



**Town of Southern Shores
Council Meeting
July 2, 2013**

The Town of Southern Shores Council met in the Pitts Center located at 5375 N. Virginia Dare Trail at 7:00 p.m. on July 2, 2013

COUNCIL PRESENT: Mayor Hal Denny, Mayor pro tem Jodi Hess, Council Members George Kowalski, David Sanders and Larry Lawhon.

COUNCIL ABSENT: None

OTHERS PRESENT: Town Manager Peter Rascoe, Town Attorney Ben Gallop and Town Clerk Sheila Kane.

CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

Mayor Denny called the meeting to order at 7:00 p.m., led the Pledge of Allegiance, and held a Moment of Silence.

APPROVAL OF AGENDA

Mayor Denny requested to amend the agenda to include under Staff Reports item D. Canal Dredging Update.

MOTION: Mayor Pro Tem Hess moved to approve the agenda as amended. The motion was seconded by Council Member Sanders. The motion passed unanimously.

CONSENT AGENDA

The Consent Agenda consisted of the following items:

- Tax Pickups and Releases

MOTION: Council Member Lawhon moved to approve the consent agenda. The motion was seconded by Mayor pro tem Hess. The motion passed unanimously.

[Clerk's Note: A copy of Consent Agenda items are hereby attached as Exhibit A].

PLANNING BOARD MEMBER APPRECIATION-BILL GLEASON

The Southern Shores Town Council recognized Bill Gleason for service on the Town Planning Board from 2008 to 2013 as well as his service on the Town Capital Improvements Planning Committee. Mayor Denny expressed his gratitude for Mr. Gleason's dedicated service.

STAFF REPORTS

Town Planner: Town Planner, Wes Haskett, presented his monthly report containing the following:

- Permitting and Inspections for June, 2013
- The Town was awarded an NCDOT Bicycle and Pedestrian Planning Grant in the amount of \$28,000 to develop a joint Bicycle and Pedestrian Plan for the Town of Southern Shores. Twelve applications were submitted and Southern Shores was one of three municipalities selected for a joint Bicycle and Pedestrian Plan.

[Clerk's Note: A copy of the Town Planner's report is hereby attached as Exhibit B].

Police Department: Chief Kole presented his monthly report.

Southern Shores Volunteer Fire Department: Chief Harvey presented his monthly report.

Canal Dredging Update

Town Manager Peter Rascoe provided a timeline from 2009 to current with a focus on the steps taken by Council in open meetings in the past twelve months to move the Phase II canal dredging project along. Engineer, Joe Anlauf gave an update to where we are now in the permitting process for Phase II of the Canal Maintenance Project. Mr. Anlauf stated the contract with Salmon's Dredging Inc. has been executed. In order to make the project more efficient the contractor has chosen to utilize three transfer sites and one land based dredging site to remove the dredge spoils. The transfer sites are located at 8 Juniper Trail, 108 Duck Woods Drive, and a location within the right-of-way on Tall Pine Lane. The location at 170 Sassafras will have some land base dredging. Dredge spoils will be removed from barges and placed directly into waiting trucks with no stockpiling to occur. The spoils will then be immediately trucked to the ultimate disposal site out of town. Mr. Anlauf stated the adjacent riparian property owners have been notified by certified mail as required by CAMA in order to modify the Town's existing CAMA permit to allow the contractor to use his selected sites. Mr. Anlauf provided a detailed explanation of the dredge spoil removal process, truck routes, and safety and nuisance precautions.

REPORTS FROM BOARDS, COMMITTEES, AND ASSOCIATIONS

Southern Shores Civic Association (SSCA):

Ross Mitchell gave an informational report on behalf of the SSCA.

Chicahawk Property Owner's Association (CPOA):

Leo Holland gave an informational report on behalf of the CPOA.

Town Planning Board

Planning Board Chairperson Sam Williams reported on the following:

SSCA Wireless Ordinance ZTA-13-03. The applicant is proposing to amend Section 36-175, (c), (2), h by adding language to allow for fences or walls to enclose telecommunications towers, their accessory equipment structures and equipment enclosures with a maximum height of ten (10) feet. The current ordinance specifically requires a chain link fence which shall be no less than six (6) feet or more than ten (10) feet in height. Initially, the applicant requested a height for fences or walls not to exceed fourteen (14) feet which the Planning Board did not agree with and recommended the current maximum height for fences of ten (10) feet.

Town Staff suggest modifying the proposed language to allow for chain link fences and/or walls in the event an applicant wishes to enclose the wireless site with both options. Town staff also proposes an additional amendment to Section 36-97, Walls and Fences which creates an exception for walls or fences around telecommunications towers, their accessory equipment structures and equipment enclosures. Town Staff suggests the following language: For wireless telecommunications sites, no wall or fence shall exceed ten (10) feet in height. This proposed language is necessary in order to be consistent with the proposed amendments to Section 36-175, (c), (2), h.

The applicant is also proposing to amend Section 36-175, (c), (2), k to allow for legal notices, identifications, directional and informational signs erected or required by governmental bodies, public utilities, or civic associations with the approval of Town Council. The current ordinance does not allow wireless telecommunications site to display any signage, logos, symbols or any messages of a commercial or non-commercial nature.

The Town Planning Board recommended approval (3-1) of the proposed ZTA and Town Staff recommends approval of the proposed ZTA and that the application is consistent with the Town's currently adopted Land Use Plan.

