

**TOWN OF DUCK  
PLANNING BOARD  
REGULAR MEETING  
June 14, 2017**

The Planning Board for the Town of Duck convened at the Paul F. Keller Meeting Hall on Wednesday, June 14, 2017.

Present were: Chair Joe Blakaitis, Vice Chair Marc Murray, Tim McKeithan, and James Cofield.

Absent: Sandy Whitman

Also present were: Director of Community Development Joe Heard, Permit Coordinator Sandy Cross, *Coastland Times* Reporter Philip Ruckle, Julien Devisse of Coastal Planning and Engineering, Henry Blaha, John Wander, Sharron Young and Jackie Orsulak.

Others Present: None.

Others Absent: Council Liaison Chuck Burdick.

Chair Blakaitis called to order the Regular Meeting of the Planning Board for June 14, 2017 at 6:37 p.m.

**PUBLIC COMMENTS**

None.

**OLD BUSINESS**

None.

**NEW BUSINESS**

**Text Amendment Ordinance 17-06: Proposal to Amend Section 156.063 of the Town Code with Standards for Dune Walkover Structures within the Beach Nourishment Project Area**

Director Heard stated that during the Town Council's annual retreat, Council authorized the Planning Board and Community Development staff to develop the necessary text amendments to address changes and issues associated with the Town's beach nourishment project. He stated that the Board previously recommended amendments relating to the establishment of a static vegetation line and limitations on beach pushes. He added that the Board is now asked to consider developing a standard defining the type and characteristics of dune walkovers within the beach nourishment project area.

Director Heard stated that a key concern is the potential length of dune walkover structures. He noted that Subsection 156.063(D)(3)(a) permits dune walkovers to potentially extend 20 feet beyond the seaward toe of the frontal dune. He stated that the beach nourishment project will

result in a gentle slope of a five-foot run for each one foot rise on the east side of the constructed dune. He explained that the typical profile for the east side of the newly constructed dune will run 70 feet from the dune crest, which is at an elevation of 20 feet, to the ocean beach, with an elevation of six feet. He stated that if the Town's current standards for dune walkovers are applied to the project area, a homeowner could potentially construct a dune walkover structure extending 60 feet down the east side of the dune (10 feet from the beach).

Director Heard stated that there were people who have more mobility limitations than others, but there was also interest in allowing the dunes to stabilize and minimize any issues with the vegetation. He stated that there were concerns about limiting the length of the access ways to encourage safe access for ocean safety and emergency vehicles and not to obstruct access along the beach. He noted that the Board should evaluate and consider the different perspectives in developing the standards.

Director Heard stated that there can be different things that occur over the next six to twelve months as the dune and beach settle and shape themselves. He stated that one of the main principles that staff is looking at are ways to use a light touch – rather than going in and allowing long, hardened structures to run all the way down the front of the dune. The Town can look at alternatives such as matting and evaluate the needs of beachgoers within the project area. He noted that staff's suggestions are based on that thought process.

Director Heard pointed out that the staff report contains the Town's current standards for dune walkover structures. He added that staff put in some information from *The Dune Book*, which the Board also had a copy. He stated that even though the book was written 14 years ago, it is still considered to be the gospel as far as how communities can deal with the care of dunes along the ocean. He explained that the book was put together by North Carolina Sea Grant and was meant to be a document that a layperson can read and understand. He highlighted out some key items regarding dune walkways in the staff report.

Director Heard stated that in looking at potential amendments to some of the Town standards, there are standards for limitations on the width of the walkways, which currently are four feet in width for individual residential properties and six feet in width for commercial or public dune walkovers. He stated that staff does not see any particular reason why the standards for width need to change as a result of the project and is not recommending any changes to the Board.

Director Heard stated that the second item staff reviewed was potential limitations on the length of dune walkovers. He stated that the current ordinance effectively limits the length of a dune walkover to 60 feet on the east side of a dune. He noted that when a 12-foot drop in elevation is reached, a dune walkover structure is required to turn sideways. Vice Chair Murray asked if this assumes that the walkway is completely level from the top of the dune. Director Heard stated that the walkway has to go down because it has to hug the dune.

