



**EDENTON-CHOWAN
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**Chowan County Planning Board
October 13, 2015
Chowan County Public Safety Center
305 West Freemason Street
7:00 pm**

Chairman Marvin Hare called the meeting to order. He asked Planner Elizabeth Bryant to call the roll. Jim Leggett, Marvin Hare, Bobby Winborne, William Monds, Wayne Parrish and Linda Peterson were present. Jim Robison was absent.

Mr. Hare asked if there were any additions or subtractions to the agenda. There being none, Mr. Winborne moved to approve the agenda as submitted. Ms. Peterson seconded the motion. The motion carried unanimously. (6-0)

Mr. Hare asked if there were any changes to be made to the August 18, 2015 minutes. There being none, Ms. Peterson moved that the minutes be approved as submitted. Mr. Winborne seconded the motion. The motion carried unanimously. (6-0)

Mr. Hare asked if there were any changes to be made to the August 24, 2015 minutes. There being none, Mr. Leggett moved that the minutes be approved as submitted. Ms. Peterson seconded the motion. The motion carried unanimously. (6-0)

Mr. Hare noted the first item of business, **a request from The Fund for Sandy Point, LLC for an extension of vested rights granted by the Chowan County Planning Board in 2013.**

Ms. Bryant introduced the developer for Sandy Point, Sam Young. She stated that the project had received extensions on the state and federal permits and that the developer was seeking the same extension from Chowan County for vested rights.

Mr. Young gave a brief description of the background of the Sandy Point project and work that has been done so far. He stated that they would be developing roughly 1,000 acres with 1,500 dwellings that would be marketed to people primarily around retirement age from the Washington, DC and Maryland area. He stated that the community would increase the tax base for the County tremendously. He described some of the amenities that the community would have. He stated that he was requesting an extension of the vested rights for another two years.

Ms. Peterson asked Mr. Young if he expected to be ready to move forward with the project within the next two years.

Mr. Young stated that he hoped to move forward within the next two years. He stated that consumer confidence had gone up in the last couple of years but that it was still a rocky road. He stated that they (the developers) had no debt and owned the land outright. He described how the project would lead to an increase in jobs in Chowan County.

Mr. Leggett stated that he remembered when the project was first presented to the Planning Board. He stated that he still felt that it was a good project.

Mr. Young stated that Sandy Point would be a different type of community from the other communities in the area. He suggested visiting East Beach in Norfolk to see what the developers had in mind for Sandy Point.

Mr. Winborne stated that Sandy Point's original goal was to reach the baby boomer generation. He asked Mr. Young if he felt that he had missed that window.

Mr. Young stated that he did not. He stated that 10,000 baby boomers would be retiring every day for the next 20 years.

Mr. Leggett asked Mr. Young if he was concerned about traffic congestion from the increase in homes and residents.

Mr. Young stated that Sandy Point would have restaurants and stores within the development that would help ease traffic congestion. He stated that they had all their required traffic studies done as well.

Mr. Winborne stated that Highway 32 and Highway 37 were becoming well-traveled routes for people traveling from the Richmond area to the Outer Banks. He stated that Sandy Point would get a lot of visibility from those travelers.

Ms. Bryant read the staff report into the record. (attached) She stated that the extension of vested rights rested with the Planning Board and that it did not require Commissioner approval. She stated that she recommended extending the vested rights through January of 2018.

Ms. Peterson moved to grant the request from Sandy Point, LLC for an extension of vested rights through January 31, 2018. Mr. Leggett seconded the motion. The motion carried unanimously. (6-0)

Ms. Peterson asked if there was any risk to the County if the project were to begin and, due to unforeseen circumstances, be abandoned before completion.

Ms. Bryant stated that there would be no more risk for the County than if a farmer were to go under. She stated that the developers owned the entire tract of land outright and that is what made them different from some other developments. She stated that the land remains one large tract of land and has not been subdivided.

There was some discussion about the proposed plan for Sandy Point and the need for public access to the water in Chowan County.

There was some discussion about the County's Land Use Plan and the update schedule for it.

There was some discussion about the possible need to upgrade the roads in the Sandy Point area if the project were to come to fruition.

