

CYCLE NC 2020  
MONTHLY PLANNING MEETING WITH TOURISM BOARD,  
AREA BUSINESSES & NON-PROFITS

**October 17, 2019**

Participants included Town Management, Tourism Board Members, local business owners, representatives from various area civic groups and local cyclists who participate in Cycle NC events. Discussion focused on issues we must address in hosting Cycle NC April 24-26, 2020 based on prior experiences here and learning from other host venues. We can anticipate about 1,500 people for the three-day event.

**Our next planning meeting will be held at Town Hall on November 21, 8:15 am.** A Keurig coffee maker with pods is provided in the Board Room– but you can bring your special brew if you like!

DISCUSSION POINTS

Finalizing Committees:

There was discussion of finalizing various operating committees for the event. These include Manning Visitors Tent, Manning Rest Areas, Providing Website Content (Pat Thomaier to forward info to Cycle NC), Accommodations and Campsites (Diane Miller to coordinate), Music & Entertainment (Doug Sligh to coordinate).

Event Info via Phone Apps: Pat noted that info for the event must be to Cycle NC early March to create daily “bulletins” and updates via phone app for cyclists. These will include accommodations info, special activities and daily events, town and route maps, parking and camping info, shop specials, entertainment etc.

We need to be sure to provide a link to TownDock.net in the Cycle NC app.

Town Maps: Bill Wheeler (Town Map “Meister”) will update the town map as needed for the Cycle event – RV parking, campsites, food courts, etc.

Rest Stops: Need to determine number of rest stops, locations, number of volunteers needed. This info to come from Cycle NC. Marsha Palpham will contact Chip at Cycle NC for routes – then recommend placement of rest stops and assign to various non-profits to “man”. Assume there will be more locations and volunteers needed for Saturday. It was noted that the stops are not appropriate for fundraising...but volunteers can promote their orgs (OFPMF, etc.) with signs or handouts.

Possible volunteers include Boy and Girl Scouts, Girls on the Run, ROTC.

Aid Stations: We need to know number of people needed and number of emergency locations from Cycle NC. It was suggested we recruit volunteer nurses from Carolina East.

Emergency Management: Dianne Miller and Allen Price will coordinate emergency planning and identify shelter locations for tornado, etc. Possible sites might be Old Theater and Methodist Church. Sites will be shown on the town map.

Enhanced Cell Coverage: Pat has let Chip know that we will need enhanced coverage and connectivity here for the event and he will follow-up on adding “hot spots”.

Garbology: Need someone to coordinate. Tom Cocoran was mentioned as a possible chair person. Tourism will fund the cost of trash collection.

Activities: Special activities which might be provided to cyclists and families include small boat sailing, kayaking, fishing guides, ghost walking tour, kid’s park, movies at Old Theater. John and Ellen Chappell to coordinate and compile activities list.

Restaurants & Shops: Pat Thomaier will coordinate with all local “eateries” for hours, specials, etc. “Grab & Go” is key during the event.

Radio Coverage: Tourism Board will provide \$500 for radio coverage. Marsha Palpham will coordinate on-site broadcasting from the event in Oriental.

Location of Food Services/Shower Trucks/Entertainment Venue: Placement of these services will be determined by Chip/Cycle NC. Doug Sligh will be involved with entertainment locations, Lili with Beer Garden, etc.

Commemorative Postcard: Marsha to contact Laura about creating a 2020 event postcard as a gift for all cyclists.

Discount Coupons: We need to solicit coupons, discounts, special offers from area businesses (Oriental, Bayboro and Grantsboro) to be provided to cyclists.

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**The next Planning Meeting is scheduled for 8:15 on Thursday, November 21<sup>st</sup>  
at Town Hall.**

**Please invite anyone who may need to be involved in the 2020 event.**

Notes submitted by Carol Mabe – Tourism Board

News Release  
Oriental Tree Board  
October 23, 2019

The Oriental Tree Board is now planning our winter tree planting program. We are identifying sites around town where we will plant street trees within the public right of way, town parks, and other town properties.

