Planning Board
Workshop Meeting Minutes
February 20, 2019
11:00 a.m.

At 11:00 a.m., Chairperson Mark Brown called the February 20, 2019 Planning Board Meeting to order. The Pledge of Allegiance was recited and there was a moment of silence. The following members attended: Ruth Ann Campbell-Grothe, Kathryn Powell, Daniel O'Reilly and Greg Hapner. Also, present: Jon Mendenhall, Town Administrator and Nicole Hewett, Town Clerk.

Absent: Alternate Member Pamela Faria and Commissioner Joseph J. Przywara, Liaison

Alternates in Public Attendance: Alternate Member Normand Neligon

Approval of Minutes:

MEMBER CAMPBELL-GROTHER MADE A MOTION TO APPROVE THE PLANNING BOARD MEETING MINUTES OF JANUARY 16, 2019. MEMBER POWELL SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Administrative Reports:

The Farm at Brunswick - Mr. Mendenhall said there is some underdrain and asphalt work going on in Phase 15. Mr. Mendenhall said we have been notified that Phases 16 and 17 will be paused and probably resume in the fall of this year as their vertical construction sales take some time to catch up out there.

Calabash Lakes - Mr. Mendenhall said in Calabash Lakes, the Phase 4 work is almost entirely permitted and that is the new section in the very back. Mr. Mendenhall said the paired-ranches in Phase 5 are rounding the bend and are very close to being completed there. Mr. Mendenhall said we are doing some curb repair work in Phase 3 that he believes is complete and we are talking about getting that last surface coat on and taking those roads and turning over some of the backroads in the outlying portions of that subdivision. Mr. Mendenhall said not the main road in but some of the roads in the completed phases in Calabash Lakes.

Lighthouse Cove – Mr. Mendenhall said we have had a situation arise there in Phase 2 due to a timbering operation for Landmark at Lighthouse Cove. Mr. Mendenhall said it has been ongoing for about 3-4 weeks and they have violated some of the buffer there. Mr. Mendenhall said he went out there this morning and he took some pictures of that and there is probably a Notice of Violation coming for that. Mr. Mendenhall said they have to come up with some type of plan to rectify what they have done out there. Mr. Mendenhall said the buffer looks more substantial between Calabash Lakes and the timber track on the south. Mr. Mendenhall said but the Village at Calabash in the very back, the buffer looks gone almost in some places. Mr. Mendenhall said you can see houses and there is not a single tree and we are not sure what happened there. Mr. Mendenhall said there is a 25-foot conservation easement buffer and they have violated that and we have to do a Notice of Violation on that. Mr. Mendenhall said we don't want to be in the business of telling them how to complete or fix what is going on, they should really come back to this Board and the Board of Commissioners with a corrective action to fix what they have done and get it squared away in that manner.

Village at Calabash – Mr. Mendenhall said we don't have any development to report. Mr. Mendenhall said we have done some culvert work on Thrush Court that we are glad to see finally complete. Mr. Mendenhall said we are working on a plan to pull the roadside ditches on Waterview and do some asphalt repair work. Mr. Mendenhall said starting on Nautical and running all the way down to Putting. Mr. Mendenhall said so about half of Waterview. Mr. Mendenhall said that is going to start in April and it's going to last most of the summer.

Acreage Estates – Mr. Mendenhall said they are doing roadside ditch work. Mr. Mendenhall said he thinks we are on Gumwood or Pinewood, somewhere in that vicinity. Mr. Mendenhall said we are doing some culvert work in the Carolina Shores neighborhood on Calabash Drive. Mr. Mendenhall said that is going okay and it seems like every time we dig a hole, we hit something electrical, water or sewer. Mr. Mendenhall said we get it marked out and it isn't very often where its marked is where it is located.

Development Inquiry – Mr. Mendenhall said we have a development inquiry that you all need to be aware of. Mr. Mendenhall said on the other side of Highway 17, almost across from Beacon Townes, you will recall we were talking about a shopping center there at one time and we have a developer that is talking about low-income apartment housing. Mr. Mendenhall said that will probably be on your March agenda. Mr. Mendenhall said it would be a proposed rezoning, a conditional-use rezoning. Mr. Mendenhall said he is not sure how many units or that type of thing but it's work-force low-income housing. Mr. Mendenhall said the developer has been advised of all areas of concerns the folks will have, not in my backyard, stormwater, traffic, crime control, the whole bit. Mr. Mendenhall said the March meeting of this body will probably be very important. Mr. Mendenhall said you could expect a packed room. Mr. Mendenhall said that is on-going.

