



## Town of North Topsail Beach

### Planning Board Minutes

Thursday, August 10, 2023, at 5:00 PM

Town Hall - 2008 Loggerhead Court, North Topsail Beach, NC 28460

(910) 328-1349 | [www.northtopsailbeachnc.gov](http://www.northtopsailbeachnc.gov)

---

*PRESENT:* Hanna McCloud– Chair, Paul Dorazio – Vice Chair, Lisa Brown, Susan Meyer, Scott Morse

*ABSENT:* Gunnar Mathews

*OTHERS PRESENT:* Deborah J. Hill MPA AICP CFM CZO – Planning Director, Kate Winzler – Clerk to the Planning Board

#### I. CALL TO ORDER

Vice Chair Dorazio called the meeting to order at 5:00 p.m.

#### II. ADOPTION OF AGENDA

**Ms. Meyer made a motion to approve the agenda. Ms. Brown seconded the motion. The motion passed unanimously, 5-0.**

#### III. APPROVAL OF MINUTES

**Ms. Meyer made a motion to approve the July 13, 2023, Regular Meeting Minutes. Mr. Morse seconded the motion. The motion passed unanimously, 5-0.**

#### IV. PUBLIC COMMENT

Alderman Rick Grant spoke about water infrastructure issues and current development trends. He distributed illustrative pictures to the Board and expressed concern over development in the sixty-foot oceanfront setback. Alderman Grant encouraged the Planning Board to consider the Board of Aldermen's strong stance on dune protection when considering what should be allowed to be built within the sixty-foot setback as it relates to dune protection, and without infringing on property rights. Mr. Grant touched on Onslow Water and Sewer Authority, Pluris, the high demand for water, and offered to share Chris Gibson's Beach Inlet and Sound Advisory Committee report with the Planning Board.

#### V. OLD BUSINESS

##### A. Proposed Text Amendments to Wetland Regulations and Enforcement

Planning Director Hill introduced Citizen Terry Ward, Mickey Suggs with the Army Corps of Engineers, and Robb Mairs with the Division of Coastal Management (DCM) to the Planning Board. Ms. Hill explained the Army Corps of Engineers has jurisdiction over 404 wetlands and DCM over 401 wetlands, and that the two entities work alongside the Town processing permits and addressing wetland violations. Wetlands serve the purpose of reducing flood risk and knocking down storm surge. Mayor McDermon requested that the Planning Board review wetland protection; a recent Supreme Court case may affect state and federal wetland regulation. The proposed wetland ordinance amendment would give the Town authority over erosion and sediment control, as well as make it the responsibility of the property owner. Ms.

Hill reviewed the current process for violations, as well as the proposed process that would include a fine.

Planning Director Hill recommended that the Planning Board recommendations that the Board of Aldermen conducts a public hearing on September the sixth and adopts attachments three and four.

Mr. Suggs spoke about 404 wetlands, including setbacks, allowable development, permitting, application processing times, and the Supreme Court wetland case decision local impact.

Mr. Mairs spoke about 401 wetlands, including setbacks, prohibited development, identifying species, allowable development, CAMA permit types, the Supreme Court wetland case local case, impervious surface restriction, and citations.

Planning Director Hill explained that Wilmington and New Hanover County have a higher wetland buffer standard, utilizing coastal forest overlay, zoning conservation district, and a limit of permitted water dependent uses. The Town of North Topsail Beach uses the same mechanisms.

The Planning Board discussed the proposed ordinance and the proposed \$1,000 fine.

**Ms. Meyer made a motion to recommend that the Board of Aldermen conduct a public hearing to adopt attachments three and four. Mr. Morse seconded the motion. The motion passed unanimously, 5-0, as follows:**

<u>Roll call</u>	<u>Vote:</u>
Ms. McCloud	Yes
Ms. Meyer	Yes
Mr. Dorazio	Yes
Ms. Brown	Yes
Mr. Morse	Yes

## VI. NEW BUSINESS

### A. Use Standards for Ocean Hazard Areas Exceptions

Planning Director Hill posed the following Board of Aldermen questions to the Planning Board in relation to the 15A NCAC 07H .0309 Use Standards for Ocean Hazard Areas: Exceptions:

- Should pools or any construction be allowed to be built in the sixty-foot setback?
- What steps can be taken to eliminate construction within the sixty-foot setback?
- What can we do to protect the dune structure we have?

Vice Chair Dorazio expressed concern over the short duration of time the Planning Board had the information, as well as a desire for time to review it and allow for discussion with others. Mr. Dorazio recommended placing the topic on the September Planning Board agenda for a recommendation to the Board of Aldermen for their October meeting.

There was discussion about current development, pool installation, the development trends in surrounding towns, and oceanfront decks.

It was the consensus of the Board to place this topic on the September Planning Board agenda.

## VII. DISCUSSION

Planning Director Hill told the Board that she anticipates there will be an upcoming re-zoning case.

**VIII. ADJOURNMENT**

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

The Planning Board Meeting adjourned at 6:13 p.m.

APPROVED

This 12<sup>th</sup> day of October 2023

---

Hanna McCloud

Chair

CERTIFIED

This 12<sup>th</sup> day of October 2023

---

Kate Winzler

Clerk