ACTION: Mayor Denny set a public hearing for ZTA-13-03 on July 16, 2013 at the Council Workshop Meeting.

Animal Boarding Facility ZTA-13-04. The applicant is proposing to amend Section 36-207, (c) by adding language to establish Animal Boarding Facilities as a conditional use. The proposed use would be defined in Section 36-57 as a facility that provides temporary boarding and grooming services for animals. The proposed parking requirement for Animal Boarding Facilities is one parking space for each 200 square feet of floor area which is consistent with retail uses not otherwise listed in Section 36-163. The Planning Board recommended additional language which requires all boarding runs and kennels to be in an enclosed, heated, and air conditioned building.

Currently, Section 36-207 does not list Animal Boarding Facilities or a related use as a permitted or conditional use which means that it is not allowed. The applicant has requested the proposed use to be established as a conditional use which means that a Conditional Use Permit must be issued prior to opening. A Conditional Use Permit requires a Planning Board recommendation and subsequent approval by the Town Council via a public hearing where specific finding must be made and appropriate conditions and safeguards can be prescribed.

The Town Planning Board recommended approval (3-2) of the proposed ZTA and Town Staff recommends approval of the proposed ZTA and that the application is consistent with the Town's currently adopted Land Use Plan.

ACTION: Mayor Denny set a public hearing for ZTA-13-04 on July 16, 2013 at the Council Workshop Meeting.

GENERAL PUBLIC COMMENT

The following Duck Woods Drive residents spoke in opposition of the use of a vacant lot at 108 Duck Woods Drive by the Town's dredging contractor for the Phase II Canal Dredging Project as a temporary site to transfer dredge spoils from a barge to a truck:

- Rubert Wilson, 112 Duck Woods Drive (Mr. Wilson recommended the Town require its dredging contractor to use a site closer to US Highway 158 owned by the Southern Shores Civic Association.

- Donald Boring, 114 Duck Woods Drive
- Susan Gillian, 56 Duck Woods Drive
- John Gaw, 146 Duck Woods Drive (Mr. Gaw also stated it was the historical policy of other Town Councils to respect homeowners association covenants.)

The Mayor thanked all the speakers and assured them Town staff would consider their comments in planning and proceeding with the project.

OLD BUSINESS- None

NEW BUSINESS

Staff Recommended Applicants for Planning Board Alternate Positions- Elizabeth Corbin and David Neal.

MOTION: Mayor Pro Tem Hess moved to approve applicants Elizabeth Corbin and David Neal as Alternates One and Two respectively to the Planning Board. The motion was seconded by Council Member Lawhon. The motion passed unanimously.

OTHER ITEMS

Town Manager's report

The Town Manager addressed several issues:

- Honeysuckle Lane street improvement is almost completed.
- The Community Resource Officer is doing a great job and the relationship with the CRO, lifeguards, and Town Hall is working very smoothly this year.
- We are proceeding with developing specifications for the two categories on the CIP that Council adopted.
- Staff is continuing with the planning for work on the addition for the Police Department. The architect is currently developing a bid packet.
- The job description for the new position of Public Works Director is nearly developed and will be advertised in the near future.
- The Fifth Annual charity Surfing Tournament in Southern Shores is scheduled for September 7, 2013

Town Attorney: none

Mayor's comments: Mayor Denny announced that this is a municipal election year and filing is open for two weeks, July 5 at noon through July 19 at noon. He will not be filing for re-election. The Mayor's and Council Member Kowalski's term expires, leaving two seats available.

Council Members' comments:

Mayor Pro Tem announced that the Fourth of July Holiday is approaching and wanted to remind everyone that fireworks are illegal.

Council Member Kowalski presented some questions to be reviewed by staff regarding the Duck Woods Drive resident's opposition of the transfer disposal site for the canal dredging maintenance project.

Council Member Sanders announced the Government Channel (cable channel 20) news magazine show, Destination Dare, has been completed. It is the goal of the Committee that Destination Dare becomes a monthly production.

ADJOURN

MOTION: Mayor Denny moved to adjourn. The motion was seconded by Council Member Sanders. The motion passed unanimously. The time was 8:31 p.m.

ATTEST:



Hal Denny, Mayor

Respectfully submitted,

Sheila Kane, Town Clerk

EXHIBIT A

**TOWN OF SOUTHERN SHORES
TAX DEPARTMENT**

7/2/2013

PICKUPS

RELEASES

February Vehicle	\$15.04
April Vehicle	\$16.24
May Vehicle	\$155.20

TOTAL

\$0.00

\$171.44

EXHIBIT B

7-2-13 TC Report

1. Permitting and Inspections for June, 2013

- 6 Zoning Permits were issued.
- 34 building permits were issued: 1 new single-family dwelling, 4 additions, 1 remodel, and 28 others.
- 108 building inspections were conducted (62 job sites).
- 9 single-family dwellings and one bank are currently under construction.
- Total amount of fees collected in June was \$8,304.50.
- Total amount of fees collected in FY 12-13 was \$97,504.67
- fees are up from last year which was \$78,416.29 and the highest since FY 2007-2008.

2. Bicycle and Pedestrian Planning Grant

-I'm pleased to announce that we have been awarded an NCDOT Bicycle and Pedestrian Planning Grant in the amount of \$28,000 to develop a joint Bicycle and Pedestrian Plan for the Town of Southern Shores. 12 applications were submitted and we were one of three municipalities selected for a joint Bicycle and Pedestrian Plan. I will keep you posted as the project progresses.