A key function of the Tree Board is to plant and maintain trees in the public right-of-way and on other public properties. We will plant a tree in front of your home or business at no charge if there is room within the right of way. If you are interested in having a shade tree planted phone the Oriental Town Hall at 249 0555. Town Hall staff will take your information and a member of the Tree Board will visit your property and decide (with you) which kind of tree is most suitable to your landscape and available growing space. Your property must be within the town limits to qualify.

We have begun locating and purchasing trees, and will be planting live and other oaks, lacebark elm, redbud, yaupon, Chinese pistache, bald cypress, fringe tree, redbud, crape myrtles, and other suitable species. Our trees come in containers and will be around 4 – 6 feet tall. Although small at planting, trees grow fast in our climate and will begin to add to the value of your property in just a few years. We have a limited budget so call soon if you are interested.

Oriental Tree Board



## ORIENTAL PLANNING BOARD WORKSHOP MINUTES

Wednesday, October 3, 2019 1:00PM  
Oriental Town Hall – 507 Church Street, Oriental, NC

### CALL MEETING TO ORDER AND ESTABLISH QUORUM

PRESENT: Chairman Aeschleman, , Member Barrow, Member Willi, Member Lohmar, LUA Miller, Vice Chair Lohmar, Mayor Pro Tempore White, Commissioner Overcash, Commissioner Simmons. Members of the Public. Absent: Member Flaherty.

Chairman Aeschleman called the meeting to order at 3:04PM

Chairman Aeschleman chose to take Public Comment at the beginning of the meeting instead of later.

Resident: Asks the scope of the meeting and what exactly the aim of the Board is in this workshop. Chairman Aeschleman notes that the Planning Board will take into account all sources available in order to make a recommendation to the Board when and if the PB feels like something needs to be added to the current code. He noted that several documents have been discussed- School of Govt regulation, Georgia model Ordinances, Pamlico County Ordinance and various other documents.

### BUSINESS- SOLAR POWER REGULATION

Chairman Aeschleman notes this meeting was scheduled for the time period when Hurricane Dorian hit.

He sent out summary of previous workshop discussion items. We had identified three categories: (1) roof mounted/integrated systems as an accessory use, (2) ground mounted systems as an accessory use, (3) ground mounted systems as a primary use of the land (commercial). Member Lohmar notes we had not defined “large systems” or “small systems”.

Followup communication noted that we should expand these categories from 3 to 5- roof and ground mounted systems with NEW CONSTRUCTION vs roof and ground mounted systems that are added AFTER construction:

- (1) Roof/ Integrated systems as part of NEW construction
- (2) Ground mounted systems in NEW construction
- (3) Roof/ Integrated systems added after construction to existing home.
- (4) Ground mounted systems added after construction to existing structure.
- (5) Ground mounted panels as a primary use (solar farms)

Grace Evans (asks if the permit is being considered as the fee for installing solar panels. LUA Miller notes that the permit fee is dependent on the square footage of the structure to be erected- <200 sqft is \$25, >200sqft is \$150- same as houses, sheds, etc. Urges the PB to encourage solar.

Vice Chair Barrow asks if we had decided that the roof mounted/integrated to be limited to the footprint of the roof- Chairman Aeschleman notes that was where we had started. We may need additional discussion when separating into new construction and retrofitted construction- would it require a different building permit? If changing the roof structure, how does that differ from retrofitting? Building permit is issued in new construction, but we do not permit roof replacement. Does retrofit for solar panels require additional permit? Vice Chair Barrow “gets it” for ground mounted, but not roof mounted. Chairman Aeschleman has concerns that there may be additional issues that require new to be separated from existing. Regardless, ground mounted systems will require permit, regardless.

Member Lohmar agrees with this plan of attack. She questions how you find the difference between a residential capacity and a public utility.

