

**Town of Swansboro  
Board of Commissioners  
July 12, 2021 Regular Meeting**

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner Pat Turner, Commissioner Harry PJ Pugliese, Commissioner Larry Philpott, and Commissioner Laurent Meilleur.

\*\*\*\*\*

**Call to Order/Opening Prayer**

The meeting was called to order at 5:30 pm. Mayor Davis gave the invocation.

**Public Comment**

Citizens were offered an opportunity to address the Board regarding items listed on the agenda. No comments were given.

Mayor Davis recognized Onslow County Commissioner Royce Bennett and Swansboro Commissioner Candidate Jerry Morse.

**Adoption of Agenda**

On a motion by Commissioner Philpott, seconded by Mayor Pro Tem Tursi, the Agenda was unanimously approved.

**Appointments**

*Designation of ONWASA Representative* - Commissioner Pat Turner's term on the ONWASA Board of Directors would expire July 31, 2021.

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Philpott, Commissioner Turner was re-appointed for another 3-year term. The vote was unanimous.

**Public Hearings**

*Special Use Permit - Front Yard Accessory Structure at 177 Deer Island Road* - William Sherman applied for a Special Use Permit to allow a 14' x 22' accessory structure in the front yard of his dwelling located at 177 Deer Island Road. The property was zoned R-8SF, within the ETJ, and consisted of 2.58 acres. Planner Jennifer Ansell and applicants William Sherman and Dorothy Brooks were sworn in to provide evidence.

Planner Ansell shared that the Town amended the Unified Development Ordinance in August 2020 to allow accessory structures in the front yard on lots two acres or greater with the issuance of a Special Use Permit. At their regular meeting on June 1, 2021, the Planning Board voted unanimously to recommend approval stating that the request was consistent with the Comprehensive Plan, specifically the CAMA Land Use Plan.

The public hearing was opened at 5:35pm.

Mayor Pro Tem Tursi inquired whether any public comments for or against the special use had been received by staff. None were received.

William Sherman explained that they had intended to separate the property and build a second home on the parcel where a shed was located for his mother-in-law. However, with the COVID19 pandemic and the price increases for building they had decided against that plan, which now required him to seek the special use for the accessory structure in the front yard.

Dorothy Brooks added that lawn equipment would be stored in shed, and they would like to have electricity hooked up as well.

The public hearing was closed at 5:38pm.

The Board of Commissioners followed quasi-judicial procedures when it reviewed special use permits. In reviewing the special use permit, the Board gave due regard to the nature and state of all adjacent structures and uses, and the districts within which the proposed use was to be located and made the following findings of fact concerning the request.

1) *The special use is allowed pursuant to § 152.210 and meets all the required conditions and specifications, including without limitation, those set out in § 152.211.*

The special use was allowed by the Table of Uses on properties two acres or larger. The property was 2.58 acres in size. Per Section 152.211, a 4' fence and landscaped screen are required.

2) *The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.*

The applicant had provided a site plan which indicated the structure would be set back at least 225 feet from Deer Island Road and approximately 37 feet from the interior side property line adjoining the property at 183 Deer Island Road.

3) *The special use will not substantially injure the value of adjoining or abutting property, OR the special use is a public necessity.*

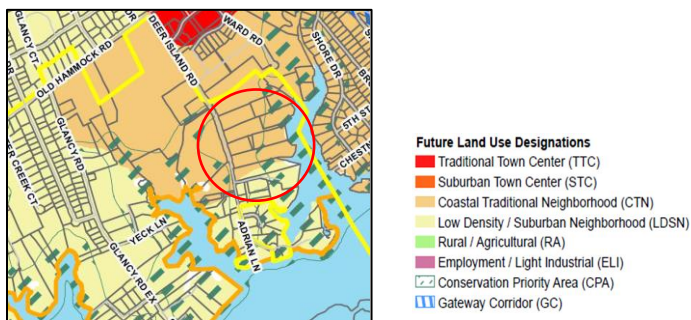
There appeared to be similarly situated accessory structures at 175 Deer Island Road adjacent to this property; see photos below.