Vice Chair Murray asked how far down the slope the sand fencing and beach planting will go. Permit Coordinator Cross stated that planting is only planned on the top of the dune at this point. Vice Chair Murray asked if there are no improvements allowed on the dune slope and an individual rolls something out on it, what will keep pedestrians, particularly those who don't need the harder surface, from going off to the right or left. Chair Blakaitis stated that it could be

the sand fencing. Vice Chair Murray disagreed. Permit Coordinator Cross stated that it could be coastal vegetation. Chair Blakaitis pointed out that sand fencing was already put out down half the dune. He added that the Town doesn't want people walking around the dune and, in addition, there will likely be additional signage put up on the dune fence until the planting takes hold. He added that in the Sanderling neighborhood, they paid the sand fence contractor an additional amount to put fencing on the slope. Member Cofield asked how far out it went. Chair Blakaitis stated that it goes all the way down.

Member McKeithan stated that he looked at the beach access matting at Jennette's Pier and there are thousands of people walking on it. He added that it is not digging out an area or creating a path or trench. He added that it looks very effective. Vice Chair Murray clarified that the matting at Jennette's is not at a 1:5 slope. Chair Blakaitis stated that part of it is. Member McKeithan didn't think it is. Vice Chair Murray noted that the staff report notes the State is using the matting at Jennette's Pier. He pointed out that the 1:5 slope of the dune in Duck will not be ADA compliant. Chair Blakaitis agreed.

Member Cofield asked what the matting is made from. Chair Blakaitis stated that it is made from recycled plastic with millions of holes to make it porous and bars going across with grab-holds for your feet. He added that it isn't a perfect solution. Member McKeithan noted that the matting also has the effect of guiding pedestrians into a certain area instead of them choosing different access points.

Director Heard stated that the natural, west side of the dune typically rises at a steeper slope than the east side of the constructed dune. He noted that it may make more sense on that side of the dune to have a hardened structure for people to get up the steeper slope. He added that the gentler slope on the east side of the dune should be easier for pedestrians to traverse; however, at approximately 70 feet in length to the beach, it covers a significant distance. He stated that the top of the constructed dune is generally flat, approximately 20-30 feet in length, and will generally be the easiest part of the dune to cross.

Director Heard stated that staff proposed in the draft ordinance the following concepts:

- Allow a hardened structure (ramp/stairway), beach access matting, or nothing on the western side of the dune.
- Allow beach access matting or nothing across the flat top of the dune.
- Allow a short stretch of beach access matting or nothing down the eastern side of the dune.

Director Heard noted that even though the proposed amendment may prove to be a viable permanent solution, staff is also considering this concept as an important temporary measure. He added that following the completion of the beach nourishment project, sand fencing and planting will be installed to help stabilize the dune. However, the profile of the constructed dunes may adjust over time as wind, waves and other forces shape them. He noted that whatever beach access improvements the Town decides to allow, staff encourages further analysis of these options as conditions change in the future. He added that staff's opinion is "less is better" as

beach matting can be easily rolled up and thrown away or reused. Whereas, hardened structures are more likely to become permanent fixtures on the dunes or beach.

Member McKeithan clarified that Spencer Rodgers is not recommending the beach matting at the 5:1 slope. Permit Coordinator Cross stated that she had asked him about and he thought it will be somewhat of a nuisance because of the potential of ocean overwash. She added that she didn't think he truly grasped the size and scope of the dune when she spoke to him. Chair Blakaitis thought beach matting has been around a long time, but the newer matting is a better quality. Permit Coordinator Cross noted that the matting is very heavy. Chair Blakaitis agreed.

Chair Blakaitis asked what is the significance of staff's recommendation for allowing matting 20 feet down the eastern side of the slope. Director Heard stated that it seems like a reasonable distance to begin guiding people down the slope. Chair Blakaitis asked if it is something that should put in the text amendment. Director Heard thought the challenge in going all the way down the slope is that there are still some concerns with people walking or emergency vehicles having to access that area. Chair Blakaitis noted that an emergency vehicle could drive across the matting. Director Heard stated that it would be easier for emergency vehicles to drive over it.

Vice Chair Murray asked if it is relevant. He added that when he looks at the finished dune in front of Ocean Pines, it levels off and drops down. He asked if that was correct since the 1:5 slope did not continue. Director Heard stated that the 1:5 slope continues to the toe of the beach, then flattens onto the beach. Vice Chair Murray clarified that the flat beach is where any emergency vehicles will generally operate. Director Heard stated that would be correct most of the time.

Member McKeithan stated that he is going to recommend that the beach matting be allowed to go to the bottom of the east side of the dune, because emergency vehicles should not be driving on the incline of the dune. Permit Coordinator Cross stated he is correct. She added that if the beach is crowded, there is the potential that emergency vehicles will not have access in an emergency situation. She noted that an ATV was driving up the slope earlier in the week. Member Cofield asked if the 70 feet measurement is from the top of the dune. Director Heard responded that he is correct.

