

TOWN OF CAROLINA SHORES
Planning Board
Workshop Meeting Minutes
November 14, 2018
11:00 a.m.

At 11:03 a.m., Chairperson Mark Brown called the November 14, 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 and Alternate Members: Pamela Faria and Normand Neligon. Also, present: Jon Mendenhall, Town Administrator and Nicole L. Hewett, Town Clerk.

Absent: Members Ruth Ann Campbell-Grothe, Daniel O'Reilly, Kathryn Powell and Commissioner Joseph J. Przywara, Liaison

Alternates in Public Attendance: None

Approval of Minutes:

ALTERNATE MEMBER NELIGON MADE A MOTION TO APPROVE THE OCTOBER 22, 2018 PLANNING BOARD MEETING MINUTES. ALTERNATE MEMBER FARIA SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION MADE BY UNANIMOUS VOTE.

Administrative Reports:

Mr. Mendenhall said on the agenda today you will see Phase 16 & 17 for The Farm at Brunswick. Mr. Mendenhall said these are the last Plat Phases and we are very excited to see that come to fruition today. Mr. Mendenhall said Phase 6 of Calabash Lakes will be brought up today as well. Mr. Mendenhall said you are seeing the end of all your hard work but the Comprehensive Plan and the Unified Development Ordinance have been rewritten to get you to this point and place today. Mr. Mendenhall said that is a very positive endeavor. Mr. Mendenhall said you will probably see in the newspaper coming out this week talking about drainage improvements and working with the County on long term drainage solutions to the Caw Caw and the Waccamaw flooding situation. Mr. Mendenhall said he is very happy to report that due to team work and partnership both publicly and privately with the County, the developers and their engineers to make sure that the improvements with the development that are occurring in our jurisdiction particularly in North Carolina are done in a manner that is both resilient and in tune with drainage and flood concerns. Mr. Mendenhall said that is a very big thing and we encourage people to read the newspaper when it comes out.

New Business:

Consideration of Rezoning from R-8 to PRD – Calabash Lakes Phase 6:

Ms. Jessica Wise said she is from DDC Engineers and she is with Mr. Patrick Wahl from D.R. Horton. Ms. Wise said we are converting it from townhomes to duplex units that we have proposed in Phase 5 and a single-family lot. Ms. Wise said it is 1.8 acres and we are going from 21 townhomes to 10 duplex units and 1 single-family lot. Ms. Wise said all lot dimensions are similar as to what was done out there by D.R. Horton. Chairperson Brown asked if there were any infrastructure in there right now. Ms. Wise said yes sir, the roads are installed and parking spaces but they will use what they can, where it is applicable and needed. Chairperson Brown said how many townhome units were there going to be. Ms. Wise said there was going to be 21 total and now we are going to 10 duplex units and 1 single-family lot. Chairperson Brown said probably the reason for this is the economy, that the duplexes sell better than the townhomes and Ms. Wise said yes sir. Chairperson Brown said this is the last Phase for

Calabash Lakes and Ms. Wise said yes sir. Chairperson Brown asked how everything else is going there as far as the building. Mr. Wahl said it is going great so far. Mr. Wahl said sales have been great out there and Phase 4 is coming around. Mr. Wahl said the rain slowed us up some but things are moving well and selling well. Mr. Wahl said they plan on working with the community on the way out as well. Chairperson Brown asked how many total number of units are going to be in there. Mr. Wahl said right off hand he is not sure. Member Hapner asked if they have seen any drainage issues in that area yet. Mr. Wahl said we haven't yet. Mr. Wahl said he thinks they worked out any issues they had over in Phase 4. Member Hapner said you had a good test. Mr. Wahl said we had some complaints come in but we went out and checked and we had our silt fence sitting on top of the grates and we pulled those. Mr. Wahl said if we do get a complaint, we go out and make sure there is no blockage. Mr. Wahl said we usually go out and check before a storm to make sure it is draining properly. Chairperson Brown asked if there had been any other issues with the flooding to the entrance of Calabash Lakes and Mr. Wahl said no, not at all. Member Hapner said you said that Phase 6 is 1.8 acres and Ms. Wise said yes, sir. Ms. Wise said it's this little area when you are coming into Phase 3. Member Hapner asked if the duplex units will be the same. Ms. Wise said if she is not mistaken, they will be the exact same duplexes as in Phase 5.

