

**TOWN OF DUCK
PLANNING BOARD
REGULAR MEETING
June 10, 2015**

The Planning Board for the Town of Duck convened at the Duck Meeting Hall on Wednesday, June 10, 2015.

Present were: Chair Joe Blakaitis, Vice Chair John Fricker, Ron Forlano, Tim McKeithan and Marc Murray.

Absent: None.

Also present were: Director of Community Development Joe Heard, Council Liaison Chuck Burdick and Permit Coordinator Sandy Cross.

Others Present: Monica Thibodeau, Wes Stepp, Sandy Whitman, Phillip Ruckle and Willo Kelly.

Chair Blakaitis called to order the Regular Meeting of the Planning Board for June 10, 2015 at 6:32 p.m.

PUBLIC COMMENTS

None.

It was *consensus* of the Board to move New Business up on the agenda.

NEW BUSINESS

Conditional Use Permit 15-002: Application by FDH Velocitel, on behalf of CWI Sanderling Hotel, LP (Sanderling Resort), Property Owner, to Consider a Conditional Use Permit to Install Three Wireless Panel Antennae and Associated Equipment Extending from the Rooftop of the Existing Kimball's Kitchen Restaurant at 1570 Duck Road

Chair Blakaitis noted that this Conditional Use Permit application has been withdrawn.

Conditional Use Permit 15-003: Application by Village Square, Inc., Property Owner, to Consider a Conditional Use Permit to Expand the Red Sky Café by Establishing an Outdoor Dining/Entertainment Area with up to 35 Seats at 1197 Duck Road

Director Heard stated that the Board had before them a proposed Conditional Use Permit to add an outdoor seating and entertainment area for Red Sky Café in the south side yard at 1197 Duck Road. He stated that the proposal included an addition of up to eight tables, 35 seats and an outdoor dining area on the lawn located to the south of the front portion of the building. He stated that there was an existing concrete pad on the south side of the rear portion of the building that would be the location for bands to set up for performing. He noted that the proposal includes some lighting of trees and shrubs in that area in order to create an atmosphere.

Director Heard stated that the property was approximately 2/3 of an acre in size, zoned Village Commercial, and presently contained a multi-unit commercial building that totals almost 6,000 square feet. He added that the only two businesses in the building are Red Sky Café and the sales and rental offices for Carolina Designs Realty. He stated that the property was originally developed in 1994, under the jurisdiction of Dare County. When originally approved, the building was designed with the same footprint that currently exists, but was to accommodate four retail shops, a two-story office area and two one-bedroom apartments. He noted that over the years, changes have been made with businesses expanding their operations into what currently exists, with the two current businesses taking up the entire space.

Director Heard stated that in looking at the proposal, the project did not involve any changes to the layout of the existing building, expansion of the building, or changes to the parking or other site improvements. In light of those facts, there is a very limited number of issues that the Board needs to look at with regard to the proposal. He stated that staff would be focusing its analysis on the parking requirements for the site; however, other items can be discussed if the Board has an interest.

Director Heard stated that parking calculations are provided on Page 3 of the staff report. It was estimated that the minimum parking requirement for the site is presently 54 parking spaces. He stated that the site plan showed 35 parking spaces, which was a shortfall of 19 parking spaces needed to serve the two businesses based on the Town's minimum parking standards and the current amount of parking on site. He noted that it is a non-conforming situation.

Director Heard stated that a few years back, the Board were considering an application for Coastal Cantina and a text amendment adopted as part of the proposal established parking requirements for areas of outdoor seating. He stated that the standards that were established were one parking space for each 150 square feet, with the first 150 square feet exempted. He stated that since the proposed area at Red Sky Café is approximately 500 square feet, it would require an additional 2.3 parking spaces if the Board was looking at the proposal as an additional use on top of the existing parking requirement on the site, establishing a total parking requirement of 56 parking spaces.

Director Heard stated that the applicant was proposing a shared parking arrangement that would stagger the parking needs on the property. He explained that the Carolina Designs Realty offices close at 5:00 p.m. each day and the outdoor dining area for Red Sky Café would be used during the hours of 6:00 p.m. to potentially 10:00 p.m. He added that this arrangement is intended to ensure that there would be an adequate number of parking spaces available on the site when the outdoor dining area is in use. He stated that staff has recommended that, should the Board be amenable to that type of proposal, a condition be added that would specifically state the hours of operation for the outdoor dining area to create an enforceable condition for the parking needs.

