



**Town of North Topsail Beach**  
**Planning Board Regular Meeting**  
**Thursday, September 05, 2024, at 6:00 PM**  
**Town Hall - 2008 Loggerhead Court, North Topsail Beach, NC 28460**  
**(910) 328-1349 | [www.northtopsailbeachnc.gov](http://www.northtopsailbeachnc.gov)**

---

**PRESENT:** Susan Meyer – Chair, Fred Fontana – Vice Chair, Lisa Brown, Teri Ward, Charles Rusty Walker - Alternate

**ABSENT:** Scott Morse, Keith Wilkerson – Alternate.

**I. CALL TO ORDER**

Chair Meyer called the meeting to order at 6:04 p.m.

**II. OATH OF OFFICE**

Deputy Town Clerk Winzler administered the Oath of Office to Charles Rusty Walker for appointment as an alternate member to the Planning Board.

**III. ADOPTION OF AGENDA**

**Ms. Brown made a motion to adopt the agenda. Mr. Fontana seconded the motion. The motion passed unanimously, 5-0.**

**IV. APPROVAL OF MINUTES: July 11, 2024, Special Meeting Minutes**

**Ms. Brown made a motion to approve the minutes from July eleventh. Ms. Ward seconded the motion. The motion passed unanimously, 5-0.**

**V. PUBLIC COMMENT**

None.

**VI. NEW BUSINESS**

**A. SUP24-000004 LaCosta Bay Commercial Pool**

Planning Director Hill explained the review was quasi-judicial and evidentiary in nature. She presented the staff report.

Mr. Fontana asked about the dirt road on the site.

Ms. Hill explained it was LaCosta Place to access private property beyond the LaCosta development.

Mr. Charles Riggs distributed two full-size site plans to the Planning Board. One illustrated the vacant lots and the pool that was used to obtain the Minor CAMA (Coastal Area Management Act) Permit from the State of North Carolina. The second map illustrated the existing and proposed buildings of LaCosta Place showing the road easement, common access rear easements to the common pool area, a hammerhead or fire department turn around easement between lots seven and eight for emergency and maintenance access to the common area, a six-foot concrete deck around the pool, a covered unenclosed 11'x11' shelter, an elevated pool equipment stand, and an elevated walkway to the sound.

Mr. Riggs spoke about the history of the LaCosta Bay development, and Sandford Island beyond. He explained that the LaCosta development homes are within three-hundred feet of the pool, so no bathrooms are required. Parking is on each individual lot, since the use of the pool is restricted to the LaCosta property residents and their guests. Mr. Riggs explained that the pool would be approved by the North Carolina Department of Public Health in addition to Onslow County Health Department. He mentioned that the pool was required to be located fifty feet from other

residences, but felt as though this requirement did not apply to small developments such as this one since each individual lot could have its own pool in the backyard, and each lot has a vested interest in the common area.

Chair Meyer asked if the HOA (Homeowners Association) was formed.

Mr. Riggs replied it was in the process of being formed and that none of the lots had been sold yet. Planning Director Hill made a recommendation to add a statement to the recorded site plan that no changes may be made without local government approval after the special use permit is issued.

Mr. Riggs replied that language in the restrictive covenants could address that, as well as a condition of the special use permit. He mentioned that the development was created as an amenity for the lots and would increase their value.

Ms. Ward asked about the purpose of the fifty-foot separation, as the closest dwelling was a couple feet short of the required distance.

Planning Director Hill responded noise and privacy.

Mr Fontana asked about the ownership of the pool property and sale transfer rights.

Mr. Riggs explained that each lot owner would own one eight undivided interest, transferable with the sale of the lot.

Ms. Meyer asked if the remaining common area was basically wetlands or CON D (conservation district). She expressed concern about the HOA members unanimously deciding to sell the common area property in the future.

Planning Director Hill said that the comment on the recorded site plan would address that.

Mr. Riggs explained the remaining common area included uplands, federal wetlands, and coastal wetlands.

Planning Director Hill asked if Mr. Riggs wanted to amend the application to include development of any water dependent structures associated with the dock.

Mr. Riggs agreed.

There was discussion regarding development beyond the scope of the application, and possible motions.

**Ms. Ward made a motion to approve the finding of facts as it meets the requirements for the special use permit of 4.03.12 to include the amendment of the water structures relevant to the proposed walkway to be administratively issued as well as the Division of Coastal Management and to include a recommendation of a statement with plat that no changes shall or can occur without the local governing board's approval and for that to be recorded. Mr. Fontana seconded the motion. The motion passed unanimously, 5-0.**

## VII. DISCUSSION

### A. APA Video: Findings of Fact

Planning Director Hill introduced the video. The Planning Board watched the training video.

### B. Groups petition EPA to revoke NC's water permit authority (Jennifer Allen in Coastal Review 8/28/2024)

Planning Director Hill reviewed the article.

### C. Coastal commission to adjust rules to comply with new laws (Coastal Review 08/16/2024)

Planning Director Hill reviewed the article.

### D. Nonconformities

Planning Director Hill explained the Planning Board would review this topic at a future meeting.

## VIII. ADJOURNMENT

**Ms. Ward made a motion to adjourn. Mr. Fontana seconded the motion. The motion passed unanimously, 5-0.**

The Planning Board Meeting adjourned at 7:13 p.m.

APPROVED

This 3<sup>rd</sup> day of October 2024

CERTIFIED

This 3<sup>rd</sup> day of October 2024

---

Susan Meyer, Chair

---

Kate Winzler, Clerk to the Planning Board