



Town of North Topsail Beach
Board of Aldermen

Agenda	Consent
Item:	Agenda
Date:	07 05 2023

Issue: Planning Board Committee Report
Hanna McCloud, Chair

Department: Planning

Prepared by: Deborah J. Hill MPA AICP CFM CZO

Presentation: No

**On June 15, 2023, the Planning Board held a special meeting and discussed:
Wetland Protection (use of artificial turf grass)**

At the March 9, 2023, the Planning Director asked the members to come to the next meeting with ideas for discussion. She explained the City of Wilmington and New Hanover County have adopted higher standards for wetland protection using a coastal overlay that extends protection from the normal high-water line. She offered the following for the Planning Board to consider:

- Increase the Outstanding Resource Water buffer from thirty feet to forty feet.
- Decrease the maximum impervious surface from thirty percent to twenty-five percent along the shoreline.
- Ban artificial turf in the buffer.
- Trash, garbage, debris, and pollution in the wetlands.
- The Outstanding Resource Waters (ORW):
 - o Oyster beds.
 - o Pristine water classification.
 - o Expansion opportunities.
 - o Water quality improvement.
- Invite the Division of Coastal Management and Department of Natural Resources to make innovative protection suggestions to the Planning Board.
- Watch the video “Clean Water Act Forward to the Past.”
- Consider the balance between protecting the environment, regulations, and property rights.

DCM Staff requested clarification from the Coastal Resources Commission (CRC) at the September 15, 2021 Commission meeting on the use of artificial turf grass in the 30-Foot Buffer (CRC-21-24). In order to retain the effectiveness of the 30’ buffer in filtering runoff, the DCM staff requested that the Commission confirm DCM’s interpretation that the application of artificial turf within an Area of Environmental Concern requires a CAMA permit, and that it is not allowable in the 30-foot buffer along Estuarine Shorelines, even under the “landscaping” exception at 15A NCAC 07H.0209(d)(10)(G). This would be consistent with the Division of Energy, Mineral, and Land Resources (DEMLR) State Stormwater-Section rules under 15A NCAC 02H .1003(4) Vegetated Setbacks, and with the Division of Water Resources’ (DWR) rules under 15A NCAC 02B .0734 Tar-Pamlico and 15A NCAC 02B .0714 Neuse Riparian Buffers. The CRC agreed with staff’s interpretation that artificial turf constitutes “development” under CAMA, and therefore requires a permit; and that it should not be allowed in the 30-foot buffer under the landscaping exception.

While DCM and LPOs can potentially permit this material within the Coastal Shoreline 75’ or 575’ AEC, it may be deemed as impervious surface based on a case-by-case review, and therefore may

count toward the maximum allowable impervious surface coverage (depending on installation methods and materials, and any existing impervious surfaces).

OUTDOOR LIGHTING ORDINANCE

Planning Director Hill explained that the Board of Aldermen has requested the Planning Board consider an outdoor lighting ordinance. She offered Surf City's as a model.

- Existing structure implementation during replacement.
- Jones-Onslow Electric Membership Corporation (JOEMC) replacement implementation.
- Lighting plan review for new construction during the site plan review.

Ms. Hill asked the Planning Board for input and offered to present the topic at the next meeting.

HMGP

We are still waiting on FEMA for guidance. I will notify the owner that we are working with FEMA to request a possible change of scope of work.

UDO ARTICLE 2. §2.02 PLANNING BOARD & §2.03 BOARD OF ADJUSTMENT

Both Boards need to replace members that have recently relocated or appointed to BOA:

PLANNING BOARD -3

Gunnar Matthews; Hanna McCloud; Lisa Brown; Paul Dorazio; Scott Morse; Susan Meyer

Recent resignations due to relocation: Pat Stigall; Stuart Harness;

resignations due to appointment: Alfred Fontana

BOARD OF ADJUSTMENT -3

Cameron Kuegel; Hanna McCloud; Paul Dorazio; Scott Morse; Susan Meyer; Lisa Kozlowski

Recent resignations due to relocation: Debra Swantek; Pat Stigall; Stuart Harness

JULY PLANNING BOARD

anticipate 2 modification applications to 2 existing subdivisions under §2.15 (D).