

**MINUTES**  
**PLANNING BOARD**  
**BRUNSWICK COUNTY, NC**

**6:00 P.M. Monday**  
**October 10, 2022**

**Commissioners Chambers**  
**David R. Sandifer Administration Bldg.**  
**County Government Center**  
**Old U.S 17 East**

MEMBERS PRESENT

Eric Dunham, Chair  
Joy Easley, Vice Chair  
William Bittenbender  
Clifton Cheek  
Harry Richard Ishler, Alternate  
Christopher Wood

MEMBERS ABSENT

Richard Leary  
Ron Medlin

STAFF PRESENT

Kirstie Dixon, Director  
Marc Pages, Principal Planner  
Helen Bunch, Zoning Administrator  
Connie Marlowe, Admin. Asst. II  
Garrett Huckins, Planning Tech.  
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

J. Phillip Norris, Norris & Tunstall Engineering  
Sean Lamora  
Terry Boldt  
John Ross  
Wesley Hinson, Land Use Attorney  
Joseph Butler  
Ed Dalton  
Buz Ketcham  
Jeff Mandly  
Ben James  
Vikki Vahsen  
Craig Eckert  
Jackson Starling  
Patrick Newton  
Jean Toner

Mark Hewett  
Josh Crook  
Wendy Hewett  
Sara Shirley, American Engineering  
Alan Nelson  
Tom Brennan  
Peggy Dotson  
Jeff Ehrlich  
Brian Cohan  
Hans Martens  
Gary Quilliam  
Daniel Castellich  
Bobby Johnson  
Tyler Newman

I. CALL TO ORDER.

Mr. Dunham called the meeting to order at 6:04 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

Mr. Dunham said a prayer. Mr. Dunham asked everyone to stand and face the U.S. Flag to say the Pledge of Allegiance.

III. ROLL CALL.

Mr. Richard Leary and Mr. Ron Medlin were absent.

IV. CONSIDERATION OF MINUTES FROM THE 12-SEP-22 MEETING.

Mr. Bittenbender made a motion to approve the 12-Sep-22 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

The Chair moved Carmel Village Planned Development (PD-91) to Item A under New Business and Gilbert Road/Benton Road Tract Planned Development (PD-87) was moved to Item B due to the vast number of residents present for Carmel Village Planned Development (PD-91) consideration.

VI. PUBLIC COMMENT.

There were none.

VII. NEW BUSINESS.

A. Planned Development – PD-91

Name: Carmel Village  
Applicant: John Ross, Micheaux Resource Management, LLC  
Tax Parcel(s): 1850001707, 1850001508 and 18500012  
Location: Southport-Supply Road SE (NC 211) and Zion Hill Road SE (SR 1114)  
Description: Carmel Village is a proposed planned development consisting of 400 single family lots and 167 townhomes on 291.80 acres creating an overall density of 1.95 dwelling units per acre.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval based on the following conditions:

- That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department;
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance;
- Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements;
- A road connection shall be required across the wetlands connecting Road A and Road C in Phase 1 of the development;
- The Road A connection to Zion Hill Road SE (SR 1114) shall be limited to a right-in/right-out or emergency use only to reduce potential conflicts with school traffic. The developer shall coordinate with the North Carolina Department of Transportation (NCDOT) for exact design and layout;
- A pedestrian crosswalk with signage shall be installed across Zion Hill Road SE (SR 1114) to accommodate school walkers before Phase 2 is recorded. The developer shall coordinate with Brunswick County Schools and NCDOT to determine the exact location and configuration of the crosswalk; and
- Label the future connection to Calvin Frink Drive SE shall be for emergency use only and will be gated.

Ms. Easley asked staff how much of the 214 acres of open space is unusable wetlands? Mr. Pages said the plans state that 122.40 acres is wetlands, which is outline in Item 6 regarding exceptional design. He further stated that 109.20 acres will be placed in a Conservation Easement. Ms. Easley asked if Road A is the means for ingress and egress for Phase 1 and Phase 2 because those areas do not connect? Mr. Pages said they will connect because staff has imposed a condition to require such. Mr. Pages pointed out how the traffic will flow in and out of the proposed development.

