



MINUTES
Pender County Planning Board Meeting
July 6, 2010 7:00 p.m.
Pender County Public Meeting Room
805 S. Walker Street, Burgaw, North Carolina

Call to Order: Chairman Reynolds called meeting to order at 7:05 pm.

Roll Call: Chairman Reynolds

Pender County Planning Board Members:

Reynolds Garrett Marshburn Millette Smith Williams Boney

- 1. Adoption of the Agenda:** Board member Boney made the motion to approve agenda; seconded by Board member Millette. Vote passed 4-0.
- 2. Approval of Minutes:** Board member Millette made the motion to approve minutes from June 1, 2010; seconded by Board member Boney. Vote passed 4-0.
- 3. Public Comments:** Chairman Reynolds opened the floor to public comments. Chairman Reynolds suggested that public comments should be held until after the presentation of agenda item four. Chairman Reynolds closed the floor to public comments until latter part of the meeting.
- 4. Master Development Plan review: Planned Development District**
Hawksbill Cove (FKA St. George's Reach) - Hampstead Properties, LLC, applicant, on behalf of GF Management Co., LLC and Hampstead Properties, LLC, owner, is requesting approval of a master plan revision for Hawksbill Cove, formerly known as St. George's Reach. The proposal consists of the relocation of the previously approved connector road and associated revisions affecting approximately 13 acres. The property is located south of Country Club Drive, running south to the Atlantic Intracoastal Waterway and is bounded by Belvedere Plantation to the northeast and Hideaway Shores to the southeast. The proposed connector road intersects Country Club Drive and connects to Transfer Station Road. The property is located in Hampstead, NC and is zoned PD, Planned Development.

Senior Planner Kenneth Vafier presented revision of master development plan review for Hawksbill Cove (FKA St. George's Reach) to the Board.

Board member Garrett questioned whether the property would revert to building space, if public facilities were not made available. Board member Garrett noted the inconsistencies in the building and density calculations. Board member Boney questioned the topography delineation of the flood located on the property.

Senior Planner Vafier commented that the inconsistencies were noticed and needed to be addressed; as for the topography delineation, this will be indicated on the preliminary plat.

Ken Shanklin, attorney for applicant, explained that a power point presentation was prepared to reflect changes made to the development. Chairman Reynolds reminded Mr. Shanklin that the presentation

should have been provided prior to the meeting, in order for Planning staff and Board members to review. Board member Millette commented that the Board and public were being presented with a different plan than what is scheduled to be seen and this was unfair to both parties. Chairman Reynolds explained that Mr. Shanklin would be allowed to show his presentation, but made it clear that this practice would not be acceptable in the future.

Ryan David, Urban Engineering (consultant for applicant), provided background information and changes made to the master plan.

Board member Millette requested clarity as to the title of the necessary land needed to connect to Transfer Station Rd., being that the option on the Bruton property was not exercised. Mr. David deferred to applicant's representative. Susan Gross, owner's representative, commented that the purchase of the Bradshaw property was completed at the beginning of the year. Mrs. Gross explained that the property belonging to Gina Morgan was under contract and contingent upon master plan and preliminary plat approval.

Mr. Ryan presented power point presentation; Mr. Ryan reviewed the changes and addressed concerns made to the master plan. The changes and concerns addressed by Mr. Ryan were as followed:

- Relocation of connector road between Country Club Rd. and Hwy 17
- Waste Water Treatment Plant location in relation to the treatment plant in Belvedere Plantation
- Drainage: Will honor natural drainage
- Open space for total development: Greater areas of open space; 56 acres is required, 76 acres is proposed
- Revised and reconfigured areas of development in the subdivision i.e. commercial, civic/recreational, and housing areas
- Connector road to Transfer Station Rd.: Will tie into the 60' platted right of way, which is adjacent to county property.
- Snapshot of Department of Transportation standard section for connector road; 50' right of way is shown, but proposing 60' right of way.