CHAIRPERSON BROWN MADE A MOTION TO RECOMMEND TO THE BOARD OF COMMISSIONERS TO REZONE THIS FROM R-8 TO PRD FOR CALABASH LAKES PHASE 6 AND CHANGE IT FROM TOWNHOMES TO DUPLEXES. MEMBER HAPNER SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Preliminary Plat for The Farm at Brunswick Phases 16 & 17:

Mr. Mendenhall said this is a completion of the previously zoned master plan at The Farm at Brunswick Phases 16 & 17. Mr. Mendenhall said we have a plat map here and passed it around. Mr. Mendenhall said of course, this process is not the end all process. Mr. Mendenhall said the preliminary plat lays out where the roads and lots are going. Mr. Mendenhall said the engineering design has to occur and the final plat for recordation purposes has to follow it. Mr. Mendenhall said you can see the disposition of the lots and the roads. Mr. Mendenhall said we start big and then get a master plan, then a preliminary plat, final plans and then a final plat. Mr. Mendenhall said the road gets surveyed and we get a master plan and then a final plat in that process. Mr. Mendenhall said this is in the process of how all that works. Mr. Mendenhall turned the meeting over to Mr. Wahl from D.R. Horton. Mr. Wahl said right now we are working through the design process. Mr. Wahl said they just submitted the paperwork for the stormwater permit last week and he thinks they are expecting plans back in January to get that concept back. Mr. Wahl said Phase 15 will be completed in March 2019 as of right now. Chairperson Brown asked how many homes are in Phases 16 & 17. Mr. Wahl said that is a good question. Chairperson Brown said he guesses a better question would be how many homes total will there be in The Farm at Brunswick when it is complete. Mr. Wahl said he honestly does not know and he does not have the master plan in front of him. Mr. Wahl said he started working at The Farm in Phases 13 & 14 and there are 45 in there and there are 54 in Phase 15. Chairperson Brown said you are going to be doing the same thing in Phases 16 & 17 as you are doing right now in Phases 13-15 such as elevations. Mr. Wahl said the elevation will be 12-18 inches above the grade of the road. Mr. Wahl said Phases 15, 16 & 17, that site is low and there is not much pond area to dig out. Mr. Wahl said they are running about 500 trucks a week at least. Mr. Mendenhall said the amount of fill that is brought in is a protection standard. Mr. Mendenhall said the Town requires 3 feet of freeboard above base flood elevation. Mr. Mendenhall said it has not flooded. Mr. Mendenhall said they are also required to not discharge stormwater in excess of what the pre-development standard is. Mr. Mendenhall said there is no increase of negative impacts downstream. Mr. Mendenhall said you are getting a huge bang for your buck on stormwater retention and protection standards that we originally didn't have in other neighborhoods. Mr. Mendenhall said somebody is paying that cost to fill. Mr. Mendenhall said that D.R. Horton is paying the subcontractor for that fill and the cost is absorbed by the homeowner when they purchase the

