

# Pender County Planning and Community Development

## Planning Division

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## MINUTES

**Pender County Planning Board Meeting  
November 1, 2011 7:00 p.m.  
Topsail High School Media Center  
245 North St. Johns Church Road, Hampstead, North Carolina**

**Call to Order:** Due to a power outage the meeting was called to order by Chairman Boney at 7:20 pm in the Topsail High School lobby.

**Roll Call:** Chairman Boney

Pender County Planning Board Members:

Boney:  Edens:  Garrett:  Marshburn:  Millette:  Smith:  Williams:

- 1. Adoption of the Agenda:** Board member Williams made the motion to approve the agenda provided a public hearing would be held for Agenda Item 4; seconded by Board member Garrett. The vote was unanimous.
- 2. Approval of Minutes:** Board member Williams made the motion to approve the minutes from the October 4, 2011 meeting; seconded by Board member Edens. The vote was unanimous.
- 3. Public Comment:** Chairman Boney opened the floor to public comment; floor was closed due to no public comment.

*\*(Public Hearing Opened)\**

- 4. US 17/NC 210 Corridor Study:** The Pender County Planning Board will consider the US 17/NC 210 Corridor Study. The study was produced to identify near-term strategies to address safety and mobility deficiencies on US 17 and NC 210 in the Hampstead area. Keith Lewis, project representative, of Martin, Alexiou, Bryson, PC consulting firm, stated that they had been asked to prepare the corridor study; Mr. Lewis apologized for not having any printed documents for the audience, since he was not expecting a power outage and had prepared to present a power point presentation. Board member Williams asked Mr. Lewis if he felt the power outage would hinder his presentation to the point that the meeting should be cancelled or did he feel comfortable proceeding; Mr. Lewis responded that he felt comfortable presenting the study recommendations, but was not sure if the limited amount of illustrations would be sufficient in providing information for the audience. Attorney Thurman suggested that agenda Item 4 be continued until after the power was restored; Board members discussed their thoughts on delaying agenda Item 4 until later in the meeting.

Board member Garrett made the motion to rearrange the agenda by moving Agenda Item 4 to the end of the agenda; seconded by Board member Williams. The vote was unanimous.

- 5. Zoning Text Amendment:** Pender County, applicant, is requesting approval of an amendment to the Pender County Unified Development Ordinance. The proposal consists of amending Sections 2.4.1.B.2, 3.10.3.K, 3.11.1.C.7, 5.2.3, 5.3.11.F-O, 6.2.C.18, 6.3.C.27, and Appendix A, along with the creation of Section 3.5.4.I, 3.9.3.I, 5.3.11.P, 9.4.2.A.1.h, as well as revising references and language in Articles 1-12 and Appendix A. A detailed description of each amendment is available in the Planning Department offices for review. Planner Moncado presented and gave background information on Agenda Item 5. Board member Williams asked what the time frame was now for development plans; Planner Moncado answered it had been unspoken, but staff always used a two year time frame, however, when the Unified Development Ordinance was created this time frame was left out. Planner Moncado also stated that some areas of the Unified Development Ordinance indicated a five year time frame for commercial development plans, but staff also used the same two year time frame, therefore; staff was requesting the amendment so the Unified Development Ordinance would be consistent. Board member Williams asked staff if the two year time frame was consistent with other counties; Director Breuer answered yes. Board member Williams stated that a two year time frame was a concern for him considering the length of time it took to receive permits; Director Breuer responded staff was proposing what was consistent, but could certainly revise the amendment if that was the Board's wish. Through a brief discussion between Board members and staff it was clarified that the timeframe was not changing, staff was requesting to include the existing timeframe to the Unified Development Ordinance. After a brief discussion regarding the presented text amendments Chairman Boney asked if there were any motions.

Board member Garrett made the motion to approve the Zoning Text Amendment as presented; seconded by Board member Edens. The vote was unanimous.

**6. Discussion Items:**

**a. Planning Staff:**

- i. **CAMA LUP Update:** Ken Vafier, Senior Planner updated Board members on the progress of the CAMA Land Use Plan stating that as a coastal community Pender County was required to have a CAMA Land Use Plan and over the past year staff had been working with the Division of Coastal Management to incorporate their requirements into Pender County's adopted 2010 Comprehensive Land Use Plan. Planner Vafier stated that all required items had been submitted to the Division of Coastal Management for their approval and that within the next six months staff would present a text amendment to the 2010 Comprehensive Land Use Plan to include the CAMA Land Use requirements, so therefore, Pender County's 2010 Comprehensive Land Use Plan would also serve as the CAMA Land Use Plan.
- ii. **Small Area Planning:** Ken Vafier, Senior Planner, presented a Small Area Plan presentation to the Board and requested their feedback on the priorities for initiating development and implementation of Small Area Plans within the County. Board member Garrett asked who would typically be envisioned as stake holders; Planner Vafier answered that typically steering committees are composed of citizens at large who represent different interests of the community such as; business owners, developers, and Homeowner Associations.

**b. Planning Board Members: NONE**

During the discussion items the power was restored. Chairman Bony adjourned the meeting at 8:00 pm stating that the meeting would resume at 8:15 pm in the Topsail High School Media Center.