Beacon Townes – Mr. Mendenhall said we are working with Beacon Townes to get a greenway easement and there has been some talk with them on getting an easement to build a walking path.

Mr. Mendenhall asked if there were any questions. Chairperson Brown said at the last meeting Mrs. Smith from Lighthouse Cove had a fence issue. Chairperson Brown asked if there was any resolve to that. Mr. Mendenhall said we sent the Building Inspector out on that and he believes it was worked out as to where to put that fence. Mr. Mendenhall said one of our Commissioners helped her to draw a diagram so that it would be in compliance. Mr. Mendenhall said we did some education and had discussion about how it had to be. Chairperson Brown said was she happy with the results and Mr. Mendenhall said he thinks so. Mr. Mendenhall said he does not believe the fence has been put up yet. Chairperson Brown said he had a question about a flyer he received in the mail and he's sure others did about the Carolina Bays project. Mr. Mendenhall said that is a very convoluted subject. Mr. Mendenhall said a lot of people in the Town and the ETJ received that same mailing about a month ago. Mr. Mendenhall said he doesn't know how they figured out who got what. Mr. Mendenhall said some people when they were going out to eat, that signs had been erected on Highway 31 and 9 and coming back onto Highway 9 westbound. Mr. Mendenhall said there is another sign in Little River where the South Carolina Convenience Site is. Mr. Mendenhall said there are folks in the Meadowlands that got the flyer and some that didn't. Mr. Mendenhall said there are some people in the Town that got it and some that didn't. Member Campbell-Grothe asked who mailed the flyers out and Mr. Mendenhall said the State did. Mr. Mendenhall said he will have the clerk scan and email the flyer to the Planning Board. Mr. Mendenhall said there is a sign out there that one of our residents saw that says future route of 31. Mr. Mendenhall said he says all that to say that apparently South Carolina, they're going to fund it but it is going to stop at Hickman Road and tie back into Hickman Road. Mr. Mendenhall said apparently GSATS has talked about it and they don't feel like it meets the number scoring criteria nor do they have sufficient money to build it. Chairperson Brown said speaking of Hickman Road, a few years back they were talking about widening that road. Mr. Mendenhall said it is on their list of roads to widen and Calabash and he thinks they removed all that because they don't have the money for it. Member

O'Reilly said a couple of years ago at the NCDOT informational meeting, they informed everybody at that meeting that South Carolina DOT had enough money to bring that up to the state line at Highway 31. Member O'Reilly said they also said they had enough money to do the land clearing of the right-of-way at that present time but North Carolina was not prepared to do anything beyond that for another ten years. Mr. Mendenhall asked when that meeting was and Member O'Reilly said two years ago and Mr. Mendenhall said then nothing has changed. There was further discussion on the routes. Mr. Mendenhall said it may be that some entities in North Carolina do not want to see that highway be built. Mr. Mendenhall said it could be they want to spend money elsewhere in the state. Mr. Mendenhall said that is a good point to dump 4 lanes of 70 mph traffic onto Hickman Road would not be good. Mr. Mendenhall said they did promise that they would have another meeting to let folks know and that hasn't escaped anyone. Mr. Mendenhall said there has been a lot of discussion on how GSATS continually breaks promises to let people know. Mr. Mendenhall said he doesn't know how they got the mailing. There was further discussion on the routes. Member O'Reilly said they are supposed to have another meeting this year and narrow the routes down to two. Member O'Reilly said they sent those notifications but nothing ever came out of the notifications and there was a lot of anguish over the notifications they sent. Member O'Reilly said he doesn't know what came out of that. Member Powell said nobody did. Chairperson Brown said coming out of The Farm on Thomasboro there are some trees right there and it is very hard to see down Thomasboro to your right. Chairperson Brown said you almost have to pull out on Thomasboro to see if there is any oncoming traffic. Chairperson Brown said you are almost out into traffic. Chairperson Brown asked if any of those trees can be trimmed back. Mr. Mendenhall said we have a sight distance triangle and what we need to do is just enforce that. Mr. Mendenhall asked the clerk to make a note of that. Chairperson Brown said the trees are very tall and too close to the road. Chairperson Brown said a lot of people have complained to him about that because he is on the Planning Board. Mr. Mendenhall said no problem; we will take care of that. Member Campbell-Grothe said she was going to ask about Highway 31 but that has already been taken care of.