(space left blank intentionally)



4) *The location and character of the special use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located. The special use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project as required by G.S. §160A-382(b).*

The CAMA Land Use Plan Update (2019) spoke to locating development outside of environmentally sensitive areas such as the floodplain and wetlands. Siting the structure in the front yard would allow those areas on the lot to be avoided. The plan identified the portion of the property where the shed was located as Coastal Traditional Neighborhood:



The Coastal Traditional Neighborhood (CTN) and use designation was described as a walkable, compact, residential district laid out based on traditional neighborhood development patterns. It generally surrounded the Traditional Town Center and contained single and two-family residential with small-scale multi-family and neighborhood commercial.

5) Upon the issuance of any special use permit, the Board of Commissioners shall consider whether it is necessary or appropriate to affix conditions thereto for the purposes of protecting neighboring properties and/or the public interest assuring that the use is harmonious with the area and ensuring that the use is consistent with the spirit of the ordinance and shall affix to such permit such reasonable and appropriate conditions as it finds are necessary for any of those purposes. If any conditions affixed to any special use permit or any part thereof is held invalid by any competent authority, then said special use permit shall be void.

No conditions were added.

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Meilleur, the Special Use Permit for William Sherman to construct an accessory structure in the front yard at 177 Deer Island Road was unanimously approved based on the written findings above.

### **Business Non-Consent**

*Resolution Accepting American Rescue Plan Act Funds and Adopting a Grant Project Ordinance for purposes prescribed in the American Rescue Plan Act* – The Federal American Rescue Plan Act of 2021 (ARP) established Coronavirus State and Local Fiscal Recovery Funds (“CSLRF”), which would be distributed to state and local governments for the purpose of responding to negative economic impacts of stemming from COVID-19. Recipients were allowed to use the funds to:

- Support public health expenditures
- Address negative economic impacts caused by the public health emergency
- Replace lost public sector revenue
- Provide premium pay for essential workers
- Invest in water, sewer, and broadband infrastructure

The Town expected to receive a total of \$960,000 in two separate payments of \$480,000. Funds must be obligated by 2024 and then spent before December 2026. Once the full spending regulations were provided, staff would bring proposed funding designations back to the Board. Public Safety needs would most likely be a priority, according to Manager Seaberg. It was also noted that a full audit of the spending would be required.

On a motion by Commissioner Meilleur, seconded by Commissioner Philpott, Resolution 2021-8 and the Grant Project Ordinance for the Town of Swansboro Coronavirus State and Local Fiscal Recovery Funds were unanimously approved. Authorization was also granted for the Town Manager, Assistant Manager/Town Clerk, and Finance Director to take all actions necessary on behalf of the Board of Commissioners to receive the CSLRF Funds.

*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.

Board members asked that the Public Hearings on Text Amendments for Sign Amortization be heard on August 23 and Text Amendments for Temporary Signs be heard September 13.

An update on phase 2 and 3 of the Sidewalk Project would be given if NCDOT provided materials costs. Manager Seaberg did share that NCDOT had informed him that they planned to begin phase 2 along Old Hammock Road in late August.

An Emergency Operations Center update was also planned for August 23.

Regarding a memo sent to the Board last week on One Stop Voting Sites, Board members did not support bearing the full cost (estimated between \$10,000 - \$12,000) per site. Typically, the cost was paid by the City of Jacksonville because most sites were in Jacksonville. However, under regulations of Senate Bill 722, Jacksonville would not be holding elections in November 2021 and therefore would not bear the cost of One Stop Voting Sites. No other jurisdictions were paying for One Stop Sites, according to Board Elections Director Jason Dedmond. Early voting would still be available at the County Board of Elections Office.

### **Public Comments**

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

### **Board Comments**

Mayor Pro Tem Tursi inquired when the downtown traffic movement would take place. Board members agreed to wait until after tourist season.

Board members shared what a great July 4<sup>th</sup> weekend the Town had. Many compliments were heard for the TAMS performance and the Fireworks.

