

TOWN OF CAROLINA SHORES
Planning Board
Meeting Minutes
May 17, 2023
11:00 a.m.

At 11:00 a.m., Chairperson Conte called the May 17, 2023, Planning Board Meeting to order. The following members attended: Ruth Ann Campbell, Ronald Johnson, and Harry McClard

Also present: Normand Neligon, ETJ Alternate; Diane Baker, Town Alternate; Commissioner Watts, Board Liaison; Chad Hicks, Town Administrator and Nicole Hewett, Assistant Town Administrator/Town Clerk

Absent Member(s): David Steele

The Pledge of Allegiance was recited and there was a moment of silence.

Oath of Office:

Mr. Harry McClard and Mrs. Diane Baker were sworn in by Nicole Hewett, Town Clerk.

Approval of Minutes:

MEMBER CAMPBELL MADE A MOTION TO APPROVE THE MINUTES OF THE APRIL 19, 2023, PLANNING BOARD MEETING. MEMBER JOHNSON SECONDED THE MOTION. CHAIRPERSON CONTE CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Administrative Reports:

Mr. Hicks said there were 39 houses started last month. Mr. Hicks said with about 10 CO'd and about 150 coming out of the ground. Mr. Hicks said the townhome project that was approved on Highway 17 in front of The Farm will be coming back to us for modification as they want to add three more units. Mr. Hicks said we still have not seen any of the official plans for Publix. Mr. Hicks said we are excited about that, and we are working on an annexation agreement to get them into the Town. Mr. Hicks said we are still working on the Industrial Park and the one property under them. Mr. Hicks said we have all the mapping done and the Town attorney is working on the annexation agreement. Mr. Hicks said we are hoping to take that to the Board of Commissioners in the next couple of months.

Old Business:

Discussion of Retail Sales in Industrial District (ID) Zone:

Chairperson Conte said this item was tabled last month. Chairperson Conte said there is an individual who would like to do retail sales in an Industrial District. Chairperson Conte said the zoning is clear that retail sales belong in a retail zone and it's not a matter of anything in an Industrial Zone. Chairperson Conte said we will need a motion to make a recommendation to the Board of Commissioners. There was further discussion on this item.

CHAIRPERSON CONTE MADE A MOTION TO RECOMMEND THE BOARD OF COMMISSIONERS TO NOT APPROVE RETAIL SALES IN AN INDUSTRIAL ZONE. MEMBER JOHNSON SECONDED THE MOTION. There was discussion on the motion. Member McClard asked if verbiage could be added to the motion that at this time it is not recommended based on lack of information. Chairperson Conte was going to withdraw his motion because of the discussion and Mr. Hicks said you can have discussion within the motion. Mr. Hicks said he is going to have the Town Attorney come in and give our new members some overview. Mr. Hicks said let's say the person came in and said I want this text amendment because I want to open a health food store. Mr. Hicks said you all agree, and we do the text amendment, and he comes back in and says I changed my mind, I want to open a bait shop, there is nothing you can do about it. Mr. Hicks said you have to consider all the uses in the Ordinance that would be allowed in that text amendment. Mr. Hicks said he sees what Member McClard is saying about more information regarding what it will be, but you can't consider that. Chairperson Conte said do we have a provision in the regulation that permits us, if someone wants a change of use, is there something that permits us to ask what that use is. Mr. Hicks said yes, and you will have a project coming later down the road that will be just like that. Mr. Hicks said we have the Conditional Zoning District, and you also have the Mixed-Use Zoning. Mr. Hicks said those are site specific. Chairperson Conte said for our new members, PRD stands for Planned Residential Development. Mr. Hicks said when they are approved, they are approved by a site plan. Mr. Hicks said the Conditional Zoning District is also done the same way. Mr. Hicks said lets say I own 100 acres on Highway 17, and I want to put in an apartment complex. Mr. Hicks said he wants apartments in the back and market common in the front. Mr. Hicks said if they were to come in with that site plan, that site plan then becomes part of the Ordinance that governs that particular property. Mr. Hicks said there are occasions when you can do that just not with a text amendment. Member Campbell said we don't require to ask them what it is going to be for. Mr. Hicks said no ma'am, it's against the law to do that unless it's a Conditional Use Zoning or PRD.

Chairperson Conte said from where they are from, you can't even think about applying for something unless they know everything and that's why it's such a hard transition, very different. There was no further discussion. CHAIRPERSON CONTE CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Mr. Hicks said he will take the recommendation to the Board of Commissioners.

New Business:

Discussion of Open Meeting Laws & Public Records:

Ms. Hewett said we had training in the past with the Town Attorney and with so many new members, we will have another training with the Town Attorney. Ms. Hewett reviewed the scheduling of all boards and committees. Ms. Hewett discussed the hand-outs pertaining to NCGS 143-318.10 "All official meetings of public bodies open to the public" and NCGS 132-1 "Public records" defined. There was also discussion on quorums and meeting minutes. Chairperson Conte asked about records retention. Ms. Hewett said North Carolina has a Records Retention Schedule that has been adopted and is followed by the Town. Ms. Hewett said the content of the record determines the retention or disposal. Ms. Hewett discussed the proposed stipends for the Planning Board.

Mr. Hicks said there are a couple of things in the General Assembly about land use. Mr. Hicks said one bill that got overwhelming support in the House is if you have a lot, and you have a house on it, you will be allowed to put another house on that same lot provided you meet the setbacks. Mr. Hicks said that is looking like it will pass. Mr. Hicks said that is extremely interesting. Mr. Hicks said they are also looking at removing all town's ETJ's. Mr. Hicks said we just relinquished a lot of the residential ones back to the County. Mr. Hicks said that is another one that is working its way through the General

Assembly. Mr. Hicks said there were also some updates on HOA's rules. Mr. Hicks explained what ETJ's are and discussed annexation laws.

Public Comment:

None

Adjourn:

MEMBER CAMPBELL MADE A MOTION TO ADJOURN THE MAY 17, 2023, PLANNING BOARD MEETING AT 11:37 AM. MEMBER JOHNSON SECONDED THE MOTION. CHAIRPERSON CONTE CALLED FOR A VOTE AND MOTION CARRIED BY UNANIMOUS VOTE.

Chairperson

Submitted by: Nicole L. Hewett, Assistant Town Administrator/Town Clerk