Director Heard noted that if the Board and Town Council not find the solution to be something that they are comfortable with, the applicant would have an option of applying for a Special Exception from the minimum parking requirements. He stated that staff was recommending a condition that the outdoor dining area can only be used between the hours of 6:00 p.m. to 10:00 p.m. He added that the applicant must obtain approval from the Dare County Environmental

Health Department stating that the existing septic system can accommodate or be upgraded to accommodate the restaurant's outdoor expansion prior to the issuance of a building permit and that the applicant must obtain a building permit for the installation of the proposed lighting. He stated that he had the site plan and photographs of the property if the Board needed to review them as part of the discussion.

Chair Blakaitis stated that most of the information provided was fine except for the parking situation. He stated that problems or questions may arise during Board discussions.

Member McKeithan clarified that there was currently 18 parking spaces in the front parking lot and 17 parking spaces in the rear lot. He stated that he wasn't sure if the customers would be aware that the parking lot behind the building is available for the general public. He recommended that some type of signage be erected by the front parking lot to let the public know that there is additional parking available in the rear of the property. He noted that the minimum requirement for parking for Red Sky Café would be 24.9 spaces with the addition. He thought the back parking lot may not be fully utilized, because the public is not aware that it can be used.

Member Murray asked if the parking spaces shown were the old size of 10 by 20 feet. Director Heard stated that they were between 9.5 and 10 feet in width. Member Murray thought if the spaces were nine (9) feet, four more spaces could be added with restriping.

Chair Blakaitis noted that on the south side the setback was 10 feet and the building setback was 14.5 feet. He asked if there were any problems with the proposed outdoor dining area being in the setback. Director Heard stated that he did not find any specific setback requirements for outdoor dining areas. As the proposed tables and chairs are not structures, the dining area does not have to otherwise comply with the minimum building setbacks that would be in place for a structure. So, he did not see anything specific for this type of use that required a setback.

Chair Blakaitis pointed out a broken sentence on the first page of the staff report. Director Heard apologized and responded that the sentence was originally intended to state the number of seats in the Red Sky Café, but that information had been relocated elsewhere in the document under the parking calculations.

Vice Chair Fricker asked if notice of the application being presented to the Board was given to any adjacent property owners in the Duck Landing subdivision. Permit Coordinator Cross stated that it was sent to the property owners directly adjacent to the subject property. She added that this notice is not required for a Planning Board meeting, as it is for a Town Council public hearing. However, she noted that staff sends the notice about the Planning Board meeting as a courtesy, as well as advertising in the Coastland Times and posting notice on the Town's website. Member McKeithan asked if any responses were received from the property owners of the Duck Landing subdivision. Permit Coordinator Cross stated that there were none.

Vice Chair Fricker asked how many days of the week Red Sky Café was open. Wes Stepp of Red Sky Café was recognized to speak. Mr. Stepp stated that his restaurant is open seven days a week. Vice Chair Fricker clarified that the Conditional Use Permit would potentially be for seven days a week, between the hours of 6:00 p.m. and 10:00 p.m., for the outdoor dining. Director Heard stated he was correct. Vice Chair Fricker stated that even though there was no

requirement to stay out of the side setback, he noticed the area in question was very close to the road. He asked if that was correct. Monica Thibodeau of Carolina Designs was recognized to speak. Ms. Thibodeau stated that it was. Vice Chair Fricker stated that he was looking at it from a safety perspective.

Monica Thibodeau stated that she had sold the property that became Duck Landing Lane as the access for what was developed as the Duck Landing subdivision. She added that the benches and all of the other items that currently existed are older and when the street came along, Duck Landing put the ropes up so no one would park along the street. She stated that she kept everything as it existed and noted that people do sit on the benches occasionally. She added that she didn't think people ate at the benches, except on very few weekends when they were waiting for their rental property. She pointed out that that area was not where the proposed seating would be for what Wes Stepp was proposing. She stated that there was a sidewalk that runs along Duck Landing Lane and it would be on the Village Square side of the sidewalk. Vice Chair Fricker clarified that the sidewalk would be between the outside diners and the rope. Ms. Thibodeau stated he was correct. Director Heard showed the Board some photographs of the area in question and pointed out the location of the proposed dining and entertainment areas.

Chair Blakaitis asked if the concrete pad would be utilized for the bands to use. Monica Thibodeau stated that it would. She added that the grassy area on the Village Square side would be where the tables would be placed. Chair Blakaitis asked how patrons would be served from the restaurant. He clarified that one would have to come over from the opposite side of the building. Wes Stepp stated he was correct. He added that there would not be any type of permanent structure as everyone could be served through the hallway. Chair Blakaitis asked if the servers would have to walk through the parking lot to get to the patrons. Mr. Stepp stated that they did not as the side hallway leads to the restaurant door.