Board member Millette questioned the density calculations. Board member Garrett questioned the acreage that included the Bruton property versus what is being shown. Mr. David responded that the original acreage with the Bruton property was 412 acres and is now 376 acres without the Bruton property. Board members continued to question Mr. David about the density of the subdivision. Attorney Thurman explained that the residential units will be completely removed from the airstrip property; Mr. David agreed. Chairman Reynolds questioned the increased number of detached single family development and what was originally approved. Mr. David explained that some of the homes were taken out of the multi-family development and allocated to the detached single family development. Chairman Reynolds continued to question the increase from 395 to 580 detached single family development. Board members continued to question Mr. David regarding the total number of units that were being proposed for the development. Chairman Reynolds made mention of water servicing the development. Mr. David commented that this requirement was not a part of the plat approval process. Chairman Reynolds explained that the ordinance requires that both water and sewer be supplied by a public entity when the lots are 5,000 sq. ft. Mr. David explained that they didn't want to put water on the site and drill a well, then the county brings water through and they can't tie into county water because the master plan does not allow it. Mr. David commented that flexibility is needed to be able to tie into public water if that option becomes available. Attorney Thurman explained that wells won't be allowed on individual lots, therefore, community well or public water will be required (which will be a utility facility) and will need to be shown on the master plan; otherwise the master plan

will be incomplete. Mr. David explained that he and Pender County Utilities' Director Michael Mack have been in contact with each to address availability of water to this development. Chairman Reynolds commented that the revisions to the development are very significant and could be opened to re-interpretation. Attorney Thurman agreed that the revisions are substantial and re-submitting the master plan as a revision is accommodating, considering this is no longer the same property boundaries as originally submitted. Chairman Reynolds continued to discuss the substantial revisions made to the subdivision with Mr. Shanklin. Mr. Shanklin commented that the Bruton property was already zoned Planned Development and the site is complex. Mr. Shanklin explained that the intent is to make the project better. Mr. Shanklin explained that trying to accommodate with the various agencies and trying to make the project "mesh" with everyone's requirements is not easy; however, whatever needs to be done to accommodate the Board's request and others, will be done. Chairman Millette mentioned that this is the 5th or 6th time appearing before the Board with the same project. Chairman Reynolds commented that there's too many "ifs" in the submitted proposal. Mr. Shanklin responded with the preliminary plans will work out the details and if water/sewer is not available, they are aware that they will not be able to move forth with project. Mr. Shanklin continued to discuss with the Board reasons to approve the proposal. Mr. David reviewed the corrected tabulations for the structures. Board member Millette requested to see the tabulations on paper. Board member Millette noted that the buffer on the Belvedere border had changed from 60' to 40' and this type of change should have been mentioned by the applicant. Board member Garrett explained that because details are missing this is causing confusion and frustration.

Chairman Reynolds opened the floor to public comments.

Lara Beaudoin (411 Lakeview Dr) wanted assurance regarding the agreement made with the developers regarding easements, road maintenance, and drainage. Mrs. Beaudoin was concerned that any drainage would make her lot unbuildable.

Chairman Reynolds made Mrs. Beaudoin aware that the Planning Board any agreements made with developer would be a private agreement and the county has no way to enforce these issues.

Joyce Owens, chairperson for the Lake Committee in Belvedere, was concerned about drainage into the private lake.

Dennis Coen (136 S. Belvedere Dr.) commented about potential drainage problems into the lake located in Belvedere that may occur with the proposed development.

Todd Brohaugh (274 Emerald Ridge Dr.), a Pender County representative on the Wilmington Metropolitan Planning Organization - Bike Ped Committee, advocated for bicycle facilities within the development.

Nicholas Pryor (116 Inlet Ct.) commented that the connector road should be built and completed before any construction begins. Mr. Pryor addressed the increased congestion that this size development could create in addition to an already heavily congested area.

Board member Millette addressed Mr. Pryor's concern, noting that it has always been a condition of this development that the connector road be installed before any shovel goes into the ground; the applicant agreed with Board member Millette's comment.

Jeff Schoolcraft, president of Hideaway Homeowner's Subdivision, commented about the existing drainage and proposed drainage. Mr. Schoolcraft expressed concerns about the impact on Hideaway Shores and requested that more details be demonstrated along the buffer area.

Gina Morgan of Hampstead, commented that she was in support of the proposed development.

