

TOWN OF CAROLINA SHORES
Planning Board
Workshop Meeting Minutes
April 18, 2018
11:00 a.m.

At 11:00 a.m., Chairperson Mark Brown called the April 18, 2018 Planning Board Meeting to order. The Pledge of Allegiance was recited and there was a moment of silence. The following members attended: Greg Hapner, Kathryn Powell, Ruth Ann Campbell-Grothe and Dan O'Reilly (arrived at 11:15 am). Also, present: Joseph J. Przywara, Liaison and Nicole Hewett, Town Clerk.

Absent: Alternate Member Normand Neligon and Town Administrator, Jon Mendenhall.

Alternates in Public Attendance: None

Oath of Office: Chairperson Brown said Member O'Reilly is running a little late and we will move this item to the end of the agenda.

Approval of Minutes:

MEMBER POWELL MADE A MOTION TO APPROVE THE PLANNING BOARD MEETING MINUTES OF MARCH 21, 2018. MEMBER CAMPBELL-GROTHE SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Administrative Reports:

Chairperson Brown said there are no administrative reports due to Mr. Mendenhall not being present.

New Business:

Consideration of Rezoning from R-6 to PRD – Landmark Subdivision – Chairperson Brown said this is consideration of rezoning from R-6 to PRD in Phase 2 at Lighthouse Cove. Chairperson Brown said that Mr. Frank Braxton is here from Coastal Land Design. Mr. Braxton said this is similar to the previous meeting but we have modified it a little bit to have the ability to provide for a small park space. Mr. Braxton said the point where they are at is 103 lots. Mr. Braxton said water and sewer is being provided for by Brunswick County. Mr. Braxton said there is an existing pump station on site. Mr. Braxton said it is fairly straightforward; it's a continuation of Phase 1. Mr. Braxton said it's all connected and right now we are trying to enter into a PRD, to give more flexible zoning and kind of lets us move into a development agreement. Mr. Braxton said the development agreement is kind of an insurance for both sides, commitment of both parties and allows the project to move in an orderly fashion. Mr. Braxton said he thinks they are ready to propose what their setbacks are and squeeze that down a little bit. Mr. Braxton said they are still working on drainage on which side of the ditch we need to go and that would need to be approved by the Town. Mr. Braxton said there would be a bond situation that would be available as they are putting in sewer and water. Mr. Braxton said he would be happy to answer any questions. Chairperson Brown said currently it is R-6 and there is a ten foot minimum side yard and you are asking for a five foot minimum. Mr. Braxton said it would still remain ten feet from the building. Chairperson Brown said currently it is R-6 so if you had to build now, it would be twenty feet and Mr. Braxton said that is correct. Chairperson Brown asked what the setbacks are in Phase 1 and Mr. Braxton said they are ten. Chairperson Brown asked what the square footage of the homes that would be built; are they same as in Phase 1. Mr. Braxton said they are pretty close and are around 1,200-3,200 square feet. Chairperson Brown asked how many different models they have