Mr. Bittenbender asked if there was consideration to increase the design of the project from the 25-year storm event to a 100-year storm event and Mr. Pages said there were some discussions about it at the Technical Review Committee (TRC) meeting, but Brigit Flora with stormwater suggested the project be designed to the 25-year storm event. He said the Board can add a condition requesting the project be designed to the 100-year storm event. Mr. Pages added that there is not a lot of flood zone property in this area.

Mr. Cheek asked staff what is the reduction in lot dimensions? Mr. Pages said the developer is proposing 188 (42' wide lots) and 212 (52' wide lots). He further stated that SBR-6000 (High Density Site Built Residential) allows for 60' wide lots in the conventional development standards and the R-7500 (Medium Density Residential) allows for 75' wide lots in the conventional development standards so they are asking for flexibility from the conventional development standards. Mr. Pages said they are requesting a reduction in setbacks for the townhomes to 5' on the side, which is usually 10' and street side reduction to 10' rather than the required 15'.

Mr. Bittenbender made a motion to open the Public Hearing and the motion was unanimously approved.

Mr. John Ross, Professional Engineer, addressed the Board on behalf of the proposed project. He introduced the project development team (Sara Shirley, J. Phillip Norris, and Wesley (Wes) Hinson). Mr. Ross thanked staff for their assistance in moving this project forward and he said they concur with the conditions listed in the Staff Report.

Ms. Sara Shirley, American Engineering, addressed the Board. Ms. Shirley briefly discussed a PowerPoint presentation (attached). Ms. Shirley said they reviewed the CAMA Land Use Plan and the Brunswick County Unified Development Ordinance (UDO) to ensure this project met the minimum requirements and, in some instances, it exceeds the minimum requirements outlined in the UDO. Ms. Shirley said, during the neighborhood meeting, the 2 major concerns were traffic and stormwater. She stated that these concerns will be addressed via a Traffic Impact Analysis (TIA) that must be approved by the North Carolina Department of Transportation (NCDOT) and stormwater control measures that will be reviewed and approved by the Stormwater Engineer, Brigit Flora. Ms. Shirley said they are committed to designing the project to a 100-year storm event. She continued discussing the proposed density for the project in relation to the conventional standards. Ms. Shirley also discussed traffic improvements, approval criteria as well as planned development criteria that is outlined in the attached PowerPoint presentation.

Mr. J. Phillip Norris, Norris and Tunstall Consulting Engineers, addressed the Board. Mr. Norris addressed exceptional design as outlined in the attached PowerPoint presentation by saying they will provide a 30' buffer along the street frontage rather than 20' and the existing white 3-rail fence will remain along the length of the property on Zion Hill Road SE (SR 1114). He said pedestrian connections to Virginia Williamson Elementary School will be provided and the locations will be determined by NCDOT and staff. He further stated that environmentally sensitive areas (wetlands, streams, stream buffers) will be left undisturbed to the fullest extent possible. There is a proposed road crossing through a wetland area that will require a permit from the U.S. Army Corps of Engineers (Corps of Engineers). Mr. Norris reiterated that the project will be designed to a 100-year storm event. He concluded that the Conservation Easement will be implemented as shown on the plan.

Ms. Shirley readdressed the Board and discussed the layout of the proposed plan off Zion Hill Road SE (SR 1114) with the buffer cross sections as outlined in the attached PowerPoint presentation. They also provided photos of potential amenity areas proposed for the project.

Mr. Wesley (Wes) Hinson, Land Use Attorney with Hinson & Faulk Law Firm, addressed the Board on behalf of Carmel Village. Mr. Hinson said this project meets the Brunswick County Unified Development Ordinance and the CAMA Land Use Plan and the project is consistent with the unique natural characteristics of the site.

Mr. Dunham asked when the property was zoned R-7500 and SBR-6000? Mr. Ross said the property was zoned R-7500 and SBR-6000 when he purchased it and he was uncertain how long it has been zoned as such.

