

# SHALLOTTE BOARD OF ALDERMEN

## REGULAR MEETING

January 7, 2023

5:15 P.M.

The Shallotte Board of Aldermen met for a regular meeting on January 7, 2023 at 5:15 p.m. in the meeting chambers located at 110 Cheers Street with Mayor Pro-Tem Carson Durham presiding.

Aldermen present: Larry Harrelson, Gene Vasile, Jimmy Bellamy and Bobby Williamson.

Staff present: Mimi Gaither, Robert Waring, Natalie Goins, Isaac Norris, Paul Dunwell, Adam Stanley, Dan Formyduval and Attorney Laura Thompson.

### 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

Father Farrell Graves of St. James the Fisherman Episcopal Church gave the Invocation followed by the Board and audience reciting the Pledge of Allegiance.

### III. CONFLICT OF INTEREST

Mayor Pro-Tem Durham asked if any member of the Board had a conflict of interest or the appearance of a conflict of interest with regard to any item on the agenda. None stated.

### IV. AGENDA AMENDMENTS & APPROVAL OF AGENDA

A motion was made by Jimmy Bellamy seconded by Bobby Williamson to make the following amendments and approve the amended agenda:

- Add 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

No public comments.

### VI. DEPARTMENT REPORTS

1. Police

A. Presentation of Advanced Certificate

Police Chief Adam Stanley presented Lt. Darby Lykins with the NC Advanced Law Enforcement Certificate.

2. Fire

3. Planning

4. Public Utilities

A. Water Bill Adjustments:

- Carolina Creations Landscapes – 4802 Bailey St.  
A motion was made by Larry Harrelson seconded by Gene Vasile to approve the adjustment. Motion carried 4 yes 0 no.
- Victory Chrysler Dodge Jeep Ram – 45 Naber Dr.  
A motion was made by Bobby Williamson seconded by Jimmy Bellamy to approve the adjustment. Motion carried 4 yes 0 no.

5. Finance

6. Media & Events

7. Administration

Town Manager Mimi Gaither briefed the Board on project updates:

- Riverwalk – CAMA permits submitted for modifications to use old slipway as kayak launch.
- Price Landing – Undergoing additional wetland delineation.
- Committee scheduled to meet next week with Creech & Associates.

8. Mayors Monthly Activities

Mayor Pro-Tem Durham read aloud Mayor Eccard's year-end review report.

VII. **CONSENT AGENDA**

A motion was made by Larry Harrelson seconded by Gene Vasile to approve the following consent agenda items:

1. December 6, 2022 Regular Meeting Minutes
2. Budget Adjustments
  - BA-22-23-8 (Donation of water & sewer property from Heartsease: \$752,415.00)

Motion carried 4 yes 0 no.

VIII. **PUBLIC HEARING (1) (Quasi-judicial)**

**SPECIAL USE PERMIT PARCEL ID # 1820000302 (5075 Northside Dr.)**

Ms. Catherine Riddle, has submitted a request for consideration of a Special Use Permit (SUP) so as to develop an electric substation & electric vehicle charging station, at the parcel/address listed above. The property is zoned Residential Manufactured-10 (RM-10) and such use is a special use within the R-10 zoning

district.

1. A motion was made by Jimmy Bellamy seconded by Gene Vasile to open the Public Hearing. Motion carried 4 yes 0 no.
2. Town Clerk, Natalie Goins, administered the Oath to those that wished to speak during the public hearing. A record of those who were sworn in will be added to the minutes.
  - Robert Waring - Town of Shallotte Planning Director
  - Shane Brandwood - ECE (Electrical Consulting Engineers, Inc.)
  - Jordan Overbee – Brunswick Electric Membership Corporation
  - Justin Pruitt – Brunswick Electric Membership Corporation
  - Catherine Riddle – Property owner
3. Public Comments/Questions
  - Mr. Waring gave a brief overview of the proposed electric substation project for the 4.6 acres lot, located at 5075 Northside Drive. It entails a relatively small parking lot, which would not require paving, and two driveway accesses. At this time, no utilities are required from the Town.
  - Shane Brandwood read aloud the Findings of Fact, introducing them into evidence for the hearing:
4. A motion was made by Jimmy Bellamy seconded by Bobby Williamson to close the Public Hearing. Motion carried 4 yes 0 no.
5. Board Comments/Questions
  - Mayor Pro-Tem Durham read aloud the Specific Findings of Fact:
    - 1) That the use will not materially endanger the public health and safety.
    - 2) That the use will not substantially injure the value of adjoining or abutting property (or alternatively, that it be a public necessity).
    - 3) That the use will be in harmony with the area in which it is to be located.
    - 4) That the use will be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plans officially adopted by the Board of Aldermen.
    - 5) That the use will have adequate facilities to provide ingress and egress designed to minimize traffic congestion on public streets and also to have adequate utilities, access roads, drainage, sanitation or other necessary infrastructure.
    - 6) That the use meets all required conditions and specifications established by the Board of Aldermen.
6. A motion was made by Bobby Williamson seconded by Gene Vasile to approve SUP# 22-30. The following special conditions are also imposed:

- 1) A Town of Shallotte stormwater permit application shall be completed prior to final approval; and
- 2) Per Sec. 12-12, site improvements shall commence within 12 months of SUP approval date or applicant shall request an extension of up to six month from the Shallotte Board of Aldermen; and
- 3) All required local, state, and federal permits shall be obtained and copies provided prior to final zoning approval; and
- 4) The applicant shall sign the SUP.

Motion carried 4 yes 0 no.

## IX. **PUBLIC HEARING (2) *(Quasi-judicial)***

### **SPECIAL USE PERMIT PARCEL ID # 198AE01302 (4726 Main Street)**

Mr. Samuel Varnam, All-In, LLC, has submitted a request for revision of an existing Special Use Permit (SUP) including removing limitations on the number of rental vehicles and a revised screen for the storage of said vehicles at Scott's Farm & Family Store located at 4726 Main Street.

1. A motion was made by Jimmy Bellamy seconded by Larry Harrelson to open the Public Hearing. Motion carried 4 yes 0 no.
2. Town Clerk, Natalie Goins, administered the Oath to those that wished to speak during the public hearing. A record of those who were sworn in will be added to the minutes.
  - Robert Waring - Town of Shallotte Planning Director
  - Sammy Varnam – Property owner
  - Andrew Scott – Owner/Manager Scott’s Farm & Family Store
3. Public Comments/Questions
  - Mr. Waring gave a brief overview explaining that the existing Conditional Use Permit, issued in 2016, allowed for no more than ten rental units to be stored on the property. An application has been submitted to increase the number of rental vehicles and to modify the screening plan.
  - Sammy Varnam and Andrew Scott both addressed the Board, expressing the need to increase the allowable rental vehicle storage to keep up with growth and demand for the service. There was also discussion regarding plans for storing and screening the vehicles on the property.
  - Mr. Varnam read aloud the Conditional Use Standards and submitted as evidence for the hearing.
4. A motion was made by Jimmy Bellamy seconded by Bobby Williamson to close the Public Hearing. Motion carried 4 yes 0 no.
5. Board Comments/Questions

After much discussion, it was the consensus of the Board to have the applicant bring back a set of plans at the February 7<sup>th</sup>, 2023 meeting.
6. A motion was made by Bobby Williamson seconded by Gene Vasile to continue the Public Hearing to the February 7, 2023 meeting. Motion carried 4 yes 0 no.

**X. CLOSED SESSION**

Pursuant to N.C.G.S. 143-318.11 (a) (3), a motion was made by Jimmy Bellamy seconded by Gene Vasile to go into closed session at 6:44 p.m. to consult with the Attorney in order to protect the attorney-client privilege; referencing 19CVS740 – B&B Crane and Timothy Powell vs. Town of Shallotte et al. Motion carried 5 yes 0 no.

A motion was made by Jimmy Bellamy seconded by Gene Vasile to resume regular session at 7:01 p.m. Motion carried 5 yes 0 no.

**XI. ADJOURN**

A motion was made by Jimmy Bellamy seconded by Bobby Williamson to adjourn the meeting at 7:01 p.m. Motion carried 4 yes 0 no.

Respectfully submitted,

Natalie Goins  
Town Clerk