Mr. Hare noted the next item on the agenda, a text amendment to Article II, Administration.

Ms. Bryant stated that the text amendment was approved in July and that it went to the Commissioners in August. She stated that the County Attorney noticed that there were places in the article (that were not amended) where it referenced a general statute that has been repealed. Ms. Bryant stated that she has since received the correct statute that the article should reference from the County Attorney. She stated that the Planning Board needed to vote on her (Ms. Bryant) inserting the correct statute into the ordinance and then taking it to the Commissioners for their final approval in December.

Ms. Bryant stating that the Commissioners were discussing the provision that the Planning Board had recommended regarding the Chair not voting except in the instance of a tie but that they had not voted on

that yet. She stated that she wanted to make the Planning Board aware of the fact that it could go back to the way it was originally written if that is what the Commissioners decided.

Ms. Peterson asked why that provision was changed.

Mr. Hare stated that his opinion was that the Chair had too much power with the ability to vote at all times. He stated that the Chair could make motions, set committees, etc. He stated that eliminating the Chair's right to vote (except in the event of a tie) helped to offset some of that power.

Ms. Peterson asked if other committees functioned like that.

Ms. Bryant stated that is the way the County Planning Board operated before there was a Zoning Ordinance. She also stated that the Mayor did not vote in the Town of Edenton unless there was a tie.

Mr. Monds stated that it made it easier for the Planning Board to make a decision when there was someone who could break a tied vote.

Mr. Winborne moved to insert the correct statute into Article II, Administration and then send it on to the Commissioners for approval. Mr. Monds seconded the motion. The motion carried unanimously. (6-0)

Ms. Peterson asked if there was an attendance requirement for the Planning Board. She asked if there was any language that addressed if a member missed a certain number of meetings in a year.

Mr. Monds stated that there was some language that stated that if a member missed more than 3 meetings in a row or more than 50% of the meetings then the Board of Commissioners could review their position on the Planning Board.

Ms. Bryant noted that if a member were to leave a meeting early without being excused then that member's vote counts in the affirmative or with the majority. She stated that a member should ask to be excused if there was some reason that member needed to leave the meeting early. She stated that the Board would need to approve their leaving the meeting early and that protected the Board from not having enough members for a quorum and not being able to finish their business.

Mr. Winborne asked if a member being properly excused would affect the existence of a quorum.

Ms. Bryant stated that it could, if a member was properly excused, but that she would not think that a Board would excuse someone if it left them without a quorum to finish their business.

Mr. Leggett stated that at the last meeting when Mr. Robison left without being excused that Mr. Robison had also asked him to leave the meeting and that Mr. Robison had said to him that if they both left then the Board would not have enough people to have a quorum.

Mr. Hare stated that if a member leaves without being excused then their vote counts as an affirmative vote or with the majority.

Ms. Bryant stated that was correct.

Mr. Hare noted the next item on the agenda, **Items Considered Timely & Important.**

Ms. Bryant stated that the members should have received copies of the Planning Board Rules of Procedure in their meeting packets. She stated that those copies were provided for the Board's information and reference.

Mr. Hare stated the importance of the Rules of Procedure and stated that there were some instances where they would need to be referenced.

Mr. Winborne agreed that it was good to have the Rules of Procedure to reference in difficult or unusual situations.

Ms. Bryant stated that the next Planning Board meeting would be held on November 17th at 7pm. Ms. Peterson stated that she would not be able to attend the November meeting.

Mr. Hare asked everyone to access the Land Use Plan and review it. He stated that Ms. Bryant would help them understand how to take the Land Use Plan and use it to determine what their vision was for Chowan County.

Ms. Bryant stated that there were hard copies available in the Planning Office.

Ms. Peterson asked how long it took to update the Land Use Plan.

Ms. Bryant stated that it was a long process and took at least a year. She stated that public informational meetings were required as well as several rounds of public hearings.

There was some discussion on what is contained in the Land Use Plan and how it is used.

The Planning Board members each took the time to introduce themselves to new member, Wayne Parrish.

There being no further business, the meeting was adjourned.