Ms. Shirley said the reduced setbacks only apply to the townhomes, but they are proposing to have a 20' setback between townhomes. Mr. Wood was appreciative of the 20' setback between townhomes for fire safety purposes. He explained a situation in North Myrtle Beach (Cherry Grove area) South Carolina where several townhomes were destroyed during a fire due to their close proximity to each other.

Mr. Alan Nelson, Winding River Plantation Community Association Board of Directors (Board of Directors), addressed the Board. Mr. Nelson said the Board of Directors is concerned with traffic and safety, which is outlined in the attached handout. He stated that the Sheriff's Office did a traffic study on Zion Hill Road SE (SR 1114) that showed over 2,500 vehicles passing per day over an 8 day period. He said the Board of Directors felt that the Traffic Impact Analysis (TIA) should be submitted prior to the approval of this project. He further stated that they believe there are better internal street options as well as alternative ingress and egress methods for future residents of the project that will result into safer movement between sections of the subject property and fewer intersections on both NC 211 (Southport-Supply Road SE) and Zion Hill Road SE (SR 1114). Mr. Nelson said the Board of Directors feels it is prudent to delay this project until Blueprint Brunswick CAMA Land Use Plan has been adopted.

Mr. Dunham asked staff how the proposed project will be affected by Blueprint Brunswick CAMA Land Use Plan? Ms. Dixon said the Blueprint Brunswick CAMA Land Use Plan has not been adopted and the proposed project has to be reviewed based on the current CAMA Land Use Plan.

Mr. Wood asked Mr. Nelson if he said the Sheriff's Office completed a traffic study? Mr. Nelson said a speed limit device was placed in the neighborhood that counted traffic.

Mr. Joseph Butler, resident of Winding River Plantation since 2004, addressed the Board. Mr. Butler said Winding River Plantation will be affected by this development. He addressed neighborhood compatibility from the attached handout. He expressed concern regarding safety for children attending Virginia Williamson Elementary School as well as the parents and residents of Winding River Plantation. Mr. Butler felt that this project will be intrusive to this neighborhood.

Mr. Tom Brennan, resident of Winding River Plantation for 9 years, addressed the Board. Mr. Brennan addressed flooding to the area from the attached handout. He identified wetlands (Carolina Bay - Pocosin, Headwater Forest and Pine Flat) in the area. He stated that the subject property surrounds Virginia Williamson Elementary School. Mr. Brennan said the majority of the stormwater runoff funnels to Winding River Plantation in a tiny creek between Blossom Tree and Woodbridge Lane and there are current flood issues and he feels that developing this property will likely compound the flooding issues. He further stated that an existing wooden bridge could be at-risk with more water coming to Winding River Plantation. He mentioned the flooding that occurred during Hurricane Florence. Mr. Brennan said Winding River Plantation request that the Corps of Engineers and the North Carolina Department of Environmental Quality (NCDEQ) determine if the creek in Winding River Plantation between Blossom Tree Lane and Woodbridge Lane can safely handle stormwater runoff from the 52-acre parcel without threat to existing homes and property along its banks. He also felt that the structural risk to the bridge should be evaluated from the proposed stormwater design for this project. Mr. Brennan provided photos of flooding to a home during Hurricane Florence and standing water during Hurricane Ian.

Mr. Dunham asked the development team to address the stormwater concerns. Mr. Norris readdressed the Board. He stated that there are various locations for potential retention ponds on the plan based on the current water flow and a boundary and topographic survey will be done so they can identify exactly where the water flows. Mr. Norris said they would like to have an opportunity to consult with Mr. Brennan regarding the current stormwater issues to assist in the designing of the project. He reiterated that this is a conceptual plan and it is subject to change. Ms. Shirley interjected that a wetlands delineation study was completed by Southern

Environmental Group in April 2022 and the wetlands delineation must be approved by Army Corps of Engineers.