New Business:

Attendance – Chairperson Brown said he has brought this up before but when we have a meeting, can you please let our clerk know whether you can or can't attend a meeting. Chairperson Brown said that way we can know if we have a quorum. Chairperson Brown said he has forgotten a couple of times but it just a courtesy to her so she is not worried on whether we have a quorum or not. Chairperson Brown said if you could do that, he would appreciate it.

Public Comment:

Timothy Odea, 1050 Chadsey Lake Drive – Mr. Odea said he is here with his wife Elizabeth. Mr. Odea said the main reason they are here because there are a number of issues that have occurred. Mr. Odea said we live back where they have been clear-cutting and that is exactly what that is, it's clear-cutting. Mr. Odea said there is no consideration for any natural beauty. Mr. Odea said he understands from some of the community forums they have is that the one of the ladies questioned the crew and they said "we can do anything we want" which is inappropriate to say the least. Mr. Odea said we would like more information as there is a lot of rumors flying around. Mr. Odea said he would like to know who the builder is among many other things. Mr. Odea said he would like to know what the remedy is going to be. Mr. Odea said it is always close the door before the cow gets out. Mr. Odea said they are in the process still of cutting back and cutting down things he doesn't think they are entitled to do. Mr. Odea said this morning they were doing that. Mr. Odea said he thinks that somebody needs to go out there and stop them. Mr. Odea said if it has to be by legal order, then so be it; you just can't go all willy-nilly. Mr. Odea said as far as development goes, he is also concerned about impact studies that were done and if they were done, are they being adhered to. Mr. Odea said he is not what one would call a tree hugger by any means but we have a lot of beautiful birds, herrings, cranes and all kinds of beautiful things and