and Mr. Braxton said he thinks three or four. Mr. Braxton said there are a couple of builders that are interested. Mr. Braxton said the price points are around the \$220,000.00-\$250,000.00 range which is consistent. Member Campbell-Grothe said so it's still a number of 103 homes whether you are R-6 or PRD. Mr. Braxton said there would be a few more added with the PRD about three or four and would total 103 and Member Campbell-Grothe said that is why you need to squeeze them. Mr. Braxton said right and to make a little more allowance at the end to put a small park, approximately two lots. Chairperson Brown said you are saying this would be consistent with Phase 1. Mr. Braxton said yes, same roads curb and gutter and storm drains; everything is the same. Chairperson Brown said except for the side setbacks where you would go from a minimum now of twenty feet down to ten feet and Mr. Braxton said correct. Chairperson Brown said that doesn't fall into consistency with him. Mr. Braxton said in more cases it would probably be more than ten feet; ten feet would be the minimum. Mr. Braxton said in this case, we like to set it up so that everything is 18 inches above the curb line. Mr. Braxton said that way we make sure that everything drains to the road or the back of the property, it's critical. Chairperson Brown said we had something similar in Calabash Lakes; they were R-8 and they were asking for a five foot setback which we actually went to a seven and a half foot setback from a ten. Chairperson Brown asked how that would work for them because there is a lot of concern about water runoff; that comes up every time. Chairperson Brown said a developer comes in and the more houses that are built the less room for water runoff. Chairperson Brown said he thinks that is probably one of the biggest concerns. Mr. Braxton said we look at that very seriously to make sure it doesn't and we set the elevation of the pads and the drainage back to the ponds; it's all interconnected. Mr. Braxton said that was discussed at the community meeting they held and one person showed up and they had forty sandwiches. Mr. Braxton said we can collect the water and the Town has the say on that. Chairperson Brown said the property where it backs up to The Village, that is a concern. Chairperson Brown said that's why as members up here we voice our concern because it's always about the water. Mr. Braxton said it may be in this particular case, we haven't started the stormwater pond yet and we are now getting the input from you all as to how we release that water. Mr. Braxton said we are getting input and we could split it and put water on both sides. Chairperson Brown said with the current R-6 zoning with ten foot setbacks, how many houses would that be and Mr. Braxton said about 98. Chairperson Brown said we are only talking about five houses difference. Mr. Braxton said the bottom line is we can adjust a little bit, if you were thinking about splitting the difference to seven and a half feet, we could swing down to the park area a little bit. Mr. Braxton said we have to be responsible as far as costs go. Chairperson Brown said with the current zoning now the minimum lot width is sixty feet and you are asking for fifty feet. Mr. Braxton said that is correct. Member Hapner said you have ditches on both sides and Mr. Braxton said correct. There was further discussion on the ditches. There was discussion on not having a second entrance at Lighthouse Cove. Mr. Braxton said they don't have all of their data on the drainage but there are a few different ways we can carry the water. Member O'Reilly arrived and Chairperson Brown brought him up to speed. Member O'Reilly asked they want to go from a ten foot side setback to a five foot side setback. Mr. Braxton said we are trying to increase the number of lots. Mr. Braxton said we need the additional lots to meet the performance to be in the price range and with the increase of costs; we don't want to price ourselves out of a market and have houses that are more expensive than in Phase 1. Member Campbell-Grothe asked with the proposed decrease of the setbacks, do you think it will affect the market and Mr. Braxton said the Market Study shows no. Member O'Reilly said his concern with this is fires; you are going to lose two or three houses. Member O'Reilly said that would be his objection. There was discussion on fires and safety. There was discussion on the fire at The Farm at Brunswick. Member O'Reilly said you are talking very dangerous circumstances with five foot setbacks between houses. Mr. Braxton said he doesn't know if the additional feet on the setbacks would change anything with a hot fire and Chairperson Brown said it might not. Chairperson Brown said for him it's like cramming everything together. Member O'Reilly said you're basically talking about money and Mr. Braxton said in a way we are talking about affordability. Member O'Reilly said you are talking about raising the density of the property. Mr. Braxton said slightly, four or fives lots maybe. Member Campbell-Grothe said Mr. Braxton said it would be 98 lots under R-6 and 103 lots under the PRD. Mr. Braxton said we could possibly take the park back and change the

setbacks, that's why we're here to talk about it. Member Campbell-Grothe asked if the five foot was set by the fire department and Mr. Braxton said the 10 foot minimum is set by the National Building Code. Mr. Braxton said it is what you feel comfortable with and this is why we are meeting and he will go back to the developer. Chairperson Brown said we had this problem at Calabash Lakes and people were concerned because when it's done the developer is gone and they were ok with the seven and a half foot setback. Chairperson Brown said he doesn't think a five foot setback is consistent with what is already there. Chairperson Brown said what is being proposed is a five foot setback with a fifty foot lot width. Mr. Braxton said the fifty foot lot width would be the minimum. Chairperson Brown said we could go with a seven and a half foot setback and a lot width of fifty five feet.

CHAIRPERSON BROWN MADE A MOTION THAT THE SETBACKS BE SEVEN AND A HALF FEET WITH A MINIMUM LOT WIDTH OF FIFTY FIVE FEET. MEMBER HAPNER SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION CARRIED WITH MEMBERS BROWN, HAPNER, CAMPBELL-GROTHER AND O'REILLY AS YES AND MEMBER POWELL AS NO.