Vice Chair Murray realized that the projection is that the Town will lose up to 40% of the constructed sand material. Director Heard stated that more will be lost the beach than the dune. CB&I engineer Julien Devisse stated that some of the dune could be lost. Vice Chair Murray understands the reasoning for using the matting, but the concerns the Board talked about are regarding stabilizing the slope. He added that, historically speaking, the Town has used a four-foot wide walkway to protect the dunes. He thought that a beach mat or hardened structure will be equally effective in keeping off the vegetation. Vice Chair Murray added that the obvious thing to put in the ordinance will be, if someone opts for a hardened structure, they will need in order to dismantle it in a timely fashion if conditions change. He added that he is curious since they've been effective for a very long time and met the goals of the Town to protect the dune and vegetation. Director Heard stated that it is the significant change in the slope of the dune. Vice Chair Murray understood, but asked how it will negatively affect things. He stated that it used to be that a roped off walkway would be the most effective option. He asked how that is any different. Permit Coordinator Cross explained that with erosion, the posts can wash away. She

added that there isn't a set of stairs that are 50 feet long stuck in the ground with sand underneath. She stated that the Town would potentially have a situation where they will have to enforce hardened structures that are encroaching on the beach. Vice Chair Murray asked if that is a realistic possibility. He added that he isn't saying that they have to be allowed to go 70 feet. Permit Coordinator Cross stated that a homeowner has already asked if it can be done. Vice Chair Murray stated that he isn't saying that the Town should allow them to do something all the way down, he is just suggesting that people who use the beach have an expectation for access to the beach. He added that he doesn't want to be insensitive to it by forcing them to do something that can be achieved otherwise. He added that if going all the way down the 70 feet with a hardened structure is bad, he understands. For people with accessibility issues, he wondered if there should be a caveat in the ordinance for homes that are ADA friendly. He noted that ADA compliance in a residential structure is very difficult to meet, but there are homes advertised as accessible homes. He asked why there can't be something in the ordinance that will create an opportunity to make the beach more accessible in those situations.

Permit Coordinator Cross pointed out that ADA compliance typically involves getting someone to the beach dune and does not require getting a person down to the beach itself. Vice Chair Murray stated that he isn't speaking about requirements. Chair Blakaitis noted that Sanderling's beach turned out that way before the beach nourishment project. Even though they had a great dune, when a person got to the end of the boardwalk, all of the stairs were buried and there was a slope going down that exceeded the 1:5 ratio for at least 20 feet and people were complaining about it. He stated that the only advice he could give was that they had to walk over 10-15 feet of sand to get to the harder sand. Vice Chair Murray agreed, adding that the Town has given them 140 feet of sand before they see the ocean. Chair Blakaitis stated that there are a lot of associations all over the state that do not have constructed walkways, only a trail. He reminded the Board that one of the Board's options is to do nothing.

Permit Coordinator Cross pointed out that the Town put regulations in place to deal with structures that were protruding onto the beach to bring them back to the dune face. She added that application of these standards may be more challenging due to the new slope. Vice Chair Murray clarified that the Board can alter those regulations in the event of erosion so that the walkways will have to be brought back. Permit Coordinator Cross stated he is correct, adding that the walkways must be pretty far out for the Town to do anything. Vice Chair Murray noted that, as the ordinance is currently written, the Board is tasked with writing an ordinance for the nourishment area. He thought the Board can consider ways to allow it under certain circumstances.

Vice Chair Murray asked the other Board members if they see a compelling interest in giving people that are visiting and have mobility issues a way to get closer to the beach. Member Cofield stated that he is struck by the thinking that the Board won't know for a couple years out exactly what will happen; what kind of erosion will take place or what the beach will look like. He reiterated that one option is to do nothing for a couple of years. He saw the matting as a way to help. He added that he is reticent to allow hardened structures when the Town does not know what will happen for a couple of years. He stated that he doesn't see it as reasonable to allow hardened structures post-holing down and then asking the property owners or homeowner associations to take them out due to a hurricane. Vice Chair Murray pointed out that it is that way presently. Chair Blakaitis noted that there is a limit on how far out the walkway can go and

this exceeds it, which means that the existing ordinance will have to change. Vice Chair Murray felt that, instead of a blanket statement that says that a rollout mat is required, the Board can write an ordinance that will allow wooden walkways, under certain circumstances, including requirements that it be altered or removed in the event that erosion occurs.