**Call to Order:** Chairman Boney called the meeting back to order at 8:15 pm.

**Roll Call:** Chairman Boney

Pender County Planning Board Members:

Boney:  Edens:  Garrett:  Marshburn:  Millette:  Smith:  Williams:

**(Agenda Item 4) US 17/NC 210 Corridor Study:** Keith Lewis, project representative with Martin, Alexiou, Bryson, PC consulting firm, introduced himself again and began his Power Point presentation on the US 17/NC 210 Corridor Study which included the study area, of Washington Acres Road to Sloop Point Loop Road and along NC 210 from US 17 to Island Creek Road and the components of the study such as types of accidents being recorded (left turns and rear end collisions), volume of traffic, traffic patterns that cause conflict areas, plans of a proposed median on US 17, and widening NC 210. At the completion of Mr. Lewis's presentation, Chairman Boney read two letters from local business owners, GoGas and James Wartman, who wished to have their letter serve as a public comment against the proposed median for the reason that they felt there businesses would suffer a loss. Board member Williams asked if any studies had been done to show how much safer the study area would be if the center lane was replaced with a median; Mr. Lewis responded "That how much safer", would be a difficult question to answer, the best way would be to take a statewide average of four lane roads with a median and bulb outs and compare it to what we currently have which is five lanes without a median. Mr. Lewis stated that he did not have any exact numbers with him. Board member Garrett asked if there was a similar traffic situation that a before and after could be provided; Chairman Boney commented that he too would like to see an example of where a similar situation was implemented and if it decreased the number of accidents; Mr. Lewis stated that his firm could certainly research some examples for the Board. Board member Marshburn asked if signalization was included in the study and would the proposed U turns be protected with the use of signals; Mr. Lewis answered no signals would be placed at the proposed U turns at this time, that there were some new signals proposed. Board member Marshburn asked if the new signals be a part of a coordinated system; Mr. Lewis answered that it would depend on the spacing of the U turns, if they were spaced close together than yes the signals would be a part of a coordinated system. Board members had a brief discussion with Mr. Lewis regarding his presentation. Chairman Boney opened the floor for public comment. Antony Mussolino, resident, stated that he had looked very closely at the study and found no concrete basis to construct a 5.4 mile median and convert five traffic lanes into four at the cost of over seven million dollars, when the traffic issue could be resolved by controlling the speed and changing the flashing light at the intersection of US Hwy 17 and Factory Road. to an activator system. Mr. Mussolino concluded by handing out an outline of items he thought could be done to make US Hwy 17 safer and asked the Board to please consider the items before voting in favor of a median. Doug Heffernan, local business owner, stated that he was more concerned with the safety of US Hwy 17 than the loss of business due to a median, however, a median would cause losses for businesses, decrease the width of travel lanes and cause the need for more turns that would not be protected by signals; Mr. Heffernan commented that he also felt speed played a major role in the amount of accidents and needs to be reduced. Dennis Cowen, resident, stated that the problem on US Hwy 17 is caused by driver's not knowing how to use the center lane so, therefore, the only way to fix the problem would be to build a median. Mr. Cowen asked that as locals we should support the local businesses because so many have closed and to support the idea of a bike lane. Alan Monteith, resident, stated that he had spoke with area law enforcement and they had stated that speed was not the cause of accidents in Hampstead on US

Hwy 17, that most accidents were rear end collisions; Mr. Monteith suggested researching the problem areas and putting a median in those areas not all the way through Hampstead. Scott Clemmons, local business owner, stated that speed was a factor and it needed to be reduced. Frank Taylor, Operations Director for GoGas, thanked the Board for giving him the opportunity to speak and for reading the letter received on behalf of GoGas. Mr. Taylor stated that his company was completely against the idea of a median, for one it would be very unsafe for a tanker carrying fuel to make a U turn without a signal to stop traffic and that medians do cause a loss for business owners. Mr. Taylor felt it would be a waste to spend money on a median for a quick fix when in time the Hampstead Bypass would be built and there would be no need for a median. Dewayne, resident, stated to the Board that he was against the median and supported the creation and use of collector streets to eliminate some of the traffic along US Hwy 17. Chairman Boney closed the floor to public comment and asked Board members if they had any questions. Board member Garrett asked staff what would be the sequence if the Board voted for or against, what was being proposed; Director Breuer responded that the Board's recommendation would be presented to the Board of Commissioners along with any items of concern. Board member Edens asked if the Board of Commissioners voted in favor of the study's findings, what would be the next step; Director Breuer answered if the Commissioners found the study favorable the plans would be reviewed by the Division Engineer and our local Department of Transportation would apply for funding. Board member Williams asked if the project had to be considered a whole or could the focus be US Hwy 17 not NC 210; Director Breuer responded yes. Board members discussed their thoughts; it was the consensus of the Board that they would need more information before making a recommendation. Board members requested to be shown studies stating what type of traffic accidents are taking place, where the problem areas are, how a median would impact safety and local businesses and if possible would like to see a before and after study of where a median was used in a similar situation.

Board member Williams made the motion to table a recommendation until the Board had a chance to review all requested information; seconded by Board member Edens. The vote was unanimous.

**7. Adjournment:** Meeting adjourned at 10:30 pm.