- (1) *New construction- roof mounted/integrated systems:* Pamlico County Building Inspector inspects electrical connection for solar installation. This is an accessory that does not require additional permitting. Again Member Lohmar asks when is the installation for residential use and when does it become a public utility. Member Barrow notes that if you produce more than needed, it is required to go back to the utility. Concern is utility guideline. LUA Miller notes that you have to be registered as a utility company- amount given back has no impact. Public Utility is affected differently and is regulated by General Statutes. Tideland is not capable of receiving- Town is split about 2/3 to 1/3 Duke to Tideland providing power. New construction- compliance form from us in order to get building permit. What we are suggesting is that no additional permitting is required. Do we want any zoning restrictions? Member Lohmar (referencing Dublin document) regulated color of solar panels- (Board consensus) that would not be a good recommendation. LUA Miller suggests possibility of restricting to street side (or water side) to “make it pretty”. There are also corner lots. There is also the potential desire to perhaps restrict from using on the water side. Member Lohmar suggests that we may be too small to be taking those kinds of restrictions into account. Vice Chair Barrow asks that the Board remember that we are talking about 5 different zones. Chairman Aeschleman notes that we are not making recommendations to restrict permitting nor zoning in any zone for roof-mounted/integrated systems.
- (2) *Roof-mounted or integrated systems on existing construction:* Do we want to require new permitting for that. LUA Miller confirms we do not require additional permitting for re-roofing a house. (with traditional asphalt or metal roofing). Replacing asphalt shingles with solar panels/shingles will require county building permit for installation. We are suggesting that no permitting would be required. Some additional roof construction might require new rafters/plywood in order to support. The Town would not require permits for replacing plywood/rafters. LUA Miller notes that the only permit that would be required is if that roof pitch or elevation changes due to the changes to accommodate solar panels/shingles. Member Barrow notes that anything that extends the existing roof to increase impervious surface DOES already require permitting. If the roof is compliant with existing restrictions of roofline, then there is no mechanism that would require for extending the solar, but would need to be permitted as extending the roofline (impervious surface). Any zoning restriction? NO.
- (3) *Ground mounted panels in new construction:* Accessory to primary use/principal structure. Examples show the footprint to be regulated as a percentage of the existing roofline square footage. Some recommend 50% or smaller of the principal structure. Is that 50% panel area or yard space? Combined footprint of the panels. Even though panels are at

an angle to the ground, when you count them as square footage if they were laid flat. Would still have to meet all the existing setbacks. Member Lohmar concerned with small properties being covered with large fields of solar fields. Member Willi notes the numbers being used amount to another 3 car garage. Resident Hines: Once changing the angle for the winter sun, it takes up more space. Vice Chair Barrow suggests to use a footprint within which they could be erected- it restricts number of panels by accounting for the angles. Chairman Aeschleman notes the question: What is the reason for any restriction? Appearance? Safety? LUA Miller- setbacks are instituted for safety and drainage purposes. Solar is considered permeable surface. Member Lohmar- it is considered an appearance issue- do you really want lots taken up by all solar. Chairman Aeschleman attempts to get consensus. Member Willi notes that it can be mitigated by the combination of roof mounted and ground mounted panels. Chairman Aeschleman asks that we hold off on the size restriction, but that there will likely be SOME restriction on the amount of ground mounted panels. All agreed. Permitting: LUA Miller notes that any ground mounted vertical structure is permitted- and must be separated from the primary structure and any other structure on the property by 14 feet- adding into the original permitting. Member Lohmar asks if a permit is approved and decide to add a shed, do they have to come back to the Town to amend the permit? YES. Member Lohmar- please define ground mounted panels. That panels cannot be lying on the ground- permanently affixed- safety issue. Also- what, if anything will we have to say about those panels that move during the day to track the sun? Again conversation goes to space in which panels can be erected vs footprint area into which it can be installed. Outstanding questions: clear definition of ground mounted, size of space for installation. Chairman Aeschleman- are we in agreement that no permitting, other than the original building permitting would be required. Zoning? Fencing- Member Lohmar suggests fencing/screening an attractive nuisance, buried and conduit for cabling. LUA Miller- suggests that properties at water's edge spend energy on water side, which would leave the street side for development. Do you want to restrict in some zones that it cannot be on street side, or minimum setback from the right-of-way. Vice Chair Barrow notes that even if street side is restricted on street side, roof mounted would not be. Chairman Aeschleman notes that other accessories like propane tanks, hvac units, etc are not regulated. LUA Miller notes that new zoning does not have to be consistent according to new General Statute 160A-383. Chairman Aeschleman notes we should be careful in making aesthetic decisions. Manager Miller notes that there are very real distinctions between R-1 and R-2,R-3- short term rentals, etc- land use- takes into account land values. We only rejected the restrictions that were not legally allowed. Chairman Aeschleman- Are we going to have restrictions on where it can be placed, screening requirements, etc? LUA Miller notes can restrict kind of screening as well- screening on front/rear. Member Lohmar states restrictions depend on allowable size. Chairman Aeschleman notes that proposed restrictions are not welcoming to solar- Member Lohmar states that no restrictions on roof mounted solar nullify restrictions on ground mounted. Member Lohmar notes that not everybody's house faces the right direction for roof mounted, so ground mounted is the only alternative available to residents. Mayor Pro Tempore White notes the power generated (generally) and the power generated by ground mounted vs the less restricted roof mounted. Vice Chair Barrow notes that enough power has to be generated to cover the electrical need. Member Lohmar notes the technology is changing and the power generated out of today's panels may not be the same as panel power in the future. RESIDENT Hines: Please consider the issue of height restrictions- can I drive under it? To drive under it at a slant, then it goes up further. TREES: Recent developments in General Assembly note leaning toward not

