

# Pender County Planning and Community Development

## Planning Division

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## MINUTES

**Pender County Planning Board Meeting  
Tuesday, February 2, 2016 7:00 p.m.  
Pender County Public Meeting Room  
805 S. Walker Street, Burgaw, North Carolina**

**Call to Order:** Chairman Williams called the meeting to order at 7:04 pm

**Roll Call:** Chairman Williams

Pender County Planning Board Members:

Williams:  Fullerton:  Baker:  Edens:  McClammy:  Nalee:

- 1. Adoption of the Agenda:** Vice-Chairman Fullerton made the motion to adopt the agenda as presented; seconded by Board member Edens. The vote was unanimous.
- 2. Adoption of the Minutes: (January 5, 2016)** Board member Baker commented on the minutes in regards to the Discussion items; Mr. Baker stated that he attended the Collector Street Plan meeting on January 21, 2016 and none of the maps had dates or revision comments; Mr. Baker stated that he made comments at the meeting regarding this issue, but would like to make his comments again so that they would be captured in the minutes of this meeting. Mr. Baker recommended that staff include dates and any revision notes on the plan maps when the plan is presented for adoption.

Vice-Chairman Fullerton made the motion to adopt the minutes; seconded by Board member Baker. The vote was unanimous.

- 3. Public Comment:** No sign-ups for public comment.

- 4. Collector Street Plan:** Presentation

Director Breuer explained that he gave the same presentation to the Pender County Board of Commissioners on January 19, 2016; then the public meeting was held on January 21, 2016 at the Hampstead Annex. Director Breuer gave a detailed review of the steps taken thus far to update the current plan, explained that a public hearing would be held at the February 16, 2016 Pender County Board of Commissioners' meeting, but staff was only requesting feedback, they would not be asking for an adoption at that hearing. Director Breuer stated that the Pender County Collector Street Plan would be presented to the Planning Board in March for a recommendation and then presented to the Board of Commissioners for adoption at their March meeting. Director Breuer concluded by thanking the Planning Board members for their time and comments. Chairman Williams thanked Director Breuer for his presentation and commented that this plan was a very important part of planning.

*\*(Public Hearings Open)\**

- 5. Master Development Plan/Preliminary Plat Revision:**

Radiant Investment Inc., applicant and owner, requested the approval of a Master Development Plan and Preliminary Plat Revision for the existing planned development known as Crown Pointe. Specifically, the revision includes the rearrangement and location of four (4) single family residential lots and the addition of ±1.51 acres of open space, while maintaining the previously approved one hundred seventy (170) single family residential lots. The total project area is ±134.46 acres. The project is located to the south of Pelican Reef, northeast of Sloop Point Road (SR 1561), north of Bay Harbor residential subdivision, and east of US HWY 17 in Hampstead. The properties may be further identified by Pender County PINs; 4214-89-1147-0000, 4215-60-3220-0000, 4215-60-4139-0000, 4214-59-9801-0000, and 4215-50-5693-0000. Senior Planner O'Hare presented and gave background information for agenda item five (5). Board member Baker asked if the previous approval by the Pender County Planning Board included the connections that the Assistant Chief of the Sloop Point Fire Department commented on; Senior Planner O'Hare answered yes, the connections were included in the approval. Mr. Baker stated in reference to the Technical Review Committee responses, there were about twenty (20) marked "no response"; Mr. Baker stated that this matter has been discussed several times and asked Senior Planner O'Hare to explain why a "no response" is not a problem. Senior Planner O'Hare referred to Director Breuer; Director Breuer stated that it is a problem and staff has tried to address the problem; the project was not required to go to the Technical Review Committee, staff presented it out of consideration for other agencies; cannot force people to comment on projects; have done everything possible administratively to resolve the problem. Mr. Baker asked if the steps taken had been documented; Director Breuer answered yes. Brief discussion took place on steps taken to address the issue, how projects are approved without comments from the Technical Review Committee, and the role of other agencies. Josh Mihaly, applicant, explained the purpose of the request and further explained the repositioning of the lots and increase of open space. Board member Edens asked what made the new site better for the amenity; Mr. Mihaly stated that there was an existing large open space adjacent to the proposed site and if the amenity location was changed they could include it in the current phase and not have to wait till Phase II. Harry Kraley, Radiant Investment Inc., representative explained the original plan stating that it was supposed to be completed in 2010, however that didn't happen; currently there was twenty (20) completed houses and they committed to the current homeowners that after twenty (20) houses were built the amenities would be built. Mr. Kraley further explained the reason for the revision request and explained the evolution of the project. Vice-Chairman Fullerton asked what was the plan for the two (2) individual lots that were being revised to open space; Mr. Kraley replied that they would just remain open space. Vice-Chairman Fullerton stated that most lots that are just open space in subdivisions become dumping grounds for lawn debris, etc...; Mr. Kraley stated that their development was upscale and well maintained; that they may make plans for those lots in the future. Vice-Chairman Fullerton concluded by stating that in his opinion the two (2) empty lots did nothing for the development. Chairman Williams asked if there was an active Home Owner's Association; Mr. Kraley explained that one is formed, but the developers still control and maintain it, no fees have ever been charged and will not charge the Home Owner's Association fees until the first amenity is completed. Joy Cheese, 106 Alldia Ct., Hampstead, NC 28443, commented that she mainly wanted to ask some questions regarding what was going on. Ms. Cheese stated that someone is already dumping on empty lots and asked if someone could give the name of the roads on the map so that she could point out her home. Staff assisted Ms. Cheese in locating her property on the map; Mr. Kraley stated that their request would not change anything in Ms. Cheese's area.

