

Tab 9

Town of Oriental – Parks & Recreation Committee Meeting
June 14, 2017

The Oriental Parks & Recreation Committee met on October 14th, 2017 at the Town Hall

Present: Chair Edwards, Manager Miller, Commissioner Price

Edwards called the meeting to order @ 8:05am- without a quorum.

1..NEW BUSINESS

a. Updates:

Pickleball court is being caulked today, then painted, then pickleball lines installed. Will use one net and make one court, due to issues with portable nets.
Playground equipment has been ordered for Lupton Park
Discussed playground equipment for Rec Park with County- they are looking for grant funding.
Jim notes HS regatta Sept 30-Oct 1
Engineering study applied for to look at flooding on Hodges.
Betsy Kane was here to look at Bike/Ped- no contact since.

Next meeting to be held on at July 12, 2017 8:00 am at the Town Hall.

There being no further business to discuss Meeting Adjourned at 8:30 am.

MOTION: Edwards moved to adjourn. Second Stockwell. Vote 3-0.

Jim Edwards, Chairman

Diane Miller, Recording



ORIENTAL PLANNING BOARD MINUTES

Regular Meeting

Wednesday, May 17, 2017 – 3 P.M.

Oriental Town Hall – 507 Church Street, Oriental, NC

Vice Chair Lohmar called the meeting to order at 3:01 PM.

Present: Vice Chair Lohmar Member Knapp, Manager Miller, Member Flaherty, Liaison Member Aeschleman

Absent: Chairman Dammeyer, Commissioner Liaisons

No members of the public were present.

OLD BUSINESS

- Approved Minutes from April 19, 2017, **MOTION** by Member Knapp, Second by Member Flaherty, 4-0.
- Bacon Microbrewery recommendation.. Planning Board recommends approval of SUP due to previous approval process. Previous recommendation for review (attached) at May 19 meeting notes that an entirely new application was required due to change of address at which proposed Microbrewery would be opening. **MOTION** is made by Member Knapp, seconded by Member Flaherty to forward recommendation to Town Board. 4-0. As part of the Public Hearing, a request will also be made that the original one be revoked.
- SUP application is submitted by Ms. Johnson for property at 405 High St to be a short term rental- noted on application that this property would only be rented out occasionally, not seasonally. This SUP was also discussed in March and April and now in May. Vice Chair Lohmar requests that the draft recommendation have an addition, noting that no police record of issues with this property as has not previously operated as a short term rental. **MOTION** is made by Member Aeschleman to recommend that the Town Board approve the SUP request with noted addition. Seconded by Vice Chair Lohmar. 4-0.
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NEW BUSINESS

- Discussion on June meeting. Vice Chair Lohmar notes the CAMA Land Use Plan needs to be finished, Parks and Rec Ordinance, Sidewalks, and others, and that all is awaiting notes from the Manager and appendix corrections. She suggests that parts be farmed out to members for independent work to bring back to the group in order for work sessions to be more productive. Drafts brought to the June meeting will be divided and handed out as assignments. Also noted that there is a typo- the special meeting will be called for June 21, not June 1, 1PM.

NON-AGENDA ITEMS / PUBLIC COMMENT-

- NONE

ADJOURN Member Aeschleman made a **MOTION** to adjourn and Member Knapp seconded. (4-0) Meeting adjourned at 3:25 PM.

Eric Dammeyer, Chairman

Diane H. Miller, Clerk to the Board

Approved __/__/__



ORIENTAL PLANNING BOARD MINUTES

Regular Meeting

Wednesday, June 21, 2017 – 3 P.M.

Oriental Town Hall – 507 Church Street, Oriental, NC

Chair called the meeting to order at 3:01 PM.

Present: Chairman Dammeyer, Vice Chair Lohmar Member Knapp, Member Flaherty, Member Aeschleman, Manager Miller

Absent: Commissioner Liaisons

Members of the Public

PUBLIC COMMENT: Grace Evans spoke to request explanation of the Fulcher project on the agenda. Chairman Dammeyer explained that the revision was forwarded from the applicant's engineer for comment. This revision is the one they are sending to CAMA in light of not making our setbacks on the first revision. This is not a request from CAMA for comment- that will be in the future.

Mr. William Brennan asks how a 45' crane can fit into a 43.5 ft building. That is certainly one of the questions we have about the revision. It is possible that the building has an open roof- the SUP requires the building to be enclosed when sandblasting, etc is done with an air filtration system.