being able to regulate clear cutting- private land is private WRT trees. Member Barrow notes the possibility of restricting ground based solar in residential zones. Member Lohmar asks if it can be restricted to ground based if lot is bigger than X. LUA Miller notes that areas currently NOT part of the Town annexed in would be eligible for a few of the more restricted uses- campgrounds, RV lots, etc. Impervious surface issues would restrict enlargement of uses of existing parcels in MU/MU-1. Solar is considered permeable. Vice Chair Barrow notes that the discussion concerning MU/MU-1 areas that might be affected by these restrictions. RESIDENT Hines: If restrict ground mounted to lot size, you effectively restrict it to roof-mounted. Chairman Aeschleman notes that there is some issue in allowing ground mounted in residential- what about houses turned into commercial? Use current use or potential use? Vice Chair Barrow- do not want to restrict to the point where we made lots unable to be annexed. LUA Miller notes you can say none in R-1, R-2, R-3, and restrict areas for MU, MU-1. Chair Aeschleman asks why we are not allowing ground mounted in residential. Chair notes aesthetics is entirely inconsistent with GMO. Vice Chair Barrow notes we cannot restrict solely on whether the installation is cost-effective. Chair Aeschleman notes we do not take financial responsibility into account. LUA Miller notes that we do by signing onto Pamlico County Flood Ordinance, by complying with CAMA. On ground mounted panels at water edge- we do have specific restrictions- would not want to erect a glass-filled sail at the water's edge. Residential mounted panel is more likely to do damage to private property. Same as recreational equipment- your swing set may blow away, but the ones in the park are constructed to withstand. Member Willi notes that they're less desirable at water to some, less desirable at water's edge to others. RESIDENT Hines: There's a reason you see roof mounted more often than ground mounted- more likely to sustain environmental conditions. RESIDENT: Is the objective to burn less fossil fuel? Solar is one way of burning less fossil fuel. Efficiency is relative to residents' beliefs and needs. What is the right thing to do? RESIDENT: Grace Evans: started because people of Oriental have had to be self-sufficient and some choose to do what they can to do so. RESIDENT: Could Town put up solar panels to sell back for residents collectively- offsite- offset. LUA Miller notes the process and the consistency statement that is required to accompany any recommendation has 3 options: is consistent, recommended; is not consistent, not recommended; is not consistent, recommended anyway. Chairman Aeschleman notes that whatever is decided for new construction will also be in effect for additional construction, in fact likely to have additional. In summary (Chairman Aeschleman: some restriction as to size would be recommended on safety basis, fencing/screening required, vegetative buffers. Member Lohmar notes the Dublin Ordinance is for a different community, so likely would have to be adjusted before adopted.

Chairman Aeschleman asks if we can schedule another meeting next week. Chair Aeschleman suggests Oct 9, 2019 1PM. All agreed. Homework is focusing on ground mounted systems.