Board member Edens made a motion to approve the requested Master Development Plan/Preliminary Plat Revision as presented; seconded by Vice-Chairman Fullerton. Vice-Chairman Fullerton commented that he would prefer to see something built on the two (2) individual lots. Discussion ensued on the reason why the lots were proposed as open space; it was determined that septic was the reason for the location of the open space lots. The vote was unanimous.

*\*(Public Hearings Closed)\**

**6. Discussion Items:**

**a. Planning Staff Items:**

- i. Zoning Text Amendment Update:  
Senior Planner O'Hare explained that staff has been working on several text amendments and they plan to present them to the Board as one united amendment once they are completed. Senior Planner O'Hare reviewed the memo provided to the Board and stated that at this point staff is requesting input and direction from the Board. Lengthy discussion took place between staff and Board members regarding the various topics of the memo. Board members suggested that staff follow up with local jurisdictions to see what their ordinance says in reference to the Private Street Connections and Cul-De-Sac requirements; Director Breuer stated that staff would focus on Pender County's Department of Transportation jurisdiction which is Division Three (3). Tommy Batson, Pender County Fire Marshall, commented in reference to Private Street Connections and Cul-De-Sac Radius; stating that he has been approached by multiple people in the County from various neighborhoods stating that they do not want interconnectivity between the developments and he has seen hiccups with the proposed radius of cul-de-sacs and will bring information to the Board prior to any recommendations of approval.

Director Breuer announced that the Long Range Planner II position had been filled and that person would be taking over the long range projects.

- ii. Collector Street and Comprehensive Land Use Plan Update:  
Senior Planner O'Hare gave an overview of the memo provided to the Board and stated that comments were still being accepted and staff was working on securing the contract.

**b. Planning Board Members Items:**

Chairman Williams asked if the meetings were recorded and played live; Director Breuer stated that the meetings were streamed live, but were not archived. Director Breuer also stated that staff was working with the ITS Department to update the website and have the Board's information listed directly on the website with the exception of the minutes, they would be emailed to the Board for review and posted after they were adopted.

**7. Next Meeting:** March 1, 2016

**8. Adjournment:** 9:00 pm

*The entire recording of the Planning Board Meeting is on file with the permanent records in the Planning Department office.*