

SHALLOTTE BOARD OF ALDERMEN
REGULAR MEETING AGENDA
JANUARY 4, 2022
5:15 P.M.

The Shallotte Board of Aldermen met for a regular meeting on January 4, 2022 at 5:15 p.m. in the meeting chambers located at 110 Cheers Street with Mayor Pro-tem Carson Durham presiding.

Both Mayor Walt Eccard and Town Manager Mimi Gaither were not in attendance but did join the meeting via zoom (telephone) call.

Aldermen present: Larry Harrelson, Jimmy Bellamy, Adam Stanley and Gene Vasile

Aldermen absent: None

Staff present: Sandy Strickland, Attorney Laura Thompson, Robert Waring, Isaac Norris, Dan Formyduval and Paul Dunwell

I. CALL TO ORDER

Mayor Pro-tem Durham called the meeting to order. A motion was made by Jimmy Bellamy seconded by Gene Vasile to open the meeting. Motion carried 4 yes 0 no.

II. INVOCATION & PLEDGE

Alderman Adam Stanley gave the Invocation followed by the Board and audience reciting the Pledge of Allegiance.

**III. PRESENTATION OF FISCAL YEAR 2020-2021 AUDIT –
WADE GREEN, CPA**

Mr. Wade Greene, W. Greene, PLLC, presented the Financial Audit for the Town of Shallotte, year ending June 30, 2021. Mr. Greene stated the Town was in great financial standing and the Town has received an “unqualified opinion” on the audit.

IV. AGENDA AMENDMENTS & APPROVAL OF AGENDA

A motion was made by Adam Stanley seconded by Gene Vasile to approve the agenda with the following amendments:

1. Add patrol car discussion under Police Department report
2. Remove December 7, 2021 Regular Meeting Minutes from the Consent Agenda
3. Add a Closed Session:
 - Pursuant to N.C.G.S. 143-318.11 (a) (3), a motion to go into closed session to consult the Attorney in order to protect the attorney-client privilege

Motion carried 4 yes 0 no.

V. PUBLIC COMMENTS (3 minutes or less per person please)

No public comments

VI. DEPARTMENT REPORTS

1. Police
 - Patrol car discussion - Sergeant Darby Lykins was recently involved in a motor vehicle accident where his patrol car was t-boned. Thankfully no injuries were

sustained. A motion was made by Gene Vasile seconded by Adam Stanley to authorize the purchase of a new patrol car from Crossroads Ford, not to exceed \$40,000. Motion carried 4 yes 0 no.

2. Fire

3. Planning

- A motion was made by Gene Vasile seconded by Adam Stanley to appoint Jared Opalk to the Transportation Committee after the resignation of Darryl Kuka. Motion carried 4 yes 0 no.

4. Public Utilities

5. Finance

6. Media & Events

- A motion was made by Adam Stanley seconded by Jimmy Bellamy to approve the large event application submitted by the Coalition of Christian Bikers. The event is scheduled for March 25-26, 2022 at Mulberry Park. Motion carried 4 yes 0 no.

7. Administration

8. Mayors Monthly Activities

VII. **CONSENT AGENDA**

A motion was made by Jimmy Bellamy seconded by Adam Stanley to approve the consent agenda.

1. December 7, 2021 Regular Meeting Minutes – Removed from Agenda

2. Budget Adjustments

- BA-21-22-12 (Police Department Calendar Donation \$2,500)

Motion carried 4 yes 0 no.

VIII. PUBLIC HEARING (1)

REZONING PETITION: 1100 Village Point Rd. Paramounte Eng. on behalf of LHH Holdings, LLC, has submitted a request for consideration of a rezoning petition for the property located along the 1100 block of Village Point Rd. Parcel ID # 21400046. The property is currently zoned Residential-10 (R-10) and has been requested to rezone into the Planned Unit Development (PUD) zoning district.

1. A motion was made by Larry Harrelson seconded by Adam Stanley to open Public Hearing (1). Motion carried 4 yes 0 no.
2. Public Comments/Questions – Planning Director Robert Waring briefly explained the proposed project. The property was annexed into the Town some time ago and is zoned R-10, carrying a maximum density of six (6) units per acre. The property owner has requested rezoning into the Town’s Planned Unit Development (PUD) and a proposed density of 2.7 units per acre (154 single-family lots). Mr. Waring stated if this request is approved, preliminary subdivision plans would have to come back to the Board for approval.
 - Allison Engebretson, Paramounte Engineering, stated the proposed project, “Creekside Landing”, that 32% of the property (56.36 acres) would remain untouched or “passive”.
 - Dale Hewett, adjacent property owner, stated the Middle Dam Ditch, as it is referred to, does tend to flood. What plans are in place for stormwater? Ms. Engebretson stated, stormwater drains for this area would be massively oversized.
 - There were concerns with increased traffic and congestion in the area. Mr. Waring informed everyone that driveway permits, etc. would have to be approved by NCDOT and any subdivision plans would have to be brought back before the Planning Board and Board of Aldermen for approval. Both meetings of these Boards are open to the public for comments and questions.
3. A motion was made by Adam Stanley seconded by Gene Vasile to close Public Hearing (1). Motion carried 4 yes 0 no.
4. A motion was made by Adam Stanley seconded by Gene Vasile to approve the Board of Aldermen Zoning Statement of Consistency. Motion carried 4 yes 0 no.