Last category is solar farms. LUA Miller distributed Pamlico County's solar farm Ordinance. Safe bet that nobody wants farms inside. Pamlico's is consistent- could we just adopt those. LUA Miller notes you cannot restrict any use totally from limits. We have been justified (legally defensible) in restricting heavy industry at water's edge. So you would have to classify it as heavy industrial to outlaw. Noting that it is more likely light or medium industrial. As such, several large parcels not currently annexed in are eligible. If using our water, requires a petition for annexation. Such a large parcel of



value (once developed) would be a desirable annexation as it uses no extra resource from the Town, yet yields additional property tax. An interior lot that does not drain to water- can restrict to X acres- she suggests farmland near firehouse- big enough lot, interior, does not drain to water, doesn't affect us otherwise. Vice Chair Barrow- if we were to annex that in, we get benefit without problems. Requiring same long setbacks as County prevents intrusion to private property. Chairman Aeschleman asks if we reference other Ordinances? LUA Miller notes we reference Flood Ordinance. Recommends that if you want to adopt theirs, that those portions are copy/pasted in- if they change theirs, ours would be automatically changed without a Public Hearing- which presents legal complications. LUA Miller notes again that not consistent, but recommended anyway is now an option since 2017- allows Planning Board to recommend policies/ordinances that move forward without touching older adopted plans.

#### **NON-AGENDA ITEMS / PUBLIC COMMENT**

**ADJOURN** Meeting was adjourned at 4:55 PM on a MOTION by Member Lohmar with second from Member Willi . 4-0.

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Stan Aeschleman, Chairman

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Diane Miller, Clerk to the Board

Approved: \_\_\_\_\_



## ORIENTAL PLANNING BOARD WORKSHOP MINUTES

Wednesday, October 9, 2019 1:00PM  
Oriental Town Hall – 507 Church Street, Oriental, NC

### CALL MEETING TO ORDER AND ESTABLISH QUORUM

PRESENT: Chairman Aeschleman, , Vice Chair Barrow, Member Willi, Member Lohmar, LUA Miller, Vice Chair Lohmar, Mayor Pro Tempore White, Commissioner Overcash. Commissioner Simmons. No members of the Public. Absent: Member Flaherty.

Chairman Aeschleman called the meeting to order at 3:04PM

### BUSINESS- SOLAR POWER REGULATION

Minutes from last work session (10-3-19) approved on a **MOTION** from Member Lohmar and second by Vice Chair Barrow. 4-0.

LUA Miller sent out summary of previous workshop discussion items. Followup communication noted NCGS that requires allowance of solar panels to power residential.

Recap- 5 categories-

- 1) New roof mounted and 3) roof mounted on existing construction- neither would require additional permitting/zoning restrictions.
- 2) Ground mounted on new and 4)existing construction- where we got stopped.

Cannot prohibit solar collectors for residential use- Chairman Aeschleman attempted to find existing Ordinances, could not find residential municipal. Chairman emailed LUA Miller- who could not locate additional. Has emailed the Managers' listserv with NO results. County Ordinances are basically right off the template- all very similar.

Is there any other new information?

Member Lohmar notes info on ground mounted sizing- 600sqft of space to generate enough energy for a 1000 sqft home. Chairman Aeschleman found 240 sqft of panels for 1500 sqft home- significantly less. Member Lohmar believes hers references the area into which the ground mounted panels are installed. Vice Chair Barrow believes we can limit ground mounted as long as we are allowing roof-mounted.

Chairman Aeschleman notes the sample Ordinance that restricts the sighted-from-the-street ground mounted. Huntersville, Dublin, and Pleasant Grove were the three examples noted. Dublin restricts ground mounted from the "front yard"- but they also regulate other things in the front yard. These are consistent. We have nothing else in the GMO that restricts other structures in the front yard. LUA Miller notes NCGS 160-383 where they can recommend something that is not consistent, knowing that the Planning Board cannot necessarily change the long-range plans adopted.