house. Mr. Mendenhall said there are a lot of things going on here that are all tied together. Mr. Mendenhall said sometimes it's hard for the public to understand that there is a flood protection standard, FEMA requires a base level and the Town has additional standards that the Planning Board has recommended and that the Board of Commissioners approved. Mr. Mendenhall said so they are adhering to that and adhering to more stringent stormwater standards than they have before in the past. Mr. Mendenhall said there is a lot of thought and engineering going into this. Mr. Mendenhall said it's also expensive and D.R. Horton is doing well. Chairperson Brown said he has seen that over the last few years of being on the Planning Board. Chairperson Brown said at Lighthouse Cove the developer/engineer found something with the stormwater and they brought it back to us. Member Hapner said as far as the size of the homes, he noticed originally D.R. Horton was originally planning on building Freedom Homes from Phase 11 on and he's noticing Phase 13 has some different sized homes in there. Mr. Wahl said that is still a Freedom Homes brand. Mr. Wahl said we are getting more floor plans into that set-up. Member Hapner said it's a good size, two story home and Mr. Wahl said yes. Member Hapner said it kind of stands out from the rest of the other homes and we have been getting some comments from some of the residents there. Mr. Wahl said the two-story homes don't sell as well but we put a few of those in there and it depends on the lot size and width. Chairperson Brown asked if there were any other questions. Chairperson Brown allowed a resident to ask his question at this time.

Mr. Russell Payne, 110 Planters Row Lane – Mr. Payne said how does this impact the existing floodplain that we have now. Mr. Payne said the new section you're building how does it affect the new floodplain that has just been reported, that houses are in a 100-year floodplain. Mr. Wahl from D.R. Horton said we have a full report from the FEMA elevation study and taking out all those homes outside of the flood zone. Mr. Wahl said FEMA went off the old elevations. Mr. Payne said there is a lot of confusion about that. Mr. Wahl said he understands. Mr. Payne said there are a lot of homeowners that are upset that they have to get insurance for their houses. Mr. Wahl said that is until we get the LOMAR approved by FEMA. Mr. Payne said do you have a set of site plans that can be reviewed by any homeowner that will show the elevation of their house. Mr. Wahl said yes, it is public record. Mr. Mendenhall asked what exactly Mr. Payne was looking for, to help him understand. Mr. Payne said he really enjoys the subdivision he is in and he chose that subdivision. Mr. Payne said he has developed land in the past. Mr. Payne said it was a very pleasing subdivision because he drove around during the last few floods several years ago and he saw no problems then and he chose the subdivision. Mr. Payne said the situation is that a lot of homeowners are upset because they are in the floodplain that exists right now. Mr. Payne said they are going to build in the back of the subdivision and more run-off is going to come in. Mr. Payne said with more run-off, we are going to have more problems. Mr. Wahl said that will all be taken into consideration by engineering. Mr. Payne said he understands that but how will it effect the existing floodplain. Mr. Payne said that the 100-year floodplain says that these houses are going to be flooded right now. Mr. Payne said now you are going to build new sections, Phases 16 & 17 and that will add to that. Mr. Wahl said the floodplain that you are seeing right now and the flood zones will be taken under consideration before construction. Mr. Mendenhall said the floodplain issue, the maps were done in a preliminary for by FEMA and the state prior to achieving all of this elevation change and prior to all the previous fill that was trucked in Phases 1 through 14. Mr. Mendenhall said there is a lot of fill out there as it was Shingletree Swamp. Mr. Mendenhall said from there, they filled it in, a lot of fill to protect it to build houses on. Mr. Mendenhall said that FEMA ran their data prior to the fill going in. Mr. Mendenhall said after that, D.R. Horton on their own nickel helped their residents in the neighborhoods they have built in. Mr. Mendenhall said they have gone through the Letter of Map Change process. Mr. Mendenhall said that D.R. Horton went in and shot elevations on all the homes that FEMA has said are in a floodplain. Mr. Mendenhall said they got elevations for all of those and have submitted them to FEMA and are waiting to hear back from FEMA to see if they are approved. Mr. Mendenhall said every home and lots are outside of the floodplain. Mr. Mendenhall said there are some lots that back up to the Shingletree that still may be in the floodplain, so you do have that issue. Mr. Mendenhall said the other issue you have is the stormwater discharge issue. Mr. Mendenhall said D.R. Horton and all the developers in the Town are obligated to not increase the post-development discharge,