Chair Blakaitis asked what the special circumstances would be and how Vice Chair Murray would remove it. Vice Chair Murray stated that he is thinking of community walkways as one option and potentially making an exception for people who have ADA accommodations in the house where the permit is being sought. Chair Blakaitis asked about the community walkways. Vice Chair Murray stated that there are community walkways and they can have more lenient regulations or be allowed to apply for reasons of accessibility, not necessarily to go the entire 70 feet. Chair Blakaitis asked if he is proposing wooden walkways and stairs. Vice Chair Murray stated that stairs will not help in this case. Chair Blakaitis asked what would be put down. Vice Chair Murray explained that in a lot of the accessible houses, the dune deck on the west side of the dune starts from the second-floor deck so that there are no stairs on the west side of the dune. He added that someone in a wheelchair or with limited mobility can cross directly horizontal to the top of the dune. Permit Coordinator Cross described a situation in Four Seasons where an owner has a deck and a walkway coming off of the deck and took it down to the top of the dune.

Vice Chair Murray noted that there are some community walkways that do not have any stairs on the western slope as they go up gradually. Member Cofield asked if it changed anything on the west side. Chair Blakaitis stated that it does not. Vice Chair Murray stated that he is explaining how someone in a wheelchair may find themselves on top of the dune and want to get closer to the ocean. He added that the draft ordinance currently states that immediately on top of the dune, it will change to matting or nothing at all. He stated that he was in the Ocean Pines subdivision earlier in the day and standing on the beach. The ocean seemed very far away, walking down the slope was pretty hot, and he could see why people would be uncomfortable. He added that walking back up the slope was more intense. He stated that getting someone in a wheelchair down the slope is a possibility, but getting back up the slope with matting alone seems harder.

Chair Blakaitis stated that there isn't anything the Town can do about ADA compliance or even getting close to ADA compliance. He added that it is what the Town has and it isn't good. He wondered what can be done. He questioned why the Town had to worry about wheelchairs just because there was now a gentler slope. Vice Chair Murray stated that previously, someone could pass to the top of the dune and the ocean was closer. Chair Blakaitis reminded the Board that their objectives are stated pretty clearly – manage the strategy to avoid damaging the dunes where people come and go to the beach. He noted that it is a very good point about not doing too much. Vice Chair Murray stated that his point is if the four-foot-wide walkways are keeping people off the dunes and on the walkway, why can't they not be part of the tool kit. Chair Blakaitis stated that in some cases, the Town does not have them out. He stated that the Sanderling subdivision has so much dune buildup, that their stairs are buried and the walkway ends before the top of the dune. He added that Sanderling elected to do nothing about it. He stated that it was a nice, sand path.

Vice Chair Murray understood that the wait and see approach is logical from a cost benefit perspective. Chair Blakaitis asked if the Board can take a look at the ordinance and some of the

other items to reach an agreement and then come back to this issue at the end. Vice Chair Murray was fine with that approach.

John Wander of 119 Sandcastle Court was recognized to speak. Mr. Wander asked if he wants to buy beach access matting, how long will it need it be. He added that many of the homes won't want the top of the dune covered with sand. He wondered why a platform couldn't exist over anything. Permit Coordinator Cross asked if Mr. Wander is referencing a platform or a walkway. Mr. Wander stated that he is talking about walkways. Permit Coordinator Cross clarified that under CAMA regulations, an owner cannot have anything but a walkway beyond the first line of stable natural vegetation and the static vegetation line.

Chair Blakaitis asked if the walkway is only covered by six or seven inches of sand, and it was swept off, if it was a grandfathered walkway. Director Heard stated that the removal of sand is discouraged. Mr. Wander stated that he is interested in the beach access matting and the instructions for installing the matting recommend attaching it to the end of a wooden walkway. He added that people will be guided in that way. Chair Blakaitis stated that it seems that every area has its own unique situation. He added that it has to be worked around in the guidelines that he hopes the Board will set forth.

Vice Chair Murray asked Mr. Wander what lengths are available. Chair Blakaitis responded that they are available in lengths of 10, 20, 30, 50 and 60 feet. Mr. Wander stated that he found three suppliers and thinks the matting will work well.