Member Lohmar wants to look at something that protects you from your neighbors- perhaps restricting the size would prevent the aesthetics that are not desired. LUA Miller notes that we- the Town- are not responsible for what happens deep in your lot, but we do have to consider the impact to the parts we ARE responsible for- ROWs, streets, drainage, access to Public Utilities, etc. She noted the suggested language that restricts placement to not closer to the ROW than the front façade of the structure. She gave the example of floating 5 gallon bucket plugging drainage. Chairman Aeschleman noted that some structures stretch from one street to the other- which would restrict the placement to the sides of the home. Chairman Aeschleman asks if we will consider cars, sheds, other structures in the front? Differences noted between Florence-type event and basic smaller weather event- the difference between a boat or car floating into the neighbors' yard vs balls, buckets, pieces of glass floating around and plugging drains.

Vice Chair Barrow asks if we will require panels to be erected out of the flood zone/above the flood zone? Height restrictions- no higher than the peak of the structure. With some raised homes, height restrictions have to be relative that all are consistent- not relative to the particular home, but relative to something that is measured the same for all homes.- Center of the road-front property line, not the "10 ft from the adjacent wall" as is used for eave height- those terraformed have a distinct advantage.

Mayor Pro Tempore White notes satellite dish has a much smaller footprint- and propane tanks.

Chairman Aeschleman notes that some may only be able to put a smaller number on the roof- need extra on the ground.

Fourteen foot separation was discussed. While we have encouraged all to be 14 ft separated, GMO only regulates multi-unit houses to be separated by that much. Most of that was garage with apartment over it and a primary residence.

Member Lohmar- talking lot size relative to space allocated for installation of ground mounted. Summary: non-glare, not between the primary structure and the street, not in the flood zone, permanently affixed, wind rated for 140MPH.

Height: height of houses to raised houses- eaves same issue- some one story structures, some 3. LUA Miller: A/C aren't all raised- and right next to houses. Vice Chair Barrow- some subdivisions have A/C 50 ft from the house. Same as propane- we do not tell people those structures have to be 14 ft from house. Chairman Aeschleman cannot find the 14 ft separation other than multi-unit housing. LUA Miller confirms that is the only time required- most that are permitted are primary structure with apartment over garage- needing 14 ft separation as multi-unit. We have been requiring it of all. Suggests that installation of solar panels be required to have that 14 ft separation for fire-fighting abilities. Does wind rating affect the height? Higher up becomes a sail.

Chairman Aeschleman asks for thoughts on consistency and finding similar restrictions in the GMO for other structures. Member Lohmar notes that consistency should not drive the issue, but rather what we want for Oriental in the future. If not consistent, it is likely because this issue- solar energy in a residential setting, was not a possibility at the time of the enactment of other regulations. Chairman Aeschleman notes that the guidelines we are working from are not written to be consistent with our GMO, they are written to not enact

so many regulations that solar energy is discouraged. Member Willi notes this can be the beginning of the slippery slope where we are regulating it because it is unattractive and next are restrictions on other things in the front yard. Even the Legislature notes that restricting the vista of the front yard can become burdening. Vice Chair Barrow goes back to does anyone have an issue with panel in the flood zone? Huntersville, as an example, does restrict lots of things in the front yard- parking, boats, etc. Member Willi is still stuck on what are we trying to accomplish? Chairman Aeschleman notes through email conversations with the Manager that the lack of availability of other samples indicates there are few solar regulations for residential properties. Discussion turned to other accessory uses on properties. We currently operate on setbacks only- and height requirements. Setbacks are different in each zone. Chairman is not against restricting size, it alleviates distinguishing between private use and solar farms. Mayor Pro Tempore White reiterates the need for wind tolerance limits. Add permanently affixed to requirements. To be clear- PANEL must be above the flood zone. Agreed. Jurisdiction on docks- we usually permit the construction in accordance with CAMA restrictions- more or less to keep track of seawalls and docks being erected, but most dock construction simply goes through CAMA. Solar mounted on docks would be under CAMA rules. If boathouse on the dock, would we require permit? No- setbacks invoke CAMA regulations. Iron pipes on the back side of the house limit the property and Town's jurisdiction.

Setbacks- LUA Miller recommends that a 14 ft setback from structures be included in ground mounted restrictions in order to separate solar panel ground structures and keep fire hazards separate- to fight one is a completely different procedure to fight the other.