John Young (108 Inlet Ct), wished to concur with previous speakers' concerns about the development.

Allie Sheffield, president of Pender Watch and Conservancy, was disappointed that revised documentation and hard copies of the slide show were not distributed to the public for viewing. Mrs. Sheffield commented that there are serious stormwater issues and there were no signs that these issues were being addressed. Mrs. Sheffield suggested the proposed development go back to the drawing board, being that conditions of the previous approval were not met.

Bob Hurry, resident of Belvedere, questioned the capacity of the sewer plant, number and size of retention ponds, location of spray fields, approvals of permits from state agencies, and ingress/egress to the subdivision.

Zina Mastromichalis (Soundview Dr.) questioned the size of the buffer.

Board members agreed that the buffer size would be 60'.

Marilyn Constine (118 Soundview Dr.), requested clarity on the connector road location.

Chairman Reynolds closed the floor to public comments

Mr. Shanklin responded to the public comments. Mr. Shanklin explained that you can't make a lot unbuildable, permits from other state agencies will be obtained, the connector road will be installed before any construction begins, also stormwater and drainage will be addressed. Mr. Shanklin deferred the technical issues to Mr. Ryan.

Mr. Ryan explained that as an engineering practice, existing drainage has to be honored, in addition to this practice; water will be detained in the proposed development. Mr. Ryan commented that high rate infiltration will be used, not spray fields.

Board member Garrett continued to question whether to move forth with application as a revision or should the applicant start over again. Board member Boney suggested starting the application process over, being that a different entity is being submitted. Attorney Thurman made the Board aware that restrictions pass along with the property, not the owner. Attorney Thurman reiterated that the previous master plan approval was contingent upon building the connector road before any construction begins, however, if this doesn't occur then the project can move forth. Attorney Thurman continued to review aesthetics of the subdivision i.e. density, connector road, etc...

Michael Mack, Director of Pender County Utilities, reviewed timeframe and availability of water possibly servicing this development. Mr. Mack explained that negotiations are in place with Integra to do a public/private venture into residential sewer. Mr. Mack reviewed with the Board possible options concerning the waste scales on Transfer Station Rd.

Board member Millette questioned the impact on traffic if the scales were to remain at the present location and who is Integra. Mr. Mack explained possible stacking lanes would be an option. Mr. Mack opted to defer the response to the Board of County Commissioners, regarding Integra. Attorney Thurman explained the concept of what type of service Integra can possibly offer to the county.

Board members discussed what should be identified on the master plan i.e. marina, what happens to the open space if the marina is not approved, possible phasing, etc... Chairman Reynolds expressed

concerns he has with the marina. Senior Planner Vafier explained that the marina and piers were shown as grayed out on the preliminary plat, because it's subject to a special use permit; however, it was shown on the original master plan.

Board member Millette commented that there are too many unanswered questions and would like to see all questions/concerns in writing.

Mr. Shanklin requested tabling the item until next month. Board member Garrett needed clarity as to what the Board members wanted to be seen on the master plan. Attorney Thurman commented that the Board needs to be clear as what they want indicated on the master plan. Board members concluded that an itemized list would be prepared by Planning staff, to give to the applicant to address concerns that should be indicated on the master plan. Chairman Reynolds questioned whether or not installation of stacking lanes could be a condition of the master plan.

Board member Garrett made the motion to table the review for two months; seconded by Board member Boney. Vote passed 4-0.

5. Discussion Items

a. Planning Staff

- i. Project updates: Director Davenport reviewed the approvals by the Board of County Commissioners made on June 21, 2010.
 - ii. Potential UDO revisions: Director Davenport commented that changes will need to occur to the UDO. Director Davenport explained that Planner Breuer will prepare a list of changes that will need to be made to the UDO. Director Davenport informed the Board that the Overlay Committee was ready to start working on the new version of the Hwy 17 overlay. Chairman Reynolds suggested waiting until next year to start working on the project.
 - iii. Next meeting: August 3, 2010
- b. Planning Board Members: Chairman Reynolds thanked Director Davenport for the work he's done while director and wished him the best with his future endeavors.

6. Adjournment: Chairman Reynolds adjourned meeting at 9:00pm.