so there is no getting worse. Mr. Mendenhall said that is a policy decision that the Town has, no increasing stormwater discharge. Mr. Mendenhall said it only has to get better. Mr. Mendenhall said they have to retain it on site, it all has to be engineered reviewed. Mr. Mendenhall said you have the floodplain issue and the stormwater issue but feel that both have been resolved to a satisfactory level. Mr. Mendenhall asked Mr. Payne if that answers his question. Mr. Payne said no because the last map that was produced at the last meeting over at The Farm showed the flood stage at 36 feet in the front of The Farm and 41 feet at the back of The Farm. Mr. Payne said thus pushing the water back and having these houses under water by the last map that was shown. Mr. Payne said if they are going to bring in Phases 16 & 17 and add to that problem, where does the water go down. Mr. Payne said how many more houses will be flooded with that map. Mr. Payne said there is a map that shows flooding at 37 feet where it is pushing back 41 feet at Thomasboro. Mr. Wahl said that would be a question for his engineer. Mr. Payne said should this problem be taken care of before they are allowed to build Phases 16 & 17. Mr. Mendenhall said they can build by right Phases 16 & 17. Mr. Mendenhall said the approval of the plat is a ministerial act. Mr. Mendenhall said it is not a legislative act, they already have approval to build. Mr. Mendenhall said the question is if it is in compliance with the preliminary plat. Mr. Mendenhall said that is what is before the Planning Board today, not whether they can or can't build there. Mr. Mendenhall said that it is ministerial in nature. Mr. Payne said then that answers his question, that they can't stop them. Mr. Mendenhall said it would be very difficult to do. Mr. Mendenhall said they already have certain development rights from the inception of The Farm. Mr. Mendenhall said why would you want to stop them. Mr. Payne said because they are adding to the problem. Mr. Payne said there is an existing problem that is on the FEMA maps. Mr. Payne said if FEMA can change those maps or D.R. Horton can change those maps, then the problem is resolved. Mr. Mendenhall said that is what they are doing and Mr. Payne said it is not done. Mr. Payne said so should they be allowed to build Phases 16 & 17 before that problem is resolved. Mr. Mendenhall said he thinks what Mr. Payne is talking about is taking away D.R. Hortons right to build, is what you're asking. Mr. Payne said yes. Mr. Payne said you as the Town Administrator can take that right. Mr. Mendenhall said not in North Carolina.

Mr. George Grant, 279 Carolina Farms Boulevard – Mr. Grant asked to speak. Mr. Grant said he thinks the gentleman's problem is created by FEMA having the wrong maps. Mr. Grant said from what he understands that is the old map and if its corrected to the elevations that D.R. Horton submitted, it will be fine. Mr. Grant asked if The Farm flooded during the last storm. Mr. Payne said no. Mr. Payne said that is the reason he chose this subdivision. Mr. Payne said he's had been coming down here for eight years prior to buying in this subdivision. Mr. Payne said he wanted to buy in South Carolina but he saw so much flooding there. Mr. Wahl said we have never had a D.R. Horton subdivision flood in either South or North Carolina. Mr. Wahl said we have D.R. Horton subdivisions all the way from Pawley's Island up to Carolina Shores and never had any flooding. Mr. Payne said its just that the FEMA maps are wrong. Mr. Mendenhall said he thinks that everybody has acknowledged that, we all agree and they are working on it. Chairperson Brown said he is Phase 9 and then came Phase 10, 12, 11 and now they are doing Phases 13, 14 and 15 and we have had zero problems as far as flooding. Chairperson Brown said he understands what you are saying, its FEMA who has not updated the maps. Chairperson Brown said he understands that getting out of the flood maps is not going to be cheap. Chairperson Brown said that D.R. Horton has made a lot of effort to do this, to rectify this problem. Mr. Mendenhall said that D.R. Horton submitted the paperwork in August and FEMA doesn't do anything fast. Mr. Mendenhall said it got kicked back because someone had to sign that no houses flooded, somebody stuck their neck out for that. Mr. Mendenhall said it has been kicked back again. Mr. Mendenhall said it is a bureaucratic problem at this point. Mr. Mendenhall said he thinks there is no work that D.R. Horton has submitted, it's a complete package. Mr. Mendenhall said it's been twice now that they have kicked it back and it is a paperchase. Mr. Payne asked if D.R. Horton owns the ponds. Mr. Wahl said it depends on what ones you are talking about. Mr. Wahl said we own the ones where we are constructing at but once constructions is done, we try to turn those over to the POA. Mr. Mendenhall said he would be happy to look a pond up on the computer right now for Mr. Payne. Mr. Payne said there is a pond that is

