

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, November 10, 2014. This meeting was held in the Dare County Board of Commissioners meeting room located at the Dare County Administrative Building, 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 7:00 pm

MEMBERS PRESENT	Elmer R. Midgett, Jr., Chairman	John Finelli
	Michael Barr	Dan Oden
	Beth Midgett	David Overton

MEMBERS ABSENT Richard "Ricky" Scarborough, Jr.

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the October 13, 2014 meeting of the Dare County Planning Board, David Overton made a motion to approve the minutes as submitted. Beth Midgett seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

-None-

OLD BUSINESS

Conditional Use Permit Application, Christian Lending, LLC, Avon

Sam Hagedon was present on behalf of Christian Lending, LLC.

Donna Creef began the discussion. Christian Lending, LLC submitted their conditional use permit application in August 2013 but it was withdrawn pending removal of underground fuel tanks located on a different property. Those underground tanks have been removed. As required, adjoining property owners have been notified of the conditional use permit application and the property has been posted. We have received no comments from adjoining property owners or the general public.

Legal documents for the shared improvements have been recorded at the Register of Deeds office. The fuel canopy has been located on the site plan to avoid encroachments into easements. The canopy indicates four pumps will be installed. The site plan does not indicate traffic flow around the fuel pumps. It will be a self-service facility with no employees required.

C-2 regulations require that no portion of the service station building, equipment, or gas pumps be located nearer than 25' to any right-of-way. The measurement to the canopy shows this. There is an 8' x 8' equipment "room" shown on the site plan that may be better described as an equipment building. The location of the equipment building may impede the flow of traffic and could be relocated closer to the north property line. We need additional details on the type of equipment that will be in the building and how the building will be constructed. The building and canopy will need to be engineered and constructed according to the NC building code and the equipment building will need to be constructed in compliance with the Dare County Flood Ordinance.

There is no information on the site plan about lighting fixtures for the canopy. We have included standards used in the past for similar facilities. This will be in relatively close proximity to NC 12 and we want to be sure there is no issue with lighting spillover onto NC 12. I suggest including a maximum footcandle rating of 10 for canopy light fixtures on the site plan and in the conditional use permit.

Mr. Hagedon spoke to the Planning Board. He said they are still recovering from Hurricane Irene. The September 30 memo from Steve Kovacs, Fire Marshal, asked where the venting pipes are located. The plan is to have the venting pipe go up the post for the canopy. Mr. Kovacs also inquired about the location of a fire hydrant. There is a hydrant located directly across from the property at a distance of 100'. There will be curbing designated on a more detailed site plan that will address the flow of traffic.

Chairman Midgett and Donna Creef reminded Mr. Hagedon and the Planning Board that after the Planning Board makes their recommendation, this will proceed to the Dare County Board of Commissioners where it will be handled as a quasi-judicial matter to include sworn testimony and findings of fact.

Chairman Midgett asked Mr. Hagedon about the location of the equipment building. Mr. Hagedon replied that the building is 25' from the right-of-way but it will not be a problem to move it to the north side of the lot. He said the building may not need to be 8' x 8' because there is no real "equipment" in it, just electronics. The BP station has a similar structure that is 8' x 2'.

During discussion, Michael Barr made the following comments:

- There should be some type of protection around the equipment building to prevent damage by vehicles.
- The proposed elevation of the equipment building needs to be shown and applicable flood zone noted.
- The fire hydrant should be indicated on the site plan.
- The canopy lighting needs to be shown on the plan as well as a note indicating that it will be shielded from NC 12 and have a maximum footcandle rating of 10.
- The site plan needs to indicate that two of the light poles will be removed.
- A note should be included indicating the existing dumpster located on the adjoining property.
- The multi-use path needs to be added to the site plan.
- The existing and proposed lot coverage should be indicated, taking into account such factors as the removal of asphalt, addition of concrete on top of the fuel tanks, addition of the equipment building, and any other changes which will affect the lot coverage.

Ms. Creef asked if 12 months would be an adequate timeframe for construction and Mr. Hagedon said he would hope to begin construction in January, complete construction by March, and be open by May 2015.

John Finelli and Donna Creef asked if there would be any other equipment at the site, including vending machines. Mr. Hagedon said there will not and that this can be added as a condition. Chairman Midgett asked if there would be any cash transactions at the site. Mr. Hagedon replied that all transactions will be by credit card.

Because of the number of changes to be made to the site plan, Chairman Midgett and Donna Creef asked the Planning Board if they would prefer to review a revised site plan before making a recommendation to the Board of Commissioners.

Michael Barr made a motion to table further action regarding the Conditional Use Permit Application of Christian Lending, LLC until the applicant submits a revised site plan which includes the changes recommended at this meeting. Beth Midgett seconded the motion.

Vote: Ayes – Unanimous

NEW BUSINESS

-None-

OTHER BUSINESS

-None-

ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Dan Oden and seconded by David Overton.

Vote: Ayes – Unanimous

The meeting adjourned at 7:35 p.m.

Respectfully Submitted,



Sharon L. Flatt
Planning Board Clerk

APPROVED: December 8, 2014



Elmer R. Midgett, Jr.
Chairman, Dare County Planning Board