Fence Ordinance- very slight reference to fence restrictions- screening requirements are in there and not erecting fence in right-of-way is standard. No height restrictions. IS setback from street or corner post? Setback is from the building line (indicated as the end of the right-of-way- then the setback measured from there (iron pipes). [LUA Miller notes here, post meeting that SOME iron pipes are in the middle of the road, or at the road's edge- in which case the ROW is added to the "30 ft from the center of the road" provisions]. Chairman Aeschleman notes section 113.9 where fence is restricted to not impede visual access to road- essentially not in the right of way- no height requirement.

Chairman Aeschleman notes: consensus: withstand 140MPH winds, above flood zone, setbacks and height requirements are hard limits. No consensus on area, height.

Vice Chair Barrow- differences between houses on pilings, raised, three story- all differing eaves. Are we not better to pick a height not to exceed. To prevent 3 stories of solar panels. LUA Miller notes that the eave heights are measured from a line adjacent to wall- 10 ft from the wall- all retaining walls usually are outside that distance- so that's the grade used. If you said 20 ft- or 30 ft or grade at center of road. Vice Chair Barrow suggests grade at front property line. Height should not be "drive-under height". Vice Chair Barrow is looking for some measurement that is consistent with some other restrictions. LUA Miller notes the Mission/Vision and keeping with "balance"- mixture of homes, uses, protection for old while protecting from radically new- to preserve the character. Every new rule requires an enforcement mechanism. There is a significant divide between residents on regulating land uses- just a heads up for what you face. Chairman Aeschleman suggests the mean sea- LUA Miller notes that existing crown of the road/front property line at edge of ROW would be acceptable- without requiring a professional to come measure. NC template recommends 20 ft. Member Lohmar notes that our houses are already elevated, so that puts the panels right

at eye-height. Justification due to this is that the height can be reduced. Also higher becomes more easily susceptible to wind damage in a place where wind damage happens regularly. Suggested language: no higher than \_\_\_ measured from the grade at the front property line. LUA Miller notes the floodplain Ordinance notes 8.5-9 ft- bottom of floor joists. If the panel was completely vertical- large panels are 4'X6'. 9ft plus 4ft=15 ft. Vice Chair Barrow suggests top of the panel be restricted to no more than 16 ft- should cover all situations, and will compensate from 20 ft for wind issues.

Size: Percentage of footprint of house? Limited #sqft? 50% of footprint up to max X ft? LUA Miller noted previous conversation where it was discussed to corral all panels in X sqft. Chairman Aeschleman notes Sample Ordinances say caps on sqft. (gives several examples). Vice Chair Barrow asks about how measuring panels- footprint or sqft? Vice Chair Barrow notes "contiguously connected" array- not scattered about the property. Chairman Aeschleman notes we cannot anticipate all scenarios. If we try, we end up with something like the tax code. Chairman Aeschleman- how is 3-4 panels different from 3-4 junk cars? Permanently affixed is something all agreed to.

Vice Chair Barrow suggests 50% of primary structure footprint is what we have discussed most. (As opposed to heated sqft.) [Benchmark recommendation] Primary structure includes garage if attached. Vice Chair Barrow notes we can easily go onto GIS and measure the footprint- not heated square feet. SOME are noted in GIS property record with heated square feet, but not all. Also noted that examples use acre size lots to limit other than footprint- generally smaller lots- what makes most sense for us is not necessarily what is presented in the examples. Chairman Aeschleman offers 50% of primary structure- all agree.

Location on the lot: Vice Chair Barrow notes space available and setbacks should regulate most of it- legitimate limitation. Member Willi accepts those existing setbacks. Member Lohmar says this will result in solar panels in front yards- know this before allowing it- especially in places like Dolphin Point where lots are larger and homes built closer to the water. LUA Miller notes that Dolphin Point does have in its covenants, and does enforce "vista" restrictions and that placement of ground mounted solar panels, especially any that might be elevated to the heights we are discussion, would likely cross that restriction. They have been successful in preventing fences and such in that subdivision.

