

Town of Swansboro
Board of Commissioners
August 8, 2022, Regular Meeting

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner PJ Pugliese, Commissioner Pat Turner, and Commissioner Jeffrey Conaway. Commissioner Larry Philpott was absent.

Call to Order

The meeting was called to order at 5:30 pm. Mayor Davis led the Pledge of Allegiance.

Public Comment

Gregg Casper of 226 Water Street shared with the board that the historic district was important to her, and she was interested in serving on the Historic Preservation Commission.

Adoption of Agenda

On a motion by Commissioner Turner seconded by Commissioner Pugliese, with unanimous approval the agenda along with moving the proclamation of Hometown Hero's Week to consent was adopted.

Public Hearing

Building Design and Compatibility-MI Materials

Planner, Jennifer Ansell reviewed that Mr. Richard Peterson had submitted plans to construct a building at 134 Seth Thomas Lane in the ETJ. In review of the application, it was communicated to Mr. Peterson that metal was not an allowed primary surface material. His contention is that in 2016, he constructed a metal building at 146 Seth Thomas Lane for E.L. Jones Development. In review of the 2016 permit file, there is no indication as to why metal was allowed as the primary material at that time. Most of the buildings along Seth Thomas Lane in the MI zone are metal buildings, however some do have brick or stucco facades. The Building Design and Compatibility Standards, adopted in 2013, currently contain under Section 152.560 (C)(4), a list of approved primary surface materials. Metal is not listed. Section (C)(6) requires that the same material as the front of the building must continue for at least 25% of the area of the side façades in the MI zone. Sections (C)(1), (5) and (6) contain additional architectural requirements for the façade of the building (base/body and entryway features).

Mrs. Ansell reviewed that at their July 5, 2022, regular meeting, the Planning Board recommended that metal be allowed as a secondary material in the MI zone. The vote was 3 to 2.

The public hearing was opened at 5:38 pm.

Edward Binanay of 222 Elm Street, Planning Board member and Historic Preservation Commission member, shared that he was not in support of the amendment due to the possibility of the MI area getting expanded. He proposed favoring a metal building only if it includes the approved primary materials as required today.

Laurent Meilleur of 220 River Reach Drive shared that he understood why the building requested this amendment but did not support it and also wanted to see other materials utilized for the building other than metal.

Planner Ansell reiterated that the ordinance was adopted in 2013, but a building was approved for construction in 2016 by the planner at that time that was not consistent with the Unified Development Ordinance. Additionally, she further clarified that the amendment proposed allowance of metal in the MI zone as a secondary material. The building would still be required to be constructed by the primary materials as identified in the ordinance currently. The ordinance also provides that requirements be met with relation to landscaping and buffering to soften the appearance of buildings in that area.

Scott Chadwick of 101 Oyster Bay Road, chair of the Planning Board. He shared that at the Planning Boards meeting the details provided by Mrs. Ansell was exactly what the board reviewed, and majority of the board saw it that way and voted 3:2 on the amendment. Mr. Chadwick added the members of the Planning Board should not comment at Commissioner meetings on items they have reviewed and passed on from their meeting.

Richard Peterson of 306 Harold Avenue shared that he began development in 1999 for that area and metal buildings were permitted/allowed. Restricting the last two lots in this area is wrong and such a restriction should start from the beginning.

Jonathan McDaniel of 114 Elm Street shared that while he felt the quality of the town should be maintained forcing restrictions on an area that was 90% already built out with metal was not a good practice. Swansboro already had a bad reputation with business due to regulations and felt that the UDO was tough and needed some massaging. He stated while it was good to have control it was not good to have a bad reputation.

The public hearing was closed at 5:58 pm.

On a motion by Commissioner Pugliese, seconded by Commissioner Turner, Ordinance 2022-O11 to clarify primary surface material allowances in the MI zone. The vote was 2:2 with Mayor Davis voting to break the tie. The Ordinance was approved with a vote of 3:2. Ayes: Davis, Pugliese, Turner. Noes: Tursi, Conaway.

Mayor Pro Tem Tursi shared that he was not in favor of the amendment due to the possibility of other areas getting zoned MI and would of considered an alternative proposal to grandfather the area.

Business Non-Consent

Future Agenda Items

Future agenda items were shared for visibility and comment. In addition, an opportunity was provided for the Board to introduce items of interest and subsequent direction for placement on future agendas.

The following items were addressed:

- Board Appointments was added to the August 22, 2022, meeting
- Discussion of Sam Bland Award changes added to the August 22, 2022, meeting
- Consideration at a future meeting for Church Street to be one way to Old Town Hall or all the way to Highway 24 due to travel limitations as a result of cars parked on the street

Public Comment

Citizens were offered an opportunity to address the Board regarding items not listed on the agenda. No comments were given.

Board Comments

Board members offered congratulatory comments to Dewayne Taylor on his promotion to Police Chief.

Adjournment

On a motion by Commissioner Turner, seconded by Mayor Pro Tem Tursi, the meeting adjourned at 6:15 pm.