Commissioner Pugliese inquired about the details of a sidewalk ribbon cutting. Manager Seaberg shared that the Swansboro Chamber of Commerce and NCDOT would hold a ribbon cutting for phase 1 of the new sidewalks along NC24 at 9:00am on Saturday, July 17.

Mayor Davis noted that it was good to see life and energy back in town.

**Adjournment**

On a motion by Commissioner Philpott, seconded by Commissioner Pugliese, the meeting adjourned at 6:00pm.

# Regular Meeting July 12, 2021



1

1. Please turn cell phones to “off” or “vibrate”.

2. The Board offers the public three opportunities to speak during the meeting:

A comment period is offered at the beginning and end of the meeting. Please note that a separate opportunity is provided for those items requiring a public hearing.

Public Hearing(s) – There is one public hearing scheduled for this meeting.

2

# PUBLIC COMMENT

Citizen opportunity to address the Board for items listed on the agenda.

3

# AGENDA AND CONSENT ITEMS

**Action Needed:** *Motion to Adopt the Agenda as prepared (or amended) and approval of the Consent Items*

4

# Appointments

## Designation of ONWASA Representative

**Presenter: Paula Webb – Assistant Manager/Clerk**

5

## PUBLIC HEARING

### Special Use Permit - Front Yard Accessory Structure at 177 Deer Island Road

William Sherman has applied for a Special Use Permit to allow a 14' x 22' accessory structure in the front yard of his dwelling located at 177 Deer Island Road. The property is zoned R-8SF, is within the ETJ, and consists of 2.58 acres.

The Town amended the UDO in August 2020 to allow accessory structures in the front yard on lots two acres or greater with the issuance of a Special Use Permit. At their regular meeting on June 1, 2021, the Planning Board voted unanimously to recommend approval stating that the request was consistent with the Comprehensive Plan, specifically the CAMA Land Use Plan.

### Action Needed:

*Action Needed: 1) Open the Public Hearing;*

*2) Close the Public Hearing; and*

*3) Motion to approve, deny or table the request for Special Use*

**Presenter: Jennifer Ansell - Planner**

6

# BUSINESS NON-CONSENT

Resolution Accepting American Rescue Plan Act Funds and Adopting a Grant Project Ordinance for purposes prescribed in the American Rescue Plan

The Federal American Rescue Plan Act of 2021 (ARP) established Coronavirus State and Local Fiscal Recovery Funds (“CSLRF”), which will be distributed to state and local governments for the purpose of responding to negative economic impacts of stemming from COVID-19. Recipients may use these funds to:

- Support public health expenditures
- Address negative economic impacts caused by the public health emergency
- Replace lost public sector revenue
- Provide premium pay for essential workers
- Invest in water, sewer, and broadband infrastructure

Action Needed:

*Motion to approve Resolution 2021-8 & Grant Project Ordinance for the Town of Swansboro Coronavirus State and Local Fiscal Recovery Funds, and to authorize the Town Manager, Assistant Manager/Town Clerk, and Finance Director to take all actions necessary on behalf of the town council to receive the CSLRF Funds.*

**Presenter: Sonia Johnson – Finance Director**

7

# NEW BUSINESS/NON-CONSENT

Future Agenda Items

The purpose of this memo is to provide the Board with matters that staff anticipates/proposes for upcoming meetings. It should be noted that these items are tentatively scheduled for the specified monthly agenda but are subject to change due to preparation of materials, public notice requirements, etc. In providing this memo each month, we hope it will also provide opportunity for the Board to introduce items of interest and subsequent direction for placement on future agendas, which will allow staff the opportunity to plan accordingly.

**Action Needed:** *Discussion and guidance to staff on future agenda items.*

**Presenter: Paula Webb – Assistant Manager/Clerk**

8

# PUBLIC COMMENT

Citizen opportunity to address the Board.

9

# MANAGER'S COMMENTS

Chris Seaberg, Town Manager

10

# BOARD COMMENTS

Mayor John Davis  
Mayor Pro Tem Frank Tursi  
Commissioner Pat Turner  
Commissioner Harry “PJ” Pugliese  
Commissioner Larry Philpott  
Commissioner Laurent Meilleur

11

# ADJOURN

12