Permitting: New construction: as part of the current zoning compliance. If they bring a plan without a solar array and then choose to add, they must come back to modify the permit. Existing construction- adding ground mounted solar array- LUP to install and make sure compliant with these proposed regulations as adopted. Because of setback issues, it definitely needs to be permitted- less than 200sqft, \$25, more than 200 sqft, \$150 [POST-MEETING- LUA needs how panels will be measured to determine fee].

Zoning: Discussion on large existing single footprints- to imagine potential large allowable fields. Most of those large roofed areas take up most of the existing surface, so does not have extra space to take advantage of the large area allowable. Same guidelines- is there a reason why these proposals would NOT work? (Discussion concerning large buildings in town- trying to find one that would be unacceptable if used lot space). LUA Miller notes if this is a concern, you should add the up to and including X total square feet. Member Willi notes he could clear the front 3 acres on a 10 acre parcel to install panels to power a 10,000 sqft building, LUA Miller was sure he would, and Member Willi wanted that statement in the Minutes.

Chairman Aeschleman notes that he believes we have enough information and consensus to draft some language. Vice Chair Barrow will begin to draft with the assistance of Chairman Aeschleman. Vice Chair Barrow asks WHERE in the GMO we are looking to insert. Chairman Aeschleman notes we may be able to ask the Board to set Public Hearing following our November meeting. Member Lohmar notes that we would have to note definitions, etc.

Member Lohmar makes a MOTION to adjourn. Vice Chair Barrow seconds. 4-0.

#### **NON-AGENDA ITEMS / PUBLIC COMMENT**

**ADJOURN** Meeting was adjourned at 4:55 PM on a MOTION by Member Lohmar with second from Member Willi . 4-0.

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Stan Aeschleman, Chairman

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Diane Miller, Clerk to the Board

Approved: \_\_\_\_\_



## ORIENTAL PLANNING BOARD WORKSHOP MINUTES

Wednesday, October 17, 2019 10:00AM  
Oriental Town Hall – 507 Church Street, Oriental, NC

### CALL MEETING TO ORDER AND ESTABLISH QUORUM

PRESENT: Chairman Aeschleman, , Vice Chair Barrow, Member Willi, LUA Miller, Commissioner Overcash.. No members of the Public. Absent: Member Flaherty, Member Lohmar..

Chairman Aeschleman called the meeting to order at 3:04PM

### Approve Minutes from Workshop October 9, 2019

### OLD BUSINESS

- Solar Ordinance progress/ potential review of language: The Chair chose to move this item as a draft of language was still under construction.

### NEW BUSINESS

- Compliance forms for review: The Board reviewed compliance forms for the Spruill construction of new driveway and carport- permitted by Pamlico Building Inspections prior to us signing off. LUA Miller discussed this with the BI office in order to prevent future issues- building IS compliant. Heinz workshop on Harrell property to put in “shed” type building for use as workshop- no customer traffic, no storage or production for sale to public. Janson/Grimes at 505 Hodges raising house to remove from floodplain.
- Sign Ordinance Amendment: Town Board has requested additional language to the draft language offered:
  - (Section 1)A very detailed discussion of sections 181 and 175 followed, with the proposal (attached to have section 181.1.1 removed (covered in 171.5) and 181.1.2 becoming 181.1.1.
  - Extended discussion of public property, trust areas to be affected- including those which have been traditionally used for solely this purpose.
- Harbor Waterfronts Advisory Committee has requested the Planning Board take up two potential alterations:
  - Discussion on those sections forwarded by HWAC (securing construction materials in named storms and securing propane tanks) to be sent to attorney for review and answering some questions on our authority to regulate existing and possible later inclusion.
- PB determined next meeting would be 10-25-19, 10AM to 12 PM for continuation of the solar ordinance proposal.

**ADJOURN: Next Meeting scheduled for November 20, 3PM**

**NON-AGENDA ITEMS / PUBLIC COMMENT**

**ADJOURN** Meeting was adjourned at 4:55 PM on a MOTION by Member Willi with second from Vice Chair Barrow . 3-0.

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Stan Aeschleman, Chairman

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Diane Miller, Clerk to the Board

Approved: \_\_\_\_\_