leaking off Carolina Farms Blvd. Mr. Payne said it would be the third pond in from Thomasboro. Mr. Payne said it's the next pond just past Slippery Rock coming in from Thomasboro on the right. Chairperson Brown said are you talking about the pond behind Fence Post. Mr. Payne said it's the one that is actually on Carolina Farms Blvd. Mr. Payne said that pond is creating a problem for the next pond onto Thomasboro. Mr. Mendenhall said that is owned by the HOA according to the tax records. Mr. Payne said okay and asked if he could get site plans on that. Mr. Mendenhall said you sure can and we will put in a public information request for that. Mr. Mendenhall said the Town Clerk can get your information and then we can process it. Mr. Payne said the corrugated metal pipe has developed a problem. Mr. Payne said the water table is down two feet on all three ponds. Mr. Payne said it is the same problem with the pond behind the swimming pool up front. Mr. Payne said he has notified the management company that the pond is leaking. Mr. Payne said when you come into the subdivision it just did not look good, it needs to be fixed. Mr. Mendenhall said you need to understand there was a temporary check dam removed at the request of a resident that changed the main pool of elevation in that pond, you all recall that. Mr. Grant corrected Mr. Mendenhall on the check dam. Mr. Mendenhall said never mind, the problem with the check dam was on Fence Post. Mr. Grant said he would like to comment on the fill situation. Mr. Grant said you said 500 trucks a week and you have no idea of how much more you are going to bring in. Mr. Wahl said we have about 25,000 cubic yards more to bring as of our meeting last Monday. Mr. Grant asked if the Town will check the roads with all the additional traffic. Mr. Mendenhall said he thinks we will have to. Mr. Mendenhall said it was seal coated and looked really nice and it has completely worn off. Mr. Grant said yes, it is also cracking and has a cracked pattern. Mr. Grant said from Thomasboro to the turn off. Mr. Mendenhall said that is a very good point, thank you very much. Mr. Mendenhall said that is a conversation that will have to be had along with the Shingletree Ditch long term maintenance work at The Farm. Mr. Mendenhall said that will include some drainage improvements that would benefit everyone. Mr. Mendenhall said there are a lot of end games, end of day transitions, road stuff and make sure that everyone is on the same page. Mr. Mendenhall said what you don't want to do is have a developer leave and have things get turned over to the POA and be messy. Mr. Mendenhall said we had that in another subdivision and you just want to make it as smooth as you can. Mr. Mendenhall said once the developer leaves, it gets really difficult. Member Hapner said he and Mr. Grant are on the Architectural Committee at The Farm. Member Hapner said we had a meeting this morning and it was brought up about the 55 and older community and it is still causing issues even though that concept is out the window. Member Hapner said with all those new phases, having separate HOA or Sub-HOA, residents have asked if D.R. Horton has thought about going back to one HOA or is it still a separate HOA. Member Hapner said that residents over in that area are violating the regulations. Member Hapner said right now D.R. Horton is controlling the applications for architectural reviews and Mr. Wahl said yes, right now we have an in-house manager and he is on the Board of all of D.R. Horton's HOA's. Mr. Wahl said he has a lot of experience and he is the one reviewing those architectural reviews. Mr. Wahl said we haven't had any discussion regarding changing that back to one HOA. Mr. Wahl said we can bring that up for discussion.