Mr. Ed Dalton, resident of Winding River Plantation, addressed the Board. He addressed traffic, safety, and evacuation from the attached handout. Mr. Dalton reiterated that a TIA should be submitted prior to the Board's decision and he also concurred that Blueprint Brunswick CAMA Land Use Plan should be adopted prior to approval of Carmel Village. He discussed statistics regarding traffic patterns in the immediate area. He felt that the townhomes should have access off NC 211 (Southport-Supply Road SE) and not Zion Hill Road SE (SR 1114). He was concerned that infrastructure will not be in place to support the future traffic that will be generated by the proposed project. Mr. Dalton was also concerned that the development growth will have a significant impact on communities during an emergency evacuation situation. He stated that Steven Barger, Chairman of the Brunswick County Board of Education, is also concerned about traffic and he quoted Mr. Barger saying, "traffic does concern me, which is why I voice my concerns about traffic with Commissioner Forte this very morning". He further stated that a plan should be in place regarding road development before any development is approved.

Mr. Dunham reiterated that NCDOT approval is after the project has been approved by the Planning Board. He said, in all likelihood, the proposed entrances will probably be altered before the plan is approved by NCDOT.

Ms. Peggy Dotson, resident of Winding River Plantation, addressed the Board. Ms. Dotson addressed the environmental aspect as it relates to existing trees that can absorb water depending on their size and age as outlined in the attached handout. Ms. Dotson also expressed concern regarding endangered species being negatively impacted if trees are removed. Ms. Dotson said there are red-headed woodpeckers present in Winding River Plantation and there is a nesting in tree on her property. She, too, asked that the project be delayed until Blueprint Brunswick CAMA Land Use Plan is finalized and compatibility can be assessed, the assessment of the downstream flooding impact on Winding River Plantation has been performed, an adequate traffic study is completed and NCDOT recommended changes are understood and the timing for completion of infrastructure changes is determined and coordinated with development growth and funding. Mr. Dunham again stated that NCDOT approval is after the project has been approved.

Mr. Brennan readdressed the Board. He asked that the Board consider the reasonableness of this project to an established neighborhood. Mr. Brennan said the residents in Winding River Plantation rely on the Planning Board to make a sound decision because NCDOT's decision will be too late for the current residents of Winding River Plantation with regards to a fire, access to police, emergency services, and all other emergency situations. He reiterated that there have been issues with flooding in the area and safe evacuation before a major storm.

Ms. Shirley readdressed the Board. She reiterated that all comments and concerns by the residents of Winding River Plantation have been addressed or will be addressed with the appropriate agencies once the project moves through the different phases of the process.

Mr. John Ross readdressed the Board. He explained the criteria that must be included within a Traffic Impact Analysis (TIA), which addresses existing and proposed conditions in the area.

Mr. Buz Ketcham, member of the Board of Directors of Winding River Plantation, addressed the Board. Mr. Ketcham asked that slash and burn not be allowed because the community is predominantly elderly. He suggested a solid fence be required between the project and the Virginia Williamson Elementary School as an effort to deter inquisitive children from accessing

the site during the development phase. Mr. Ketcham was also concerned with a crosswalk on a 45 mile per hour road. Mr. Ketcham asked that the project be table for 1 month so the school board can have an opportunity to see how the proposed development will impact Virginia Williamson Elementary School.

Mr. Jeff Ehrlich, resident of Palmetto Creek, addressed the Board. Mr. Ehrlich concurred with the residents of Winding River Plantation, in that, there are traffic concerns on NC 211 (Southport-Supply Road SE) where vehicles are unable to get in/out of developments. Mr. Dunham said NCDOT will approve all road infrastructure off NC 211 (Southport-Supply Road SE). Mr. Ehrlich pointed out that there is a nuclear plant nearby and NC 211 (Southport-Supply Road SE) is not equipment to handle the traffic in a nuclear emergency evacuation.

Mr. Jeff Mandly, resident of Winding River Plantation, addressed the Board. Mr. Mandly was concerned with the potential of creating a traffic nightmare and a potential threat to school safety on Zion Hill Road SE (SR 1114). He suggested that the developer submit a different plan that shows a road from the townhomes to NC 211 (Southport-Supply Road SE), which could connect with the rest of the development. Mr. Pages added that staff recommended a road connection across the wetlands connecting Road A and Road C in Phase 1 of the development.

Mr. Brian Cohan addressed the Board. Mr. Cohn said there is wetlands behind Virginia Williamson Elementary School and he was concerned with the potential of a major fire in the area where the townhomes are located due to their close proximity to each other. Mr. Pages added that fire and emergency services were represented at the Technical Review Committee (TRC) meeting and their comments are provided.