Member McKeithan asked if some of the seating would be on the concrete pad. Wes Stepp stated that it would not, but would be in the grassy area. Mr. Stepp noted that the area that currently had Adirondack chairs would be where the band would set up. He added that the grassy area would be for seating. Member McKeithan clarified that eight tables would be put only on the grassy area. Mr. Stepp stated he was correct. Member McKeithan clarified that the concrete coming from the stairwell would be clear for restaurant staff to move back and forth. Mr. Stepp stated that the concrete area would be clear for pedestrians. Member McKeithan asked about the area by the stairwell. Mr. Stepp stated that it would be the service area for staff and customers to walk to and from the restaurant. Member McKeithan asked if the flower beds would have to be removed from the side of the building. Mr. Stepp stated that he would try not to remove them. He added that 35 people would be the maximum amount that would be in the outdoor seating area.

Vice Chair Fricker asked how many seats were currently in the restaurant. Wes Stepp stated that he had approximately 50 seats. Vice Chair Fricker asked if the restaurant currently had a parking problem. Mr. Stepp stated that he did not have an issue in the evening. He agreed that a sign directing people to park in the rear of the building was a good idea. He added that people will also park in the Kelloggs Hardware parking lot after they close at 6:00 p.m. He stated that the employees for Carolina Designs Realty leave after 5:00 p.m. He stated that he receives a lot of walk up traffic to his restaurant. Vice Chair Fricker asked if a formal agreement was in place

with Carolina Designs Realty to use their back parking lot. Mr. Stepp stated that an agreement was in place, adding that his restaurant has been at the Village Square property for almost 13 years.

Chair Blakaitis thought what Mr. Stepp was trying to achieve did pick up the ambiance of Duck and thought it would be a nice addition. He stated that he was concerned whether the neighbors behind the building would have a problem with it. He thought having the outdoor entertainment ending at 10:00 p.m. would be satisfactory. He thought the parking solution was good.

Vice Chair Fricker stated that he appreciated the effort to notify the adjacent property owners, but was concerned that other property owners should be notified if they may be affected by the noise. He asked if the homeowner association was notified or just the first adjacent homeowner. Permit Coordinator Cross stated that the Town's policy has been to notify only adjacent property owners. Vice Chair Fricker suggested that something be sent to the homeowners association as well as the owner of 102 Duck Landing Lane. He noted that he was in favor of the proposal and agreed with the other members regarding the entertainment.

Member McKeithan moved to submit to the Town Council and recommend approval of the Conditional Use Permit 15-003 with the conditions that staff recommended. Vice Chair Fricker seconded.

Member Murray asked if the suggested signage should be added as a condition. Chair Blakaitis thought it was a good idea.

Member McKeithan amended the motion to include that a sign be added in the front parking lot indicating that there is additional parking at the rear of the property. Vice Chair Fricker seconded.

Motion carried 5-0.

OLD BUSINESS

Discussion of Building Height Measurement

Director Heard stated that at the Board's May 13, 2015 meeting, staff had put together information on how other communities on the Outer Banks determine building height. He stated that the only thing that was added for this meeting was putting in the staff report the current definition of "Building Height" for the Board's reference. He asked several questions that the Board may or may not want to consider as part of their discussion: what point on the ground or building should building height be measured from and what point should it be measured to. He pointed out that currently the Town measures to the peak of the roof. He stated that other communities use other points for measurement. Other questions included where the base elevation is and when should it be measured – pre or post-development, how it should be measured, such as using the four corners at the footprint of the building, and what type of information is necessary to document the building height.

Director Heard stated that when the Board initially discussed the items, some of the thoughts he heard from the members seemed to be that staff make sure that the Town of Duck had standards that were fair and reasonable to contractors and property owners as they looked at building height and that the process not be overly burdensome. He stated that the discussion could start with measuring the building height from and to points.

Chair Blakaitis clarified that the assumption was that the Town had no problem with how building height was measured in a non-flood zone. He pointed out that since there was no reference to it, there wasn't an issue. Director Heard stated that, at their last meeting, the Town Council members approved changes to clarify where to measure in the A and VE flood zones.

