



Town of North Topsail Beach
Planning Board Regular Meeting
Thursday, December 12, 2024, at 6:00 PM
Town Hall - 2008 Loggerhead Court, North Topsail Beach, NC 28460
(910) 328-1349 | www.northtopsailbeachnc.gov

PRESENT: Fred Fontana - Vice Chair, Lisa Brown, Teri Ward,

ABSENT: Susan Meyer – Chair, Charles "Rusty" Walker - Alternate, Keith Wilkerson - Alternate

I. CALL TO ORDER

Vice Chair Fontana called the meeting to order at 6:01 p.m.

II. ADOPTION OF AGENDA

Ms. Ward made a motion to adopt the agenda. Ms. Brown seconded the motion. The motion passed unanimously, 3-0.

III. APPROVAL OF MINUTES: November 14, 2024, Regular Meeting Minutes

Ms. Brown made a motion to approve the minutes. Ms. Brown seconded the motion. The motion passed unanimously, 3-0.

IV. APPROVAL OF THE 2025 PLANNING BOARD REGULAR MEETING SCHEDULE

Ms. Brown made a motion to approve the schedule for the Planning Board meeting. Ms. Ward seconded the motion. The motion passed unanimously, 3-0.

Vice Chair Fontana welcomed Town Attorney Chip Payson via Teams.

V. PUBLIC COMMENT

None.

VI. NEW BUSINESS: CAMA Land Use Plan and Unified Development Ordinance Proposed Text Amendment Use Standards for Ocean Hazard Areas: Exceptions.

Attorney Payson explained that at the December meeting, the Board of Aldermen raised issues with construction in the CAMA (Coastal Area Management Act) setback and they had received a lot of feedback from constituents regarding the matter. The Board wanted to act to protect the beaches, the dunes and the environment, and directed the Planning Board to propose changes to the Town's ordinances that govern construction within the CAMA setbacks to address the environmental concerns and public health and safety related beach erosion.

Attorney Payson presented two drafted documents for the Planning Board's consideration: a resolution of plan consistency required by statute, and several proposed amendments to the code of ordinances and the Town's comprehensive plan. Mr. Payson advised the Planning Board to consider if the proposed changes were reasonable, appropriate, rational, achieve and support the goals intended, in the public interest, did they advance the public good, serve a legitimate public interest, and were consistent with the Town's comprehensive plan. If so, he advised the Planning Board to make a motion and vote on the resolution for the matter to advance to the Board of Aldermen.

Vice Chair Fontana asked for the time frame for review.

Attorney Payson explained the Board of Aldermen wanted feedback from the Planning Board immediately and advised that the Planning Board take action at this meeting.

Vice Chair Fontana requested guidance on the context of the proposed changes as well as compatibility with state standards.

Attorney Payson explained the four proposed amendment sections: Article 7 (Flood Damage Prevention Ordinance) of the Town's Unified Development Ordinance (UDO), Article 4 (Use Regulations) of the Town's UDO, Section 5 of the CAMA Land Use Plan, and Article 11 (Definitions) of the Town's UDO.

Attorney Payson read the list of ten activities allowed within the CAMA setbacks from the Town's CAMA Land Use Plan. He then explained the three proposed prohibited activities: unenclosed, uninhabitable gazebos with a footprint of 200 square feet or less; uninhabitable, single-story storage sheds with a foundation or floor consisting of wood, clay, packed sand or gravel and a footprint of 200 square feet or less; and swimming pools. Attorney Payson explained that once the Planning Board made their recommendation, the Board of Aldermen may make any changes that they deem necessary.

There was discussion, including the construction and replacement of oceanfront decks and oceanfront swimming pools. There was discussion regarding the ability of property owners to repair or replace existing damaged swimming pools and decks located within the CAMA setbacks.

The Planning Board requested revisions to the proposed text amendments. Attorney Payson revised the proposed amendments document.

Ms. Brown made a motion to adopt the resolution that the proposed amendment to the Town's Unified Development Ordinance as amended by the Attorney this evening is in accordance with all officially adopted plans, including the comprehensive plan. Ms. Ward seconded the motion. The motion passed unanimously, 3-0.

VII. DISCUSSION: American Planning Association Presentation Video: Legal Decision-Making
Vice Chair Fontana made a motion to table this item to the next meeting. Ms. Brown seconded the motion. The motion passed unanimously, 3-0.

VIII. ADJOURNMENT

Ms. Ward made a motion to adjourn. Ms. Brown seconded the motion. The motion passed unanimously, 3-0.

The Planning Board meeting adjourned at 7:25 p.m.

APPROVED

This 9th day of January 2025

Susan Meyer, Chair

CERTIFIED

This 9th day of January 2025

Kate Winzler, Clerk to the Planning Board