Mr. Ben James, resident of Winding River Plantation, addressed the Board. He was concerned with traffic coming out on Zion Hill Road SE (SR 1114) in Phase 2. Mr. James suggested a bridge be erected across the wetlands to allow for traffic flow onto NC 211 (Southport-Supply Road SE) to avoid traffic congestion on Zion Hill Road SE (SR 1114). He reiterated that the existing vegetation should remain. Mr. James said the proposed development equates to approximately 14 lots per acre if only upland acreage is considered.

Mr. Hans Mertens, resident of Winding River Plantation, addressed the Board. Mr. Mertens felt that the Board's decision should be based on facts and not opinions. He felt that the project should be tabled and all issues expressed by the public should be resolved before a decision is made by the Board. He stated that the Board should not be pressured into making a decision unless all of the information received tonight is accurate because the residents of this area will be handcuffed with your decision. He again felt that Blueprint Brunswick CAMA Land Use Plan should be in place before a decision is made.

Ms. Vikki Vahsen, resident of Winding River Plantation, addressed the Board. Ms. Vahsen said her property is approximately 150' from Tax Parcel 1850001508 and 31 acres of the 51 acres is buildable and the rest of the parcel is wetlands. She reiterated that there are existing flooding issues in the area Mr. Pages clarified that the developer is proposing approximately 130 homes around Virginia Williamson Elementary School and approximately 90 townhomes across Zion Hill Road SE (SR 1114).

Mr. Gary Quilliam, resident of Winding River Plantation, addressed the Board. He stated that there are several developments off NC 211 (Southport-Supply Road SE) that will have to accommodate school aged children. Mr. Quilliam suggested that the County purchase the

property and expand Virginia Williamson Elementary School and put a junior high school across Zion Hill Road SE (SR 1114) where the townhomes are proposed.

Mr. Craig Eckert, representative of Board of Education, addressed the Board. Mr. Eckert said the Board of Education is aware of the approved developments in this area and other areas of the County and there is capacity available in the surrounding schools (Virginia Williamson Elementary, Supply Elementary and Southport). Mr. Eckert reiterated that all traffic concerns will have been addressed before a TIA is approved by NCDOT.

Ms. Katherine Desilva addressed the Board. She asked about the right turn onto Zion Hill Road SE (SR 1114) and how the traffic will access NC 211 (Southport-Supply Road SE)? Mr. Pages said staff recommends a road connection across the wetlands connecting Road A and Road C in Phase of the development be provided.

Ms. Shirley reiterated that they are following all the minimum requirements of the UDO and they are exceeding some requirements such as committing to design the project to a 100-year storm event. Mr. Wood felt that the numbers are skewed because the requirements include total acreage rather than buildable area. Ms. Shirley said their presentation outlines the density requirements allowable by-right and the proposed allowable upland acreage.

Mr. Cheek asked Ms. Shirley the length of the road across the wetlands connecting Road A and Road C that was recommended by staff? Ms. Shirley said approximately 200’.

Mr. Tom Brennan readdressed the Board. Mr. Brennan reiterated that there are wetlands where homes are proposed.

Mr. John Sherer addressed the Board. Mr. Sherer suggested that the lot sizes be based on the zoning district, spread out the lots and lower the number of units.

Mr. Cheek asked Ms. Shirley about the wetlands delineation by Southern Environmental Group on 26-Apr-22 and whether the lots are in the wetlands. Ms. Shirley said no lots are proposed in the wetlands. She reiterated that the Corps of Engineers will have to approve the wetlands and the wetlands delineation may change.

Mr. Daniel Castellich addressed the Board. Mr. Castellich felt that infrastructure should be in place prior to the approval of a development. He stated that the Board should look at the full picture before making a decision.

Mr. Pages explained that a planned development does allow for clustering of homes to increase open space areas.

Mr. Ed Dalton readdressed the Board. Mr. Dalton felt that in all practicality the base zoning district should be applied.