Member Murray suggested discussing the properties that weren't in a flood zone last since they were the least complicated. Chair Blakaitis stated that he wanted to refresh his mind as to how height was measured in a non-flood zone so the Board would not have to discuss it later. He stated that it didn't need anything and wasn't as critical as properties in a flood zone. Member Murray stated that there was no incentive for the Town to make accommodations for the building to be measured in such a way that it would be allowed to be higher in a non-flood zone. He noted that there were areas in the X zone that were, theoretically, only six feet above sea level.

Chair Blakaitis suggested the Board discuss the current definitions provided by Director Heard. He stated that he still found things confusing, especially when talking about the A and V zones. He pointed out the reference of finished grade or average finished grade. He asked if it could be simplified. He asked what "average finished grade" meant. Member Murray stated that the change that was made to the V zone for height was a change that allowed people to do what would be considered prudent – to elevate their houses. He added that in the V zone, it was a requirement, so the Board felt obligated to write the ordinance in such a way that homeowners would not be penalized with regard to building height for the requirement that the Building Code required as well as in regard to the Town's free and clear of obstruction.

Member Murray thought a good place to start would be the example he gave at the last meeting where there were two houses in an AE flood zone with a yard exactly the same elevation and the decision by one owner to pour a concrete parking pad under their house and the other owner not doing the same. He stated that it meant that two identical houses would be measured at different heights according to the Town's ordinance, but in reality, they would be exactly the same height. Chair Blakaitis noted that they would be the same height measured from the place that they were supposed to be measured. Member Murray stated that the house without a slab would be measured from the base flood elevation while the one with a slab under its house would be essentially penalized for having non-living space, as this area would count as height. He stated that it seemed unfair if the Town was encouraging people to elevate their home.

Chair Blakaitis thought the Board could start with one flood zone and define it better and then Director Heard could describe what average finished grade meant. Director Heard stated that there isn't a definition for average finished grade in the ordinance, which the Board could consider adding as part of the process. He thought it would be a logical thing to look at if the Town was going to continue using the term.

Member McKeithan asked what the difference was between average finished grade and finished grade. Director Heard stated that staff looks at it as average finished grade. He stated that staff's policy and interpretation was that they took the measurement of the four corners of a structure and averaged the elevations to come up with the average finished grade. Chair Blakaitis asked for a definition of finished grade. Director Heard stated that finished grade is simply the elevation after the grading and site work is complete. He thought the average finished grade was a more definitive point of measurement.

Member Murray noted that average finished grade creates problems for people in an X zone, on a hill, especially if they wanted to have a garage basement. He explained that when the average is taken for the four corners of the house, two corners could be higher – on the top of the hill – while the other two would be lower. Chair Blakaitis thought that in that scenario, it would be measured by the finished grade. Member Murray thought average finished grade and finished grade should be removed from the ordinance. He thought structures should be measured by the top of the floor or top of the lowest horizontal member. He stated that the other terms, such as habitable floor, lowest horizontal structural member and slab were all definable terms that could not be argued. He added that it was confusing to homeowners when they are building their homes.

Member McKeithan asked if the scenario Member Murray had presented was being measured at 35 feet above the higher level, from the bottom or somewhere in the middle. Member Murray stated that it was currently the mean, assuming that there were two high and two low corners, one would start in the middle at the average finished grade. Chair Blakaitis noted that Member Murray had stated it was at the mean. Member Murray corrected himself and said it was the average. Chair Blakaitis pointed out that mathematically, they were two different things.

Vice Chair Fricker thought the Board should not be trying to do something on its own without consultation from people that understood the issue. He thought Member Murray articulated a specific standard that is difficult to understand, inconsistent, or maybe not be the best answer to a problem. He thought someone should explain the issue to the Board clearly so they weren't asking questions.

Chair Blakaitis stated that if something could be crafted that would help Town staff; it could help with the confusion. Vice Chair Fricker stated that he wasn't willing to abdicate the Board's responsibility to make findings of fact and recommendations, but thought the Board's time could be better spent if they had some help. Member Murray thought it could be easier if the Board had some visual aids to help with understanding the issue. He added that the language that was in the ordinance was put in because it was important to someone. He thought that simplifying the ordinance should be one of the Board's goals. However, building height is complicated because the Town has two goals – fostering good development and keeping with the Town's small town vision as part of the Land Use Plan. He didn't think that the other towns had the same goals. Director Heard provided a large white pad on an easel for Member Murray to give some visual examples to the Board and audience regarding flood zones and how building height was measured.