Consideration of Preliminary Plat – Chairperson Brown said the Planning Board will table this item.

Chairperson Brown thanked Mr. Braxton for coming. Mr. Braxton thanked the Planning Board.

Oath of Office: Member Dan O'Reilly took the Oath of Office as Planning Board/Board of Adjustment member.

Member O'Reilly said when these people come before us with these small subdivisions, these houses so close; we have to take into consideration fire hazards. There was further discussion on fires and fire hazards. Member O'Reilly said there are people in those houses and this is really what we have to consider here. Member O'Reilly said the developer wants to make money, all well and good but we have to take into consideration that people are going to be living there. Member O'Reilly said the other thing you have to take into consideration is the water runoff is only going to one place and that's under Highway 17. Chairperson Brown said that has always been an issue. Member O'Reilly said that is the other problem; they are going to build more houses on a limited amount of land and where is that water going to go. Member O'Reilly said that is the other problem. Commissioner Przywara said they are going to have to get a permit from DENR and the requirement is there has to be less water runoff after development than before development. Member O'Reilly said he understands that but we are dealing with unknowns. Member O'Reilly discussed 50 foot of trees coming down over at his house and a total of two miles of trees for a ditch and we've never had a problem with that ditch. Member O'Reilly said the problem was the Sunfield ditch. Member O'Reilly said how much water would the trees pick up, now they are gone. Member O'Reilly said how many trees are we losing here by putting more houses in; where is the water going; it's all going in those ditches. Member O'Reilly said that is his argument. Member Powell said she doesn't think it is an argument; she thinks it is a statement. Member O'Reilly said all these house have vinyl siding and vinyl burns real quick and there is slate board underneath that and that goes up like tinder and none of these houses will withstand a quick fire. Member O'Reilly said this is really something we should start considering is public safety. Member Powell said she thinks we should look at public safety that is our job. Member O'Reilly said maybe we should invite somebody from the fire department in here and maybe they could give us some guidelines. Member O'Reilly said we have to look at these things. Member O'Reilly said all they want to do is build and take the money and leave. Member O'Reilly mentioned D.R. Horton walking away at first when the trim started peeling on all those houses. Chairperson Brown said they took care of that. Commissioner Przywara said more houses are starting to peel. Member Campbell-Grothe said well we don't approve the building materials and Member O'Reilly said he understands that. Chairperson Brown said we want building to go on but we don't want everything next to each other. Member O'Reilly said Joe you were around on the Board when we got that 22 inches of rain. Member O'Reilly said he just recently found out from the Carolina

Shores POA President that the sewage treatment plant opened up their floodgates on their holding tanks and dumped all of their sewage out. Member O'Reilly said it never made the newspapers and no Board of Health investigations. Member O'Reilly said there was a lot of raw sewage in a lot of those houses that flooded. Member O'Reilly said there was nothing done about it, nobody sued. Commissioner Przywara said unfortunately it happens all over the country. Member O'Reilly said right now and Jerry Franklin will tell you, they have sewage coming up out of the manhole covers right by that sewage plant. Member O'Reilly said Jon has been saying they are in remediation trying to get the County to take care of it. Member O'Reilly said people that live right behind the golf course down there, a guy wanted to put up a fence but he can't even sit out on his deck because of the stench from the sewage treatment plant and he has called everybody and nobody wants to talk to him about it. Member O'Reilly said not even the news media. Member O'Reilly said that guy is fit to be tied and he just bought the house. Member O'Reilly said these are the problems that our Town has to put up with. Member O'Reilly said somebody needs to do something about this and nobody seems to want to take the responsibility. Member O'Reilly said he doesn't understand it; you have raw sewage coming up in the streets and nobody seems to care or know about it. Commissioner Przywara said that he will follow up with Jon and Member O'Reilly said he would appreciate that. Member O'Reilly said he has the gentleman's information and he will forward that information to the Town Clerk and she can give it to Jon. Member O'Reilly said this is another problem and the sewage treatment plant needs to be upgraded. Member O'Reilly said he also found out that on Pinewood Drive, he was speaking to a lot owner there and he wanted to build and the County Board of Health demanded he do a perk test on that property. Member O'Reilly said they did not want him going into the pressure main. Member O'Reilly said that if the property perked they wanted him to put in a septic tank and not go into the pressure main because the pressure main is overloaded. Member O'Reilly said that's what he was told. Member O'Reilly said there are For Sale signs all over Pinewood Drive and people are finding this out now and going to the County to find out what they have to do and this is what the County is telling them; the lot has to be perk tested. Commissioner Przywara said it doesn't make sense and Member O'Reilly said no, it doesn't because it is supposedly mandated to go into the sewer system if there is sewer available. There was discussion on the pumping station. Member O'Reilly said God forbid we have another major storm is this sewage treatment plant in Carolina Shores going to do another dump and somebody has to start asking these hard questions. Commissioner Przywara said he will follow up with Jon.