5. A motion was made by Larry Harrelson seconded by Gene Vasile to approve rezoning property located along the 1100 block of Village Point Rd. Parcel ID # 21400046 from Residential-10 (R-10) to Planned Unit Development (PUD) Zoning District. Motion carried 4 yes 0 no.

(BEING THIS IS A QUASI JUDICIAL HEARING, ANYONE THAT WISHES TO SPEAK REGARDING THIS MATTER WILL NEED TO BE SWORN IN BY THE TOWN CLERK PRIOR TO ANY COMMENTS)

IX. PUBLIC HEARING (2)

SPECIAL USE PERMIT Parcel ID # 1820012002 (Hwy 130). Phillip & Jean Cheers Living Trust, has submitted a request for consideration of a Special Use Permit (SUP) so as to develop a Residential Cluster Development, located in the area of Holden Beach Rd (Hwy 130) and Red Bug Rd. Parcel ID # 1820012002. The property is zoned Multi Family-6 (MF-6) and such use is a special use within the MF-6 zoning district. (13.71 acres)

1. A motion was made by Jimmy Bellamy seconded by Gene Vasile to open Public Hearing (2). Motion carried 4 yes 0 no.
2. Public Comments/Questions – Town Clerk Sandy Strickland administered the Oath to the following:
 - Robert Waring
 - Frank Braxton
 - Larry Branch
 - Jay Murray
 - Donnie Beck

Frank Braxton, Landscape Architect with CLD Engineering, authorized spokesman for the applicant, submitted the Special Use Standards as evidence for the hearing. He also stated the proposed forty-nine (49) lot subdivision, has good drainage and they will extend water and sewer to the property.

Jay Murray, 2803 Winfree Way, asked how the road plan was approved. He also stated the proposed sewer pumping station is not environmentally safe. The lots will not sell to

recoup any money, due to the cost of installing this lift station. He urged the Board not to set a precedence in this area because it is not needed nor wanted.

Donnie Beck asked about the proposed driveway connections. His property is in the middle of the development along highway 130 (Holden Beach Road) and has concerns about turn lanes. Mr. Braxton stated that a turn lane would not be required and NCDOT would approve any and all driveway permits.

3. A motion was made by Adam Stanley seconded by Gene Vasile to close Public Hearing (2). Motion carried 4 yes 0 no.

4. A motion was made by Gene Vasile seconded by Adam Stanley to approve a Special Use Permit (SUP) so as to develop a Residential Cluster Development, located in the area of Holden Beach Rd (Hwy 130) and Red Bug Rd. Parcel ID # 1820012002.\ (13.71 acres). The property is zoned Multi Family-6 (MF-6) and such use is a special use within the MF-6 zoning district. The following special conditions are also imposed:
 - Comply with all driveway design requirements as detailed by NCDOT & Town staff; and
 - Provide appropriate easements for maintenance and access over all public infrastructure to include waste water lift station; and
 - Indicate with signage that stubbed roads will be used as future public road connections; and
 - Submit complete preliminary subdivision plans/application, stormwater plans/application for technical review and Planning Board approval for each phase; and
 - Prior to recording of the final plat, all public infrastructure shall be completed, inspected, and offered to the Town via deed of dedication; and
 - Preserve all heritage trees shown on survey whenever practical and replaced per Article 17 if removed; and
 - All required local, state, and federal permits shall be obtained and copies provided prior to final zoning approval; and
 - The property owner will complete preliminary subdivision plans within 12 months of SUP approval or petition to the Board of Aldermen for an extension, per Section 12-12 of the Shallotte UDO; and
 - The applicant shall sign the SUP findings.

Motion carried 4 yes 0 no.

X. CLOSED SESSION

A motion was made by Gene Vasile seconded by Larry Harrelson, Pursuant to N.C.G.S. 143-318.11 (a) (3), a motion to go into closed session to consult the Attorney in order to protect the attorney-client privilege. Motion carried 4 yes 0 no.

A motion was made by Adam Stanley seconded by Jimmy Bellamy to resume regular session. Motion carried 4 yes 0 no.

XI. ADJOURN

A motion was made by Adam Stanley seconded by Gene Vasile to recess until January 18, 2022 at 5:15 p.m. Motion carried 4 yes 0 no.

Respectfully submitted,

Sandy Strickland, CMC

Date