Mr. Wes Henson readdressed the Board. He stated that this is the first step in the process and several approvals are required from many agencies before the proposed project comes to fruition. He asked that the Board review the Staff’s Report when making their decision.

With no further comments, Mr. Wood made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Cheek reiterated that several agencies will have to review and approve the project prior to development. He stated that the developer has done a tremendous job putting this project together and Ms. Easley concurred. She further stated that the property is not in a flood zone, which is atypical.

Mr. Wood was pleased that they are proposing a 20' separation townhomes to minimize fire hazards.

Mr. Cheek made a motion to approve Carmel Village Planned Development (PD-91) with the noted conditions presented in the Staff Report as well as requiring that the project be designed to a 25-year collection and 100-year storage and provide a 20' buffer between townhomes and the motion was unanimously carried.

B. Planned Development – PD-87

Name: Gilbert Road/Benton Road Tract  
Applicant: Norris and Tunstall Engineering  
Tax Parcel(s): 15300018 and 15300017  
Location: Intersection of Gilbert Road SE (SR 1501) and Benton Road SE (SR 1502)  
Description: Gilbert Road/Benton Road Tract is a proposed planned development consisting of 153 single family lots and 58 townhomes on 64.53 acres creating an overall density of 3.27 dwelling units per acre.

This project was originally denied by the Planning Board on 08-Aug-22. The applicant has since revised the project plans and resubmitted for the Planning Board's consideration.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval based on the following conditions:

- That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department;
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance; and
- Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.

Mr. Wood made a motion to open the Public Hearing and the motion was unanimously approved.

Mr. J. Phillip Norris, Norris and Tunstall Consulting Engineers, addressed the Board. Mr. Norris said they have addressed the concerns expressed at the neighborhood meeting. Mr. Norris said they met with homeowners that have been impacted by previous flooding in the area to obtain benchmarks. He stated that the 100-year flood elevation on this property, per the Federal Emergency Management Agency (FEMA) maps is 9.4', but based on the data from neighbors, the flooding elevation was as high as 22' during previous storms. Mr. Norris said they are designing

the plan so no lots or streets will be below 22' flooding elevation. All lots will be outside the wetlands and the flood zone areas. Mr. Norris said open space and recreation space has increased from the previous plan because lots are in a more clustered configuration. He further stated that the stormwater ponds have increased in size and number from the previous submitted plan. He further stated that the site has been designed to meet the 100-year storm event. Mr. Norris concluded that they concur with staff's recommendation with the noted conditions,

Mr. Cheek asked Mr. Norris if water will be absorbed on the site from neighboring properties and filtered into the retention ponds? Mr. Norris said they have to maintain any stormwater on this site whether it is from this site or neighboring properties.

Ms. Easley thanked Mr. Norris for revising the project to address the Board's concerns and neighboring properties and Mr. Bittenbender concurred.

Mr. Mark Hewett addressed the Board. Mr. Hewett expressed concern with excessive development in the area, which requires removal of trees that should be preserved. He was also concerned with clear-cutting the property. He stated that there are 9 ponds behind his property and the ponds are always full of water. Mr. Hewett felt that the proposed ponds for this site will not retain all the water that could potentially flood the area. Mr. Hewett said there is a great deal of wildlife in the area that will likely be destroyed by the proposed development.

Mr. Norris readdressed the Board. He stated that there will be tree cutting where streets, lots and retention ponds are proposed, but approximately 40 acres will remain undisturbed.

Mr. Sean Lamora addressed the Board. He said Ford Branch is between his property and the subject property overflows onto their property during a regular rainstorm. Mr. Lamora said when the subject is built up for development, the water is likely going to end up on his property. He felt that he will have no recourse if his property floods as a result of the proposed project being built up higher than the adjacent properties. He asked that the neighbors be protected from potential flooding as a result of this development.