Member Cofield asked if the answer to the first part of Mr. Wander's question was 70 feet. Permit Coordinator Cross stated that it would be 90 feet if he wants to take it across the top of the dune and down to the toe of the dune. Vice Chair Murray pointed out that, as the ordinance was written, Mr. Wander would only be allowed 20 feet plus 20 feet. Director Heard stated that it can be more than that because the top of the dune is wider than 20 feet in width in certain areas. Member McKeithan clarified that it would be 40 feet in most situations – 20 across the top and 20 feet down. Chair Blakaitis stated that it is open for discussion, adding that the Board doesn't need to stop at 20 feet.

Vice Chair Murray asked if nesting turtles would be located at the 70-foot mark or if they stop at the flat beach. Jackie Orsulak of 104 South Snow Geese Drive was recognized to speak. Ms. Orsulak stated that it depends on what is done.

Chair Blakaitis thought Director Heard had some good points regarding what the Board is trying to do. He wondered if the Board can review at the three statements in Part I of the draft ordinance. He read the following from the draft ordinance: "A dune walkover structure on the western side of the dune may consist of a hardened structure (ramp/stairway), beach access matting, or any material consistent with the standards of this chapter." He thought it was what is currently in place. Director Heard stated he is correct.

Chair Blakaitis read the second statement from the draft ordinance: "A dune walkover extending over the top of a dune may only be constructed of beach access matting." He stated that if the Board approves the statement as written, he suggests adding "or nothing" at the end of the sentence. Vice Chair Murray thought it is implied. He asked if language has to be added that

states that one has to designate the walkover. Chair Blakaitis thought it is a good point. Member Cofield pointed out that it did not say dune walkover structure, but dune walkover. Permit Coordinator Cross pointed out that, with regard to a dune walkover structure, if nothing is constructed, then it will not be a structure. Vice Chair Murray clarified that if matting is put down, it is not a structure. Chair Blakaitis agreed. Director Heard pointed out that that is why the term “structure” is not in statement 2 and 3. Chair Blakaitis suggested striking “structure” for statement 1. Director Heard stated that the western side needs to say structure as it allows for the construction of ramps and stairways.

Member McKeithan asked if it is optional for a homeowner, whether or not they go on the west side, not to have anything and just climb up the dune. Permit Coordinator Cross stated that if there is more than a 1:3 slope, they do not have to have any structure at all. Vice Chair Murray corrected Permit Coordinator Cross, adding that it would be less than a 1:3 slope. Permit Coordinator Cross stated that if there is less than a 1:3 slope, it is defined as an escarpment and some kind of structure will be needed to get over the dune. Member McKeithan stated that if the Board is not careful, they will be removing that requirement on the west side if “or nothing” is added to the draft ordinance. He noted that whatever the existing regulations are in Duck, he doesn’t think the Board is trying to loosen or reduce the requirements. Chair Blakaitis agreed. Member McKeithan stated that if the language “or nothing” is added to statement 1, it could be construed that all requirements are removed, even in the steep one that would normally require a hardened structure.

Chair Blakaitis asked the Board to come to an agreement on the three statements. Vice Chair Murray thought statement 1 is fine as it is written. Members Cofield and McKeithan agreed. Chair Blakaitis asked about statement 2. Vice Chair Murray stated that the only public comment received was to ask why it cannot be constructed in wood. He thought it could. He asked if staff received any other public comments. Permit Coordinator Cross stated that she has received a comment from the Osprey subdivision indicating that they would like to install a wooden walkway across the top of the dune. She added that the Carolina Dunes subdivision asked if they can have a walkway all the way down the eastern side of the dune. Vice Chair Murray asked if anything has been received from individual homeowners. Permit Coordinator Cross stated that they have been amenable to see how things pan out and are pleased with the idea of the matting due to the temporary nature of it.

Member Cofield asked what those neighborhoods currently have in place. Permit Coordinator Cross stated that they presently walk right out over the dune. Member Cofield asked what they have coming up to the dune. Permit Coordinator Cross stated that they have steps that start at the escarpment and go down to the beach. Member Cofield asked if they have anything on the western side of the dune. Permit Coordinator Cross stated that they have a walkway.

Vice Chair Murray stated that he raised the question about access because that was the sense he had walking over the access and what he’s heard from clients. He added that he heard more from clients in locations where the nourishment has not occurred yet, but will occur in the future and are getting worried. He stated that he also heard from rental companies that have to move their clients around. He thought those are the people that are getting the brunt of the complaints. He added that if staff is not receiving compelling comments, then there isn’t a big issue. Chair Blakaitis stated that he would like to keep statement 2 as it was written until it is seen how the

beach and dune equilibrates. Director Heard stated that staff plans to keep a close eye on what happens with the beach and will be proactive if issues arise. Member Cofield stated he is fine