Council Liaison Burdick thought what the Town had been trying to do was to limit building height to 35 feet. He added that in the flood zones where it was advantageous for houses to be

elevated one or two feet, it improved the Town's overall flood zone rating. He stated that the Town endorses that and allows a homeowner's house to be up to 37 feet. Member Murray pointed out that it was only in the V zone. Permit Coordinator Cross noted that a home is given additional height if a lower enclosure was not built. She added that it applied in the AE zone. Member Murray noted that his example was in the A zone, but the point he was trying to make was that the way the Town measured height currently was irrelevant to what the Town was trying to do as it was trying to keep buildings below 35 feet. Council Liaison Burdick agreed. Member Murray noted that if the starting point kept moving, the ordinance was irrelevant.

Member McKeithan noted that the building inspector has to approve the concept for where the building would be started. Chair Blakaitis clarified that it was in the current ordinance. Member McKeithan stated that Member Murray had noted earlier in the meeting that the slab may or may not be the starting point based on whether or not it has living space. He stated that if the slab is not used and a builder builds above it, it would have to be determined whether it was considered living space or not.

Director Heard stated that Member Murray had outlined the different scenarios correctly. He added that the issue isn't necessarily how building height is measured; but by the building type that the property owner and contractor decide to build. He stated that if they are building a structure that had a slab and had an enclosed area under it, then it would be considered a different type of building than a building that will be constructed on pilings. He agreed that there is a disparity in how these different types of buildings are measured and it may be something that the Board may want staff to go back and look at to find a more fair and equitable way to deal with in these circumstances.

Chair Blakaitis asked why a house that isn't on a slab and was elevated would be measured differently. Permit Coordinator Cross stated it is an incentive to keep construction above the required floodplain elevation. She added that the Town offers the homeowner an incentive to keep the structure out of the flood zone. Chair Blakaitis clarified that this is achieved by having taller pilings. Permit Coordinator Cross confirmed that the structure would be elevated. She explained that it was measured at the required floodplain elevation, giving it 35 feet in height versus building a house on a slab and adding an enclosure that could be at risk for flood damage. She added that the incentive would be taken away for the 35 feet.

Member Murray noted that if the regulatory flood elevation was 10 feet, the grade was at six feet, and the builder constructed a house on pilings in the A zone, the top of the floor would be at 10 feet and the Town would measure the height from there. He asked if the builder would receive credit if they go above the regulatory flood elevation with the current ordinance. Director Heard stated that they would not as it would begin at the 10 and measure up even if the builder chose to elevate the structure higher. Member Murray clarified that if someone chose to be more prudent with the way the ordinance was currently written, they would be penalized for the extra. Director Heard stated they would not receive additional credit for the extra height.

Chair Blakaitis asked if it was possible to change the language in the ordinance to make it easier for the situations the Board was discussing. Member Murray thought it could be something the Board may want to consider. Director Heard explained that it was hard to define the individual circumstances of every lot. Using Member Murray's prior example, he stated that in one

instance, the garage may be on the back of the property, while in another instance it may be on the front. He stated that creating an allowance or dealing with the issue without causing more conflicts was a challenge and how to define building height so it can be enforced consistently in a variety of scenarios would be an interesting problem.

Member McKeithan thought there needed to be agreement between the building inspector and the builder where the center point would be in order to measure the structure. Member Murray noted that it could be measured at pre-disturbance elevations or post-construction elevations. He added that it would depend on which set the Town would want to use to measure. Director Heard stated that it got back to the original question of where and when building height was measured. He added that one of the advantages of using the post-grading elevation was that the contractor would only be dealing with the building itself and errors in grading did not become much of a factor. He stated that if the Town used a pre-development grade, there could be a potential issue if it was graded improperly.

Chair Blakaitis asked what the Town used for measuring. Member Murray stated that it used pre and post, adding that pre was used for filling situations. He explained that if post-development elevations were used to measure building height, it would call for everyone in the jurisdiction to build the same building. He added that if it was pre-development elevations, it penalizes people who would have a more difficult lot, such as ones with depressions in them or extreme changes in elevation. Chair Blakaitis stated that the Town did not currently do that. Member Murray stated that the Town did because the Town's description of fill was filling, cutting, grading or leveling. He added that the Town wasn't just penalizing the people who add fill; but everyone that does not buy a flat level lot.

Chair Blakaitis wondered if the Board should be looking at the fill ordinance. Member Murray noted that the building height and fill allowance were forcing people to build a shorter house. Chair Blakaitis wasn't sure things could be put into an objective fashion so the Board could understand the issue better.