Mr. Josh Crook addressed the Board. Mr. Crook commended Mr. Norris and Mr. Keyes for the revised plan. He stated the process has been followed according to the UDO. He stated that there are several planned developments (approximately 1609 units) approved in close proximity (approximately 4 miles) to each other. Mr. Crook was also concerned with whether schools will have the capacity to accommodate more children that maybe living in this development. Mr. Crook said there is a map of significant development in the County on the Planning departments website, but there is nothing about building schools or expanding the existing schools. Mr. Dunham said other departments and agencies are involved in the process upfront. Mr. Crook further stated that during hurricanes people were unable to maneuver around except by boat due to excessive flooding. He stated that there are other non-environmentally sensitive areas in the County that can be developed. Mr. Crook said he lost a lot of personal items during a previous hurricane due to flooding. He felt that neighboring properties will have more stormwater runoff if this project is built up 22' above flood elevation.

Mr. Terry Boldt addressed the Board. Mr. Boldt said the property across the street to the north was clear-cut approximately a year ago, so all of that water comes down through the Lockwood Folly River and Ford Branch. He stated that the property across the road was clear-cut about a year ago and all the water from Brunswick Community College flows to Ford Branch, which borders their property. He felt that the subject property will flood. Mr. Boldt further stated that there are no plans to build schools in this area. He asked that the Board deny this development.

Mr. Boldt said the developer is not from this County and they don't care what happens in the County. He, too, felt like there are other places in the County more suitable for development.

Ms. Wendy Hewett addressed the Board. Ms. Hewett said her property has flooded in the past and she was fearful of losing possessions again when there is another flood in this area as result of this development. Ms. Hewett said they are building up the property and the neighboring properties will suffer from the potential flooding that will result from the proposed development. She asked that the Board consider the current residents in this area and not approve this development because they have lost so much from previous storms.

With no further comments, Mr. Bittenbender made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Dunham asked Mr. Norris how flooding will be handled on the subject property?

Mr. Bittenbender made a motion to reopen the Public Hearing and the motion was unanimously carried.

Mr. Norris readdressed the Board. He stated that the proposed development will not create flooding to adjacent properties, but he cannot guarantee that flooding will not happen in the future. Mr. Norris said the subject property will not cause stormwater runoff to neighboring properties. He further stated that clear-cutting can contribute to stormwater runoff, but they will be putting in retention ponds on the site to capture to stormwater runoff. Mr. Norris said the will use fill material from the ponds to buildup areas on the site to prevent runoff.

Mr. Cheek asked if the proposed ponds will be at natural grade and Mr. Norris concurred.

Mr. Sean Lamora readdressed the Board. He stated that there are 3 residents that have artisan wells and there are springs in the area that will fill-up with water as well as the ponds and the displacement of the water will be different.

Mr. Terry Boldt readdressed the Board. He reiterated that the ponds will fill-up because of the water table in the area and the artisan wells. He stated that there is massive amounts water currently in the area.

Mr. Bittenbender made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Bittenbender made a motion to approve Gilbert Road/Benton Road Tract Planned Development (PD-87) with the noted conditions presented in the Staff Report and the motion was unanimously carried.

C. Rezoning Z-854 – Fully Loaded Marine, LLC (%Derek Treffinger).

Request rezoning of approximately 1.82 acres located at 4664 Todd Road SW (SR 1147) near Shallotte from NC (Neighborhood Commercial) and I-G (Industrial General) to I-G (Industrial General) for Tax Parcels 21300077 and 2130006402.

LAND USE PLAN MAP AMENDMENT LUM-854:

Request to amend Tax Parcels 21300077 and 2130006402 located at 4664 Todd Road SW (SR 1147) near Shallotte from LDR (Low Density Residential) to Industrial.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached). He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from NC (Neighborhood Commercial) to I-G (Industrial General) for Tax Parcels 21300077 and 2130006402 with the noted conditions in the Staff Report in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Industrial.

Mr. Wood made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Jackson Starling, representative for East Coast Engineering, addressed the Board on behalf of the applicant. He made himself available for any questions.

Mr. Bobby Johnson addressed the Board. Mr. Johnson asked how his family's property will be affected? Mr. Johnson said his family owns 4 parcels (Tax Parcels 2130006405, 2130006413, 2130006404 and 22900089) adjacent to the subject property and the subject property used to be owned by his family. Mr. Dunham said it depends on how the property will be utilized. Mr. Johnson said it will continue to be heirs property so the future generations can have a place to live. Mr. Pages said the I-G zoning is limited to industrial uses and it would have to be rezoned for residential use, but only the applicant's property is being requested to change to I-G (Industrial General). Mr. Pages added that the applicant will have to provide a buffer between the I-G property and the NC (Neighborhood Commercial) property that is adjoining the subject property.