they are now drinking and living in the culverts. Mr. Odea said that is quite frankly disgusting. Mr. Odea said that should be addressed. Mr. Odea said you can't do everything for everybody but something has to be done to have this stopped so you can leave some natural beauty and natural habitat for the animals. Mr. Odea said the other point he has is about emergency planning. Mr. Odea said when these companies are building so many homes, is there any consideration given to emergency planning. Mr. Odea said such as, if there is an emergency evacuation or something like that, there is only one entry and egress for most of these developments. Mr. Odea said if there is an accident and first responders have to get in, if there is traffic on Thomasboro which is the only street to gain entry, what's going to happen. Mr. Odea said he wants to know if that's a consideration, letting everybody develop as much land as is there. Mr. Odea said we come from a place where we have already seen this and seen the impacts from this. Mr. Odea said as far as over building and everything else, he is going to come to next month's meeting and address a couple of questions on public housing and not having the infrastructure to support it. Mr. Odea said he has a Masters Degree from Boston University. Mr. Odea said he did crime studies, criminology and included in that is urban studies and how communities are planned, executed and provide safety. Mr. Odea said he wants to know if anybody wants to hear him on that. Mr. Odea said these things are very important and once you put these in, you are not changing them. Mr. Odea said it is very difficult to do that. Mr. Odea said you have to have schools, we have plenty of medical facilities but you also need supervised activities for any of these kids that come in, otherwise you are asking for problems. Mr. Odea said once they get out of school and get off the school bus, if you don't have something for them to do, they are going to run willy-nilly and you are going to see crime and the Sheriff's Office doesn't have the resources to stay down in this area. Mr. Odea said these are things that realistically should be addressed. Mr. Odea said he will be back in March to see if anybody has any questions or if he can make any suggestions, he will be willing to do so. Chairperson Brown referred to Mr. Mendenhall to answer questions. Mr. Mendenhall said you make a very good point about the trees, there is a 25-foot conservation buffer and there is a conceptual plan and development agreement that had to go before this body and Board of Commissioners. Mr. Mendenhall said there is no engineering set of plans yet but the conceptual plan identifies that 25-foot buffer. Mr. Mendenhall said they were told to mind the buffer and so on and so forth. Mr. Mendenhall said he was out there this morning and they have not. Mr. Mendenhall said we are going to have to rectify that is some type of corrective action plan. Mr. Mendenhall said he agrees with Mr. Odea about that. Mr. Mendenhall said the point about the ingress and egress, this body back in 2012 changed the ordinances. Mr. Mendenhall said the ordinance change does call for more than one point of ingress and egress but the problem is this body and the Board of Commissioner's hands are tied on some of these older subdivisions. Mr. Mendenhall said Lighthouse Cove goes all the way back to 2006, so it was conceptualized in 2006 under very loose ordinances and plans at that time. Mr. Mendenhall said what happened is that you had the recession in 2008 and Phase 1 was basically a field of 3 or 4 houses and has taken a long time to come to fruition. Mr. Mendenhall said Phase 2 has the vested right to develop based on the 2006 conceptualization. Mr. Mendenhall said you are seeing 13 years of it getting to where it needs to be. Mr. Mendenhall said if it were coming in new today, it would be a whole different ballgame. Mr. Mendenhall said you would be looking at sidewalks and looking for parks and two points of ingress and egress. Mr. Mendenhall said everything we have in Town except for the Novant Facility, its all a holdover from 2005. Mr. Mendenhall said The Farm has a vested right going back that far and Calabash Lakes is the same way. Mr. Odea said the only thing he has to say about that is he is a retired police officer from New York City and he has seen many, many situations where emergencies happen and there is utter and total chaos. Mr. Odea said even though there is a plan for us. Mr. Odea said our response plans had numbered plans with different types of incidents, depending on the incident and where it happens. Mr. Odea said God forbid, something, an accident or something preventing people from getting out, you will have panic. Mr. Odea said you will have dangerous situations and you will have people hurt, guaranteed. Mr. Odea said people will start fights, start smacking cars and all kinds of things that are not good. Mr. Odea said then there will be a problem you will not be able to fix. Mr. Odea said that is all he had. Member Hapner asked if the road was ever put in between Calabash Lakes and The Village at Calabash. Mr. Mendenhall said not yet but it is under a plan to get put in, in the

spring. Mr. Mendenhall said it will be a bridge. Member Hapner said they approved a road to be put in between Calabash Lakes and The Village at Calabash for that very purpose. Mr. Odea said okay. Member Hapner said that would allow for two points of ingress and egress in case of an emergency for those two places. Member Hapner said unfortunately for Lighthouse Cove, there is no land available where we could put a second one. Member Powell said at a meeting about 20 years ago they were talking about what they could do and she said parks. Member Powell said they said we don't need parks, we're too old to go to parks. Member Powell said yes but the kids grow up and if you don't give them something to do, you won't like it, you need to give them a place. Member Powell said they said you don't understand. Member Powell said she may not know all the rules and regulations but she raised four kids and don't tell her they are going to find something else to do. Mr. Odea said between 3:00 pm and 7:00 pm is classically prime time for crime and that's why it has to be supervised. Member Powell said and during the summer when kids are down here from the north. Chairperson Brown said speaking of parks, we are doing that and Member Powell said she knows but it is now 20 years later. Mr. Odea said it has to be supervised activities otherwise it gets out of hand. Mr. Odea said he has seen places where there are beautiful parks, skateboard parks and all kinds of things and what they decided to do was afterschool when mothers were there with their young children and they didn't have any supervised activities, they locked the gates on all those things and had a patrolman in a car. Mr. Odea said it has to be done properly and thank you very much ladies and gentlemen.

Steve Jochim, 1060 Chadsey Lake Drive – Mr. Jochim said he guesses about a couple of weeks into this in terms of the violation, clearly he has spoken to a Town official and had Tony come out and look at it and Tony said they are respecting the boundaries and he said no, they are not. Mr. Jochim said they are moving much to close. Mr. Jochim said he called the Mayor and said they were moving too close. Mr. Jochim said yesterday, he went out and spoke to the guy who was cutting the trees and he told him you are not allowing us to have a buffer zone. Mr. Jochim said the poor guy who lives in the other development in The Village at Calabash, they knocked out every tree behind his house. Mr. Jochim said now there are points of accountability. Mr. Jochim said he is expecting that when he speaks to the Mayor, he speaks to a Town Official and he says the train is coming, they're cutting trees, nobody does anything about it. Mr. Jochim said he asked Tony if he has plans and Tony said he has no plans. Mr. Jochim said he comes here and people don't even know what he is talking about. Mr. Jochim said so he asks who is in charge here. Mr. Jochim said does anybody know who is in charge. Chairperson Brown asks if Mr. Jochim is referring to what Mr. Mendenhall discussed earlier about the tree violation and Mr. Jochim said yeah. Mr. Mendenhall said that is correct. Mr. Jochim said you know the part that is disturbing, he told you about two weeks ago and you went out there today. Mr. Jochim said he can't help you all but he lives in this town, he pays taxes and he wants to know who is watching out for the welfare of himself and his family, whose watching out for them. Mr. Jochim said if he brings it up to you that there is a problem, the train is coming and you do nothing, what choice does he have. Mr. Jochim said he thinks he had more impact by going out and confronting the guy who was cutting the trees than he did in talking to Town officials. Mr. Jochim said he finds that disturbing, he does. Mr. Jochim said in his job, he was appointed responsibility and when it's brought on his plate, he has to take action and listen. Mr. Jochim said nobody knew anything about any plans. Mr. Jochim said plus environmentally, the Town was back there cleaning out the culvert to prevent flooding, that's great, he applauds that. Mr. Jochim said all that cutting of all those trees is going to cause erosion and that's going to silt up and that's going to flood more. Mr. Jochim said his degree is in rehabilitation and it doesn't take a rocket scientist to see when you cut all those trees along the culvert, that is going to erode and cause flooding. Mr. Jochim said has anyone looked at that, have there been any environmental impact studies on that, has there. Mr. Jochim said or is it just people do whatever they want. Mr. Jochim said people seem to do whatever they want here, it's a free for all. Mr. Jochim said so do we have to take matters into our own hands or can we rely upon Town government to manage. Mr. Jochim said he thinks that is a legitimate question and he doesn't want any problems, he wants peace. Mr. Jochim said but if nobody is doing anything, he doesn't know what to say. Mr. Jochim said he is flabbergasted by this to be honest with you. Mr. Jochim said he has never seen anything like this in his

62 years, this is like amazing. Mr. Jochim said he is asking, when we do something, does anybody look at the environmental impact it is going to have on the environment or is that negligible, he wants to know. Mr. Jochim said or when he asks a Town official how far are they going to cut and they say they are going to respect the boundaries, they cut the trees right down. Mr. Jochim said who is he to trust, who is he to go to, those are his questions. Mr. Jochim said believe him, he doesn't want to have an adversarial relationship but he has been kind and polite and going to people and telling them the train is coming and nothing was done. Mr. Jochim said he doesn't know; he thinks you just need to tell him who is in charge. Mr. Jochim said are the developers in charge because he will go talk to them. Chairperson Brown said he doesn't know what happened and this is the first time he has heard about it as this Board of Planning and Zoning. Chairperson Brown said this is the first he has heard of it. Chairperson Brown said as you heard, Mr. Mendenhall said this is going to have to be rectified and they are going to correct it. Mr. Jochim said the horse has left the barn; the horse has left the barn. Chairperson Brown said he agrees with him there but he doesn't know what happened in that two-week period and he can't answer that. Mr. Jochim said directly behind his house, he thinks the gentleman stopped because he absolutely confronted him yesterday and he thinks that persuaded him to at least pause, not stop it but pause. Mr. Jochim said his main concern is the culvert and you are cutting down all the vegetation. Mr. Jochim said it doesn't take an engineer to say that is going to erode and fill up and cause flooding. Mr. Jochim said who looks at this, does anyone look at it. Chairperson Brown said you should not be confronting anybody who is doing work there. Mr. Jochim said that is the only thing that had any impact. Chairperson Brown said he can't answer that question. Member Powell said we have a part to. Member Powell said we can't at this point, as Chairperson Brown said certain people have been made aware of what is going on and not that it shouldn't have been on their minds because it should have. Member Powell said she is not saying it wasn't but what she is saying is that it hasn't been in front of this Board. Member Powell said she is sure that it will be brought further and she is sure that you will be hearing or seeing a difference in the near future. Member Powell said she knows there is a thing that is on the computer and everybody has been asking why are we taking down trees because it used to be that you had to get permission from everybody in the world to get a tree taken down on your property, why are the trees coming down. Member Powell said she does not have the answer. Member Powell said we as a Board here, do not have that answer but we will look into it and get an answer. Mr. Jochim said he appreciates that very much, he does but his only thing is that he has been talking about this for two weeks. Member Powell said as she said, it should've not come to this point, you are absolutely right, it should not have come to this point but we are going to look at it and see what we can do at this point. Mr. Jochim said he appreciates that, you're good folks, you volunteer to be here and he applauds and appreciates that. Mr. Jochim said his only concern again is that he wants to know what the rules are, who does the environmental study, who is enforcing the buffer zones and ultimately who is in charge. Member Powell said she thinks that he has expressed that and we as a Board here, understand that and we will work as we can to get the answers for you or somebody get them to you, alright. Mr. Jochim said he appreciates that. Chairperson Brown said during that two-week period and he doesn't know this, he is just guessing but there could've been something that was done, was said to the contractor or whoever is removing the trees. Chairperson Brown said it could've been miscommunicated there. Chairperson Brown said again, he doesn't know but there could've been communication from the Town to the developer and maybe miscommunication between them, we don't know that. Chairperson Brown said there are a whole bunch of different scenarios that could've happened and he can't give you an answer on that. Chairperson Brown said he doesn't think you can just blame the Town; he thinks they may have taken steps to avoid and something happened there but it will be rectified. Mr. Jochim said in any system, there are points of accountability. Mr. Jochim said in this system, the Town is responsible. Mr. Mendenhall said no sir, no sir, the Town is not responsible, the developer is responsible. Mr. Mendenhall said we just said here that we are holding the developer responsible. Mr. Mendenhall said he is getting a Notice of Violation to fix the problem. Mr. Mendenhall said the developer is the responsible entity, the permit holder. Mr. Mendenhall said the Town did not cut the trees, nor did the Town endorse the trees be cut. Mr. Mendenhall said as a matter of fact, this Board requires a 25-foot conservation easement and that is where the violation is. Mr.

Mendenhall said so who cut it, not any of these people. Mr. Jochim said he understands that. Mr. Jochim said if he comes and tells you people two weeks ago that the train is coming and if it looks to him that somebody is sitting on their hands, then yeah, he is going to speak up on that. Mr. Jochim said he feels he has a responsibility to do that, there was no action at all, you saw what they did. Mr. Mendenhall said he would be careful of the idea that no action occurred because you are not a part of the developer/Town conversation. Mr. Jochim said there was impact and Mr. Mendenhall said that could be a whole other concern. Mr. Mendenhall said that could be a concern that we all share. Mr. Mendenhall said when you tell a developer that the residents are upset about the buffer and you need to mind the buffer and that hasn't been minded, that is a whole different conversation. Mr. Mendenhall said to allege that nobody hasn't done anything, just be careful with that. Mr. Jochim said he understands and he will be careful with that but he's looking out his window and seeing trees fall, I'm upset. Mr. Mendenhall said you have the right to be upset. Mr. Jochim said again, you are good folks and he appreciates what you are doing but what he has experienced in the last couple of weeks, he has found disturbing. Mr. Jochim said that is it for him, thank you.

CHAIRPERSON BROWN MADE A MOTION TO CANCEL THE PLANNING BOARD MEETING OF MONDAY, FEBRUARY 25, 2019 AT 3:00 PM DUE TO LACK OF BUSINESS. MEMBER HAPNER SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Adjourn:

MEMBER CAMPBELL-GROTHER MADE A MOTION TO ADJOURN THE FEBRUARY 20, 2019 PLANNING BOARD MEETING AT 11:41 AM. MEMBER POWELL SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Chairperson

Submitted by:
Nicole Hewett, Town Clerk