Vice Chair Fricker asked Member Murray how he would approach the issue if it was just him. He asked if he would not propose a specific fix for the problem. He asked if he would be able to work with Director Heard and Permit Coordinator Cross to look at problems and the proposed fixes for them as well as what the ramifications would be. Chair Blakaitis thought it was a good idea, but thought it should be Member Murray, Director Heard, Permit Coordinator Cross and another member of the Board. Vice Chair Fricker inquired if it would become a meeting requiring advertising. Chair Blakaitis stated that it would not. Member Murray thought it would be good to have another Board member present.

Chair Blakaitis suggested that the discussion end and a committee be formed for the next meeting and they could bring their results back then. Member Murray stated that he would like more direction. He added that he understood Council Liaison Burdick's comments regarding buildings being 35 feet tall, but he was unsure why they had to be that tall and how it benefitted the Town. Chair Blakaitis noted that the height limit was in the ordinance. Member Murray understood but wondered where it came from. Council Liaison Burdick stated that it came from the Land Use Plan as well as the desire to maintain the Town with a set of standards. Member Murray clarified that there would be no point where the Town would consider anything taller

than 35 feet. Chair Blakaitis stated that the new committee had to stay with the 35 feet height limit. Member Murray stated that the economic incentive was pushing people to build a certain way and it may be beneficial to build smaller and taller.

Council Liaison Burdick cautioned Member Murray because the Town has said multiple times that the height needed to be 35 feet. He added that it was just done with the Sanderling Inn and it was very costly for them to figure out how to do what they wanted to do while staying within the 35 foot height limit.

Member Murray stated that he had asked because any simplification of the ordinance that resulted in a building that previously was one height and would be allowed to be built at a higher height above sea level would be looked at with regard to the height restriction. He stated that the new committee was now looking at cleaning up the portion of the ordinance that dealt with building height in flood zones. Chair Blakaitis noted that it was the measurement of building height in flood zones. Member Murray agreed, adding that the Town would want to encourage people to build prudently and raise their houses up above the base flood elevation. He stated that in moving forward in the discussion, there didn't seem to be much point in changing the ordinance to encourage people to elevate their houses and give them credit because they will look taller than 35 feet. Chair Blakaitis stated that he didn't agree with Member Murray's comments but understood his point.

Vice Chair Fricker suggested that the new committee be comprised of Chair Blakaitis, Member Murray, Director Heard and Permit Coordinator Cross. It was *consensus* of the Board to have the committee members appointed.

Member McKeithan asked if the committee should look at remodels. Director Heard stated that there were other ways to address situations involving remodels. Council Liaison Burdick reiterated that Council has taken a very firm position on the 35 foot height limit and the added allowance in the flood zone was to the benefit of everyone. He felt it should be kept simple.

Willo Kelly of the Outer Banks Homebuilders Association was recognized to speak. Ms. Kelly stated that there were challenges whenever height was discussed. She noted that the North Carolina Coastal Resources Commission Science Panel recently released their sea level rise report. She asked if the Town submitted any formal comments with regards to the report. She noted that in the report it was very specific as to subsidence in Duck and how the Town of Duck was sinking. She thought the Town of Duck needed to look at that fact or have it incorporated into future discussions about building height.

APPROVAL OF MINUTES

Minutes from the May 13, 2015, Regular Meeting

Member Murray had corrections to Pages 5 and 7.

Chair Blakaitis moved to approve the May 13, 2015 minutes as amended. Member McKeithan seconded.

Motion carried 5-0.

OTHER BUSINESS

None.

STAFF COMMENTS

Summary of June 3, 2015, Town Council Meeting

Director Heard stated that Council had approved three text amendments at their June 3, 2015 meeting that the Board had forwarded to them regarding the definition of commencement of work, clarifying the definition of building height in flood zones and the tree and vegetation preservation ordinance. He noted that approval was granted for all three with minor changes to the commencement of work ordinance. He stated that Council set a public hearing for the wireless telecommunication ordinance that was sent to them by the Board.

Director Heard stated that Council approved a resolution to formally adopt the Albemarle Regional Hazard Mitigation Plan at their June 3, 2015 meeting.

Director Heard went on to give a short update on the various projects going on in Town to the Board and audience.

BOARD COMMENTS

None.

ADJOURNMENT

There being no further business to discuss, Chair Blakaitis adjourned the meeting. There was no vote.

The time was 8:25 p.m.

Approved: _____
/s/ Joe Blakaitis, Chairman