With no further comments, Mr. Wood made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Cheek made a motion to approve Tax Parcels 21300077 and 2130006402 from NC (Neighborhood Commercial) to I-G (Industrial General) with the noted conditions in the Staff Report in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map and the motion was unanimously approved.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for REZONING be

**APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment is NOT consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning is not consistent with the CAMA Land Use Plan (Comprehensive Plan). However, an amendment has been requested to Industrial.

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community:

This property borders similar zoning.

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public's interests for the following reasons:

The property is adjacent to similar zoning on three sides.

Mr. Dunham stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

D. Text Amendment – Brunswick County Wellhead Protection Overlay District.

To implement a Wellhead Protection Zoning Overlay District within the Unified Development Ordinance by updating Sections 4.8.8 and 5.2.3.

Mr. Dixon addressed the Board. She stated that Brunswick County Public Utilities approached the department about creating a wellhead protection area. Ms. Dixon presented a PowerPoint presentation (attached) regarding a Wellhead Protection Plan. She stated that text amendments will be required to the UDO if the Wellhead Protection Overlay District is approved. Ms. Dixon said staff recommendation is in conjunction with the Brunswick County Public Utilities, CAMA Land Use Plan and Policies and the Wellhead Protection Plan from 2013 approval along with a change to clarify that traditional stormwater ponds are allowed.

Mr. Wood made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Tyler Newman, representative for BASE (Business Alliance for a Sound Economy), addressed the Board. He asked that the matter be table to allow for additional education, discussion with landowners and guidance from the Board of Commissioners as outlined in his handout (attached).

Mr. Patrick Newton addressed the Board. Mr. Newton said he provided comments (attached) to Ms. Dixon to be included in the Wellhead Protection Area Overlay Zoning District. He concurred with Mr. Newman regarding the text amendment being tabled for further review.

Ms. Jean Toner, Mayor of St. James, addressed the Board. Mayor Toner thanked the County for presenting the Wellhead Protection Overlay District. She said there are some issues that may require further review and she agreed that this matter should not be rushed, but it is a necessity.

With no further comments, Ms. Easley made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Bittenbender made a motion to table the matter up to 60 days and the motion was unanimously carried.

VIII. OTHER BUSINESS.

- Town of St. James ETJ (Extraterritorial Jurisdiction) request.

Ms. Dixon addressed the Board. She stated that the Town of St. James is requesting an ETJ (Extraterritorial Jurisdiction) and she proceeded to explained the process for a town to request an ETJ. Ms. Dixon said the County has an ETJ Expansion Policy that was previously provided to the Board in their agenda packet. She stated that a public hearing will be scheduled for the 14-Nov-22 Planning Board meeting for consideration and the Planning Board will make a recommendation to the Board of Commissioners to consider the matter at their next available meeting.

- Planning Board Case Update.

Mr. Pages addressed the Board. He stated that Zoning Case Z-852CZ was approved at the Planning Board's 12-Sep-22 meeting and there were no written appeals within the allotted time (15 days), so the Board's decision stands.

- Blueprint Brunswick Update.

Ms. Dixon addressed the Board. She discussed a PowerPoint presentation (attached) regarding the purpose of Blueprint Brunswick. She stated that there will be a public forum on 25-Oct-22 at the Brunswick Senior Center in Supply at 6:00 p.m. and 3 Board members can attend without violating the General Statutes requirements regarding the open meetings law. Mr. Dunham stated he will not be available for the regular Board meeting and he suggested 3 persons available for the regular meeting attend the public forum on 25-Oct-22. Mr. Ishler, Mr. Wood and Mr. Bittenbender said they would attend the public forum on 25-Oct-22 at 6:00 p.m. at the Brunswick Senior Center in Supply, NC.

IX. ADJOURNMENT.

With no further business, Mr. Ishler made a motion to adjourn and the motion was unanimously carried.