



Town of North Topsail Beach  
Planning Board  
Thursday, May 14, 2026, at 6:00 PM  
Town Hall - 2008 Loggerhead Court, North Topsail Beach, NC 28460  
(910) 328-1349 | [www.northtopsailbeachnc.gov](http://www.northtopsailbeachnc.gov)

Planning Board: Lisa Brown (acting Chair), Sam Ferreri, Jan Bellamy-Genee - Alternate, Charles "Rusty" Walker – Alternate

Staff: Deb Hill, MPA, AICP, CFM - Planning Director, J. Brady Golden

Absent: Fred Fontana – Chair; Teri Ward; Keith Wilkerson; Donna Sayre - Clerk to the Planning Board; Attorney Charles J "Chip" Payson

### **CALL TO ORDER**

Acting Chair Ms. Lisa Brown called the meeting to order at 6:07 p.m.

### **ADOPTION OF AGENDA**

Mr. Ferreri made a motion to adopt the agenda. Mr. Walker seconded the motion. The motion passed unanimously, 4-0

### **APPROVAL OF MINUTES**

Mr. Walker made a motion to approve the March 12, 2026. Mr. Ferreri seconded the motion. The motion passed unanimously, 4-0.

### **PUBLIC COMMENT**

The Chair called for public comment. Although Mr. Rao had signed up to speak, no public comments were presented.

### **OLD BUSINESS**

There was no old business.

### **NEW BUSINESS**

A. Request for Right-of-Way Encroachment to Construct Private Beach Access

**Applicant:** Mr. Rayo

**Property:** 611 Ocean Drive (owner) / proposed access at 614 Ocean Drive, Lot 6, Block 7, Ocean City

## **Staff Presentation**

Planning Director Deb Hill presented the request for a right-of-way encroachment to allow construction of a private beach access crossover.

Key points included:

- The subject lot lies entirely oceanward of the dune system.
- The property is located between the Chestnut Street Public Beach Access (#10) and Thompson Street Public Beach Access (#11).
- The Planning Board's role was limited to making a recommendation to the Board of Aldermen.
- The right-of-way width is approximately 60 feet.
- The landward toe of the dune is approximately 22 feet from the property line.
- The lot is zoned CDR-5 and consists primarily of public trust area.
- The parcel contains no site improvements and is approximately 0.10 acres (4,572 square feet).
- The property was purchased on March 27, 2026.

Staff reviewed applicable CAMA regulations and noted concerns that the submitted concept did not fully demonstrate compliance with:

- Conditions contained in the CAMA Letter of Exemption.
- State administrative code requirements regarding dune access structures and placement.

Staff also discussed:

- The location of nearby public beach accesses.
- Potential impacts to public right-of-way maintenance.
- The shifting nature of the dune system.
- Public safety and public interest considerations.

## **Applicant Presentation**

Mr. Rayo explained that:

- The proposed beach access was intended to provide private access from property owned by him.
- Similar beach access structures exist on neighboring properties.
- The structure would be a simple four-foot-wide stairway and not a deck or large platform.
- He understood the town's concerns regarding dune migration and stated he would accept conditions requiring future removal or modification if necessary.
- The intent was not to alter or damage the dune system.
- He believed prior discussions with CAMA indicated the project could proceed with appropriate approvals.

## **Board Discussion**

Board members discussed several issues, including:

- Lack of detailed plans showing exact encroachment dimensions.
- The relationship between the proposed structure, the right-of-way, and the dune system.
- Compliance with CAMA requirements.

- Public safety concerns are associated with structures located in a public right-of-way.
- Potential interference with Public Works operations and beach maintenance activities.
- The absence of a demonstrated public benefit from granting the encroachment.
- Existing nearby public beach access opportunities.
- Whether neighboring crossovers were installed under earlier regulations or site conditions.

Board members generally expressed concern about establishing a precedent for structures within public rights-of-way and the potential impacts to dune protection efforts.

#### **Motion**

**Mrs. Jan Bellamy-Genee made a motion to recommend to the Board of Aldermen that they not approve the request. Mr. Charles “Rusty” Walker seconded the motion. The motion to deny passed 4-0.**

**Recommendation:** The Planning Board recommended denial of the request.

### VII. DISCUSSION

#### **Staff Updates**

##### **Electronic Zoning Map Project**

Ms. Hill provided an update regarding adoption of the electronic GIS-based zoning map.

Highlights included:

- The Board of Aldermen continued consideration of the electronic zoning map ordinance until July.
- Additional ordinance and mapping revisions are still necessary.
- Staff plans to return to the Planning Board in June with materials for review and recommendation.
- A public hearing before the Board of Aldermen is anticipated in July.
- Ms. Hill noted the substantial effort undertaken between 2006 and 2010 to verify zoning information and expressed enthusiasm about making the electronic zoning map available to the public.

##### **Election of Officers Discussion**

A board member inquired about the process for selecting Planning Board officers.

Ms. Hill explained:

- The Planning Board annually elects its Chair and Vice Chair.
- Due to scheduling and meeting activity, the election had not yet been conducted for 2026.
- Election of officers will be placed on the agenda for the next meeting.

### VIII. ADJOURNMENT

The Chair requested a motion to adjourn. Mr. Ferreri made a motion to adjourn, Seconded by Mr. Walker.

*Meeting adjourned following conclusion of business at 6:46 pm.*