Melinda Penkava asks if the open roof will violate the height limitations. As a permanent fixture (closed) the roof must meet the standard. She also presented evidence of previous violations (2010, 2013) from the applicant. It was noted by the Manager that presentation of evidence was required at the Public Hearing and cannot be accepted and used as reason to revoke the permit. The meeting was properly noticed and adequate time was allowed for those wishing to present evidence to do so at the Public Hearing October 4, 2016. Ms. Penkava noted she was not available for that hearing. Her question was if the applicant had violated the law previously, how can he be trusted to not violate moving forward? The Manager noted that the project itself is in response to prior violation in an effort to remedy. In addition, we cannot rule on what may be a violation in the future. She also noted that this evidence would have been accepted at the Public Hearing and the Town Board may have considered it in their decision, but that time is past. Ms. Penkava noted that the information was readily available. The Manager noted that the Planning Board and the Town Board based decisions on available information at the time of the Public Hearing.

Art Tierney also spoke on the Fulcher property revision, asking several questions. The Manager laid out the large sized plans for those who wished to see the whole thing at once on one sheet.

Grace Evans also spoke to the drafting of Dark Skies Ordinance and where that process was, as well as noting that she has spoken with the Manager about the lighting situation since Duke changed out our lights. The Chair explained that the Board had started into Dark Skies creation and other priorities jumped in line. It is still on the Board's plans.

OLD BUSINESS

- Approved Minutes from May 17 2017, **MOTION** by Member Aeschleman, Second by Vice Chair Lohmar, 5-0.

NEW BUSINESS

- Discussion on July meeting. After checking calendars and noting that several members would be away through July, the meeting set for July 19 is moved to July 12 and the Manager is asked to make sure that the proper notifications go out.
- Bond bulkhead replacement. The bulkhead constructed between 46 and 50 years ago on Faye Bond's Ragan Rd properties was failing and we have submitted response to CAMA about its replacement. It is the opinion of the Manager that NOT replacing that bulkhead would certainly do more damage to the drainage than the replacement. In addition, the failure of the existing bulkhead is speeding up the silting in of the drain between the "Turtle Pond" and the beach drain. Part of the reason we can't bulkhead the beach on the road side to provide parking is so that we can get heavy equipment onto the beach to dig it out when the drain starts silting in. CAMA required response from the Town and the Manager, with agreement from the Chair signed off on that construction as a proven aid to drainage in that area. Documents are provided.
- Degen addition. Mr./Mrs. Degen own a property on Seafarer and brought to us addition compliance paperwork. In order to make the addition on the rear side of the house level with the existing house on a significant downslope on the rear of the property, compliance was granted to terraform the portion under the addition to accommodate construction. As noted in the Terraforming Ordinance, with engineering and documentation that notes the drainage accommodations made for the additional stormwater, the Degens have laid drain from the addition to the front of the property to connect to newly installed French drains which carry water away from the house to the existing town drainage in front of the house. Documents attached.

NON-AGENDA ITEMS / PUBLIC COMMENT-

- NONE

ADJOURN Member Knapp made a **MOTION** to adjourn and Vice Chair Lohmar seconded. (5-0) Meeting adjourned at 3:25 PM.

Eric Dammeyer, Chairman

Diane H. Miller, Clerk to the Board

Approved ___/___/___



ORIENTAL PLANNING BOARD MINUTES

Regular Meeting

Wednesday, July 12, 2017 – 3 P.M.

Oriental Town Hall – 507 Church Street, Oriental, NC

Chair called the meeting to order at 3:03 PM.

Present: Chairman Dammeyer, Member Flaherty, Member Aeschleman, Manager Miller, Commissioner Overcash (Vice Chair Lohmar arrives late), Commissioner Allen Price

Absent: Commissioner David White, Member Knapp

Members of the Public

PUBLIC COMMENT:

OLD BUSINESS

- Approved Minutes from June 21 2017, **MOTION** by Member Flaherty, Second by Member Aeschleman, 3-0.

NEW BUSINESS

- Open Spaces Draft-draft of new Ordinance requiring new developments being required to include space dedicated to open use. The Planning Board has been looking at this and will be discussing today. In the draft there is a blank in the percentages that would be required to be dedicated to open space- Chair Dammeyer compiled the best practices of the two samples. Member Aeschleman refers to conversation with attorney where neither would be required to be Public recreational use is not the same as owners of the lots in that subdivision. Chairman Dammeyer notes we are looking for confirmation from the attorney that we can require these issues. Manager Miller notes this is not a new concept, but all of the moving parts (Parks and Recreation Ordinance, sidewalk plan, developments required to set aside space) will compose this plan. Question is can we require to be deeded to the Town for public space. Issue is what if the owners association and developer are defunct? Waiting on the legal answer. With respect to public access, all roads are required to be dedicated to the Town, so access to the green space would also be public access. Member Flaherty raises the question about land that may not be accessible (behind houses). Member Aeschleman notes that none of the examples require the developer to deed land to the Town. Perhaps it is premature to discuss without the legal answers. Question from the public asking who is being targeted for this dedication of land- where would the property be? Talking about the undeveloped parcels that line White Farm Rd- began when original parks were mapped and diagrammed to show little recreational space available on that area of town. Manager Miller informs the resident

about the process that led to this potential for required space- to inform the planning for long term recreational needs.