Public Comment:

Mr. Walter Goodenough, 905 Palmer Drive – Mr. Goodenough said this is something that came up around seven years ago, ten years ago when you first started talking about Lighthouse Cove and that was some kind of buffer zone between the 10 or 15 homes in The Village with the tail end of Lighthouse Cove. Mr. Goodenough said he believes the Town had agreed to a 25 foot, undisturbed buffer. Mr. Goodenough said meaning the trees are there; there wouldn't be a berm of any kind. Mr. Goodenough said he is hoping that is still in place with the Town. Mr. Goodenough said he has talked to Jon Mendenhall and he assured me it is but after what they are doing over on Pinewood, he is wondering whether or not they were planning on tearing down all of those trees and making that ditch accessible to the Town. Mr. Goodenough said the other issue he has and he had it in 2007 was the stormwater runoff with that community. Mr. Goodenough said when Jean the Building Inspector, she was at the meeting and even has pictures, they kind of assured me and the residents that everything in Lighthouse Cove was going to tip towards Thomasboro and drain that way and then come up into the big canal behind his house which is called the Thrush Ditch giving it some room to dissipate before it gets behind his house. Mr. Goodenough said he had 22 inches of rain at his house a couple of years ago also and the water behind his house never breached his seawall that he has. Mr. Goodenough said the seawall is 6 feet high and it is 12 foot wide. Mr. Goodenough said the water came from an inch of the top. Mr. Goodenough said the problem he has in looking at the recent drawings, in what he plans to do is with the stormwater; he is going to have a pond on the homes on the sides with the exception of the homes back by his ditch. Mr. Goodenough said it is going to go towards two ponds in the middle of the development. Mr.