CHAIRPERSON BROWN MADE A MOTION TO APPROVE THE PRELIMINARY PLAT FOR PHASES 16 & 17 AT THE FARM AT BRUNSWICK. MEMBER HAPNER SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A MOTION AND MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Rezoning from AD to R-6 East Park:

Mr. Mendenhall said this park is adjacent to Lighthouse Cove Phase 1 on Thomasboro Road. Mr. Mendenhall said the Town recently acquired the parcel and through a Development Agreement we have with Landmark at Lighthouse Cove, they are going to construct this park. Mr. Mendenhall said it will have a picnic shelter, bathroom facility, pickleball court, horseshoes and parking lot. Mr. Mendenhall said that is what the developer is going to provide and there will be enough space to expand the park and expand the parking lot. Mr. Mendenhall said put in a dog park, basketball court or whatever the

residents would like for the future. Mr. Mendenhall said it is not currently zoned properly for a park. Mr. Mendenhall said it is currently AD and a public park is not a permissible use in AD. Mr. Mendenhall said the adjoining zoning is R-6 and public parks are a permissible use in R-6. Mr. Mendenhall said the Board of Commissioners has instructed him to apply for and ask the Planning Board to consider recommending rezoning this parcel. Mr. Mendenhall said this the proposed rezoning would be from AD to R-6 to allow for construction of a public park. Chairperson Brown asked how much land is there. Chairperson Brown said he knows that this has been talked about the past couple of years, to have a place for recreation. Mr. Mendenhall said there is 2.04 acres. Mr. Mendenhall said the Parks Commission will be meeting this afternoon at 2:00. Mr. Mendenhall said that Member Hapner is on the Parks Commission. Member Hapner said we didn't have last month's meeting because of the storm. Member Hapner said he doesn't remember the dates of the survey when we did the Comprehensive Plan but we did an online survey as to what the residents would want. Mr. Mendenhall said we will have South Park and of course, we have the Town Green venue here at Town Hall. Mr. Mendenhall said you will end up with three parks out of the gate within six months but it's been extremely wet which could affect the development. Mr. Mendenhall said we have those three things going on. Mr. Mendenhall said the Parks Commission is wrapping up their survey and he doesn't know what they will hear this afternoon as far as the survey results. Mr. Mendenhall said you could potentially see if another neighborhood is developed, seeing a West Park, North Park or a big community park paid for by the developer in conjunction with the development. Mr. Mendenhall said we may have the Parks Commission and the Planning Board look at some parks in the immediate area such as Shallotte and Sunset Beach. Mr. Mendenhall said as far as cost, we are trying to stay more like a state park environment. Mr. Mendenhall said they will have a look and feel of coastal North Carolina and will fit in. Mr. Mendenhall said the Parks Commission will probably go to the Board of Commissioners and the reason Member Hapner is on the Parks Commission is as a liaison to give the Planning Board an opportunity to talk about future parks and amenities. Mr. Mendenhall said we are also looking at Greenway extensions and paths. Mr. Mendenhall said there are a number of flavors that are suitable for Carolina Shores. Mr. Mendenhall said a lot of that is price and what the residents want. Mr. Mendenhall said he thinks the two highest things on the survey are a dog park and additional walking and biking areas. Mr. Mendenhall said tennis courts are not highly desired. Mr. Mendenhall said there are a lot of opportunities but you have to keep cost under control. Chairperson Brown said this is something we've talked about and people want.

CHAIRPERSON BROWN MADE A MOTION TO RECOMMEND THE REZONING OF EAST PARK FROM AD TO R-6. ALTERNATE MEMBER NELIGON SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Public Comment:

None

Adjourn:

ALTERNATE MEMBER NELIGON MADE A MOTION TO ADJOURN THE NOVEMBER 14, 2018 PLANNING BOARD MEETING AT 11:55 A.M. ALTERNATE MEMBER FARIA SECONDED THE MOTION. CHAIRPERSON BROWN CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Chairperson

Submitted by:
Nicole L. Hewett, Town Clerk