- Dutton SUP request – Manager Miller notes the property in question is what older residents refer to as “The Kenworthy Farm”- on a map shows all the location, that the property is in an R-3 zone. Application incomplete- needs a change of use from residential to residential/part time rental. Applications were filed separately for the two properties. Application was not in 10 days prior to the scheduled meeting, however, the meeting has been pushed up a week, so it is the Board’s discretion to take up or not. At this point, you are only forwarding to the Town Board to schedule a public hearing, and will take up a formal recommendation to the Town Board at the Planning Board’s next scheduled meeting. Member Aeschleman makes a **MOTION** to recommend that the Town Board schedule a Public Hearing for these properties at their September Meeting. Member Flaherty seconds. Vice Chair Lohmar arrives and Manager Miller catches her up at discussion. 4-0. Member of the Public responds that this property has been in disrepair for so long that any renovation is welcome.
- Water Annexation/Water provision: Chairman Dammeyer notes the GMO already requires a new developer that wants water to be required to accompany that request with a petition for annexation. Manager Miller notes we have the opposite request to annex without our water. Provision of water is allowed to be denied if other customers cannot be served properly, especially if there is question about that provision affecting provision already existing. Manager Miller notes that her reading of the GMO is that it is allowed to request annexation without water. She brought to the Planning Board for confirmation. Vice Chair Lohmar says she could not find the inverse. Member Aeschleman asks what we do if they come in and then require water. Manager Miller notes that we can deny that if we have concerns that we can adequately provide- for instance if we need a modeling study to confirm we could provide and they don’t want to do that, then we can deny. Chapter K is where it is noted that we can say no. Chairman Dammeyer asks for public comment- there is none.
- Dark Skies: Manager Miller notes a resident came this week where a part time resident has an offensive outside light that shines directly into his bedroom when that part time resident leaves town. Part of the issues raised about lighting involve public street lighting. Manager Miller notes there are samples to peruse in the drive. Chairman Dammeyer notes we generally take this up at a special meeting for conversations concerning crafting of Ordinance. Vice Chair Lohmar says that we can certainly discuss separating residential from commercial from street lighting. We’re mostly talking about directional lighting that does not bother others.

NON-AGENDA ITEMS / PUBLIC COMMENT-

- Manager Miller brings up Mr. Fulcher’s revision- the official revision will be forwarded to us when CAMA puts out for comment. They have not notified us of that yet. The questions we discussed have been put into a letter to Mr. Fornes and copied to CAMA and Skip Lee so that they know we are looking for clarification. Mr. Fornes came in and picked up a copy of the SUP and its conditions. Manager

Miller believes that he had not previously seen the conditions imposed. Chairman Dammeyer notes that CAMA asks us for compliance because the applicant must be compliant with Town Ordinances. That's the aspect of the application we are working on. Discussion turns to height of the building. Manager Miller was told at turnover that the building was "compliant". But not that it was 43.5' - It may have already used the allowance for additional height when the roof trusses were re-set. Chairman Dammeyer notes the math between height and lift is not compatible and that our concerns involve the operation in open air and how a retractable roof figures in. In any case, the project will come back to the planning Board for comments.

- Chairman Dammeyer opens the floor to public comment. "How is a retractable roof satisfy the condition?" That was one of the questions we sent to Mr. Fornes. Manager Miller notes that the SUP was granted for the boat was, one of the conditions is that the activity would happen in an enclosed structure. A major revision is two minor modifications or a change of the proposed use. A major change needs a new SUP process. Public comment goes on to note that activity has had "creep" where some things are added piecemeal. Who will be monitoring that activity? "Why does the Town have to pay the price for Mr. Fulcher's financial success?" "There have been many incidents where he has gotten away with polluting- and he gets away with it? "He does it all the time, and nothing happens."- Carol Small Vice Chair Lohmar indicates that is not true. Manager Miller notes that the permitting process requires her to compare the application to the existing rules, just because you have some skepticism of adherence. The project is created to fix the past transgressions and that this solution will create a better environment for us and a less expensive violation environment for him. We can also not spot-zone. We are working to get them compliant within the current structure of rules. Please recall the instructions given during the SUP process: It will be granted UNLESS one of these things WILL happen- that you have proof-not that you think it MIGHT happen. It includes a filtration system no place else, shrouded wash, pumpout and haul off of waste. There is nothing in the Ordinance that compels one to roof a building. Carol: "The camel's nose is under the tent- he got his SUP, now he wants to change things". Chairman Dammeyer encourages people to respond directly to CAMA about their issues with this project. Vice Chair Lohmar discusses the permissible use table- if it is in the table, it is allowed by right. Commissioner Overcash notes that these corrections to the site are in response to those environmental concerns. Manager Miller indicates that the CAMA application triggers the forwarding to other agencies for their comments as well. Question was asked about rafting the harbor shut- Chairman Dammeyer notes that the Town's jurisdiction is limited once we hit the water. Question about noise ordinance- are there limitations? Time limits for making noise? Chairman Dammeyer notes the location of the Town Ordinances online which are available to all. She also asked about disturbance in the channel- Chairman Dammeyer notes that this is an example of where the Town's reach is limited. Manager Miller notes the general ordinances govern general issues- nuisance, police, etc, and the Growth Management Ordinances govern building and development. Vice Chair Lohmar states that the project has passed our hurdles, and that the recourse left is to comment to CAMA.

ADJOURN Member Flaherty made a **MOTION** to adjourn and Vice Chair Lohmar seconded. (4-0) Meeting adjourned at 4:22 PM.

Eric Dammeyer, Chairman

Diane H. Miller, Clerk to the Board

Approved / /

ORIENTAL TREE BOARD
Regular Meeting
May 30, 2017

The regular meeting of the Oriental Tree Board was held at Town Hall on Tuesday, May 30, 2017. All members were in attendance including, Bob Miller, Dick Creighton, Lynne Kaplan, Missy Tenhet, Ken King, Phil Borders and Toni Leavitt.

AGENDA

1. Roll Minutes - The April 25 meeting minutes were unanimously approved.

2. Old Business -

- * Jasmine removal at well site has been completed.
- * Pruning: Recreation Park, completed.
Broad Street, 2/3 completed.
- * High risk pines on Styron and Falcon streets have been removed.

3. New Business -

- * The guy lines on the Lou Mack Park tree have been replaced.
- * Letters/Donations - A letter of appreciation was received from the Corbets, thanking the Board for the planting at their site on White Farm Road. The Board wishes to thank Commissioners White and Price for their generous donations to the Tree Fund.
 - * With \$147 left in the end of the fiscal year's budget, the Board has decided to use that to purchase more bags of mulch, for future use.
 - * A Letter of Notification has been sent to the Neuse Street property owner regarding the final assessment of a distressed willow oak that sits on both the town and homeowner's properties. See attached.
 - * Pruning to continue in the town.

4. Adjourn

Respectfully submitted by Toni Leavitt

**ORIENTAL TREE BOARD
Regular Meeting
June 27, 2017**

The regular meeting of the Oriental Tree Board was held at Town Hall on Tuesday, June 27, 2017. All members were in attendance including, Bob Miller, Phil Borders, Lynne Kaplan, Ken King, Missy Tenhet, Dick Creighton and Toni Leavitt.

AGENDA

1. Roll Minutes - The May 30 meeting minutes were unanimously approved.

2. Old Business -

- * Mulch purchase will take place in the new fiscal year.
- * Pruning Update:
 - Recreation Park, completed
 - Broad Street, completed
 - Regan Road request pruning, completed
 - Midgette Street, 2/3 completed

3. New Business -

- * Tree Inventory - It was agreed that until the Town gets a GIS, we do not need to do a new inventory.
- * We learned that any monies left in any board's budget at the end of the fiscal year should be used by the end of May. The \$147 we had was no longer available.
- * We discussed the possible effects new development sidewalks on street trees. Bob Miller will discuss this with the Planning Board Chair.
- * Ken King received a reciprocating saw with a pruning sawblade. It was given to the Tree Board in thanks by an anonymous donor.

4. Adjourn

Respectfully submitted by Toni Leavitt

Town of Oriental, NC
Harbor Waterfronts Advisory Committee
Meeting Minutes – June082017

With a quorum being present, Ms. Lisa Thompson called the meeting to order at 8:04AM. Present were Lisa Thompson, Jim Blackerby, Art Tierney, Pat Stockwell and Walter Vick. Also present was Commissioner Allen Price

Status of Town Harbor/Dock Master: Dock Master was admitted to the hospital.

Approval of 11 May 2017 Meeting Minutes: Upon motion of Pat Stockwell and seconded by Art Tierney, the minutes of the 11 May 2017 meeting were approved.

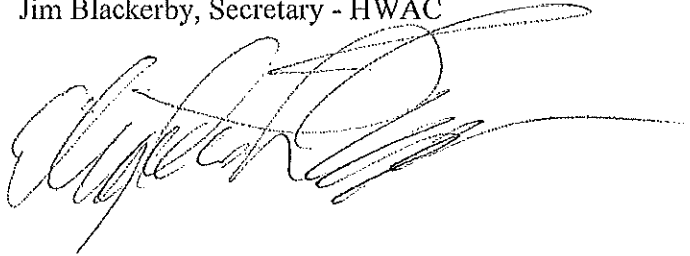
Status of Current Projects:

- Kayak/Paddleboard Racks All in favor of fixed boat racks. Committee will cost out 2 wooden racks to hold 6 watercraft apiece. Discussions re: new Article II for Chapter E ordinance – procedure; sign up; charge; locking; waiver of town liability; storm rules; violations and penalties, i.e. surrender of boats.
- Acquire new burgees (ongoing) 8 burgees. Commissioner David White is pursuing a telescoping flag pole set up for the burgees. The Provision Company is selling mini versions of current Town Burgees – funds to waterfront costs.
- Restore Net House for use as an unstaffed visitor center (ongoing) Get contractor input on scope of job and estimates. Work with Tourism Board. Walter Vick indicated that initial inspection revealed building appears to be in good shape. Net house has been locked.
- Obtain Clean Marina Status - Due to multiple moving parts, the committee will address work by using all members to obtain Clean Marina Status
- Extend the dinghy dock – proposal to acquire contractor quotes
- Continue with town dock master for part time position - full support from committee
- The “Key West” sign - HWAC is studying options for placement of sign.
- Issues related to the pump-out station were addressed Complaints continue, Universal fitting has been tampered with, need to replace. Train town and hotel/marina staff on how to use pump out.
- Address hotel’s locked fence at Town Dock 2 and its impact on a friendly community projection. Write formal letter to encourage collaboration between the hotel and the Town of Oriental.
- Ask for boating infrastructure grant for mooring fields. (ongoing) 2018 project. Work with other boards.
- Duke Energy plans to install an electric car hookup at the Town dock 2 bathroom facility (ongoing).
- Annapolis boat show proposal, work with tourism – wish list (ongoing). Charlie asked about plans

- Add rock to hole in Wildlife ramp parking area – contact wildlife for repair (ongoing).
- Proposal - cookout October 19th for town and cruisers Music society has talent playing at Bean, HWAC will host the hotdog cookout. Board will put this on. Piglet cooking hotdogs 1 –3pm.

Without objection, the meeting was adjourned at 9:10AM with the next meeting scheduled for 13 July 2017 at 8:00AM.

Respectfully submitted,
Jim Blackerby, Secretary - HWAC

A handwritten signature in black ink, appearing to read 'Jim Blackerby', written over a horizontal line.

To: Oriental Town Board

From: Debra Khouri, BRMSD Board Member

Re: The Bay River Metropolitan Sewerage District Board at its monthly meeting held on July 20, 2017.

Update on June meeting:

A public hearing was called to approve the 2017-2018 budget. The budget was unanimously approved.

An amendment as approved for the Chris Venters employment contract: "Bay River will comply with all laws regarding workman's compensation insurance coverage, employer's social security and Medicare tax obligations and that such expenses are not conceded a benefit due to Venters."

An adjustment was approved for the current Light Commercial Fees. For small CURRENTLY EXISTING businesses: BMSRD will charge \$6.25 per gallon and waive the \$2500 impact feed if not extra gallons are needed.

Actions taken at the July 20th meeting:

A customer payment extension agreement received from the Bayboro Water Department asking for a sign-off by Bay River was tabled. Bay River does not put itself in the position of extending credit to any individual, regardless of the circumstances, as this is unfair to the rest of our users. It is the policy of BMSRD that we will not act in the capacity of a loan source for customers. Since the Bayboro water department had already made this agreement with the customer, the board tabled the request. The only dissenting vote on the action to table requested that Mr. Venters contact other districts who bill through their water department to see if there were policies that might address this unusual situation.

The board approved budget amendments for the 2017-2018 budget. These were minor adjustments to the previously approved budget.

Discussion:

Work has resumed on the Oriental Phase 2 project. Six manholes are in and work will be completed in November as per the construction contract.

The district has been working with the manufacturer on the failure of two 200 HP motors. To date no cause has been found. The district is currently testing electrical connections by running the motors with alternate connections. The board will be updated at the next meeting.