Goodenough said the first pond fills up, it will go to the other pond and then when that pond fills up, he has three pipes coming out, one of which comes directly into the ditch behind not his house but three houses up. Mr. Goodenough said that ditch during a rainstorm cannot handle anymore water coming directly into it and he doesn't know if the Planning Board has the drawing. Mr. Goodenough reviewed the drawing with the Planning Board. Mr. Goodenough said there seems to be an easement between these homes but it's piped into the main right here. Mr. Goodenough said the other issue he has is at the end of Palmer, this all floods down here no matter how much rain you have. Mr. Goodenough said instead of shooting the water into the Bogie Ditch, they decided to shoot it back into the ditch over here and then go between these homes back into the main ditch here. Mr. Goodenough said four of these homes back here on Palmer have a 48 inch pipe in their backyards. Mr. Goodenough said he has a ditch that is 12 feet wide and 6 foot deep. Mr. Goodenough said four of those homes have 48 inch pipes and you are going to bring more water into here and it is like, it's not going to work. Mr. Goodenough said he doesn't want water in his backyard, it's not going to get in my house but it is going to get in his backyard. Mr. Goodenough said so he doesn't know what the answer is. Mr. Goodenough said this is the water barrier over here and this would be the Lakes. Member O'Reilly said he had made a suggestion last year when they had an engineer here to have a pumping station and pump it out to the Calabash River. Mr. Goodenough said the Army Corp of Engineers won't allow you to do that. Mr. Goodenough said that has been brought up before. At this time, there were a few conversations going on but Mr. Goodenough said when you come up the road by all of the restaurants, the Army Corp of Engineers is calling that some kind of ridge and they won't break that ridge for anything. Member O'Reilly said this development is going to cause more problems and we shouldn't approve it. Member O'Reilly said how can we approve something that the ditches in the area can't handle. Mr. Goodenough said like he said at The Village, it comes back behind this ditch here and he has a ditch that is 12 feet. Mr. Goodenough was explaining the flow of water from the ditch behind his house. At this time, there were multiple conversations going on. Member O'Reilly said basically what you are saying then is, it should be an engineering problem then and before we approve it; we should get some type of engineering approval on the stormwater runoff. Mr. Goodenough said the more water you put in this system is going to end up in Shingletree; it's going to be affected by this water. Mr. Goodenough said we are in the high end of the community, everything in The Village goes past The Farm, Calabash Lakes, Carolina Shores and dumps right there on Highway 17 where everything else is. Member O'Reilly said it's going to end up on the south part of Sunfield, on the western part of Sunfield and that whole main ditch is going to flood out. Mr. Goodenough said maybe a stormwater study on that because this is not going to help that and Member O'Reilly said he agrees. Mr. Goodenough said he understands the fire and setbacks and stuff like that. Mr. Goodenough said the other problem he has is no matter what size pad you give someone to build a house, whether it's 50, 60 or 80 foot wide; they will put the biggest house they can on that piece of property. Mr. Goodenough says now he has concern about his community and his house. Mr. Goodenough said he doesn't want that much water in there to have to worry about. Mr. Goodenough said they have to get the water into the ponds but then that water has to go somewhere and that is his concern. Chairperson Brown said that needs to be put in the plan before they approve it. Member O'Reilly said we should get the Town Engineer involved in this. Member O'Reilly asked Mr. Goodenough if he is going to be involved with this and Mr. Goodenough said he is concerned about it but this is the first meeting he has been to on it. Mr. Goodenough said he knows where the water goes and he knows where the drainage pipes are. Chairperson Brown said when they come back to the Planning Board's next meeting with the Preliminary Plat, maybe there will be more residents here. Mr. Goodenough said he doesn't know and they sent out 30 letters last week and they were expecting 40 something people there and tables of food. Mr. Goodenough said some people just don't care or they just look at it and say it is going to be what it is going to be. Mr. Goodenough said he told Commissioner Brennan that nobody showed up for this meeting and when residents start calling and complaining about what is going on in Lighthouse Cove, tell them they can kiss my butt. Mr. Goodenough said basically they weren't here, they don't care. Mr. Goodenough said that is why he is here because he does care. Commissioner Przywara said we need to clarify this process with Mr. Mendenhall. Mr. Goodenough said it would seem that you would look at and get approved the

stormwater first before you even think about putting in houses and stuff. Member O'Reilly asked how they could reroute the water out there. Mr. Goodenough said the only way they could do it is to route it up Thomasboro and come back around which lets the water filter through the dirt and sand. Mr. Goodenough said no matter which way you route it, it's all going to come to that back ditch.

Commissioner Przywara said something the Board should consider when updating the UDO, we are considered Tree Town USA and we have every developer come in and clear all the trees. Commissioner Przywara said we should start considering that they put more trees in. Commissioner Przywara said so if you take out 20 trees, you should have to put back a certain percentage. Commissioner Przywara said every time he sees Tree City USA, he looks at his backyard and thinks something is wrong here.

Mr. Bill Hanley, 182 Lighthouse Cove Loop – Mr. Hanley said he just has a question. Mr. Hanley said he is sitting on the new Parks Commission of the Town and he thought this would be that body that they would be dealing with correct? The Planning Board members said no. Mrs. Hewett said the first meeting of the Parks Commission is May 16, 2018 at 2:00 and that Commission reports to the Board of Commissioners.

Adjourn:

MEMBER CAMPBELL-GROTHER MADE A MOTION TO ADJOURN THE APRIL 18, 2018 PLANNING BOARD MEETING AT 12:15 PM. MEMBER O'REILLY SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Chairperson

Submitted by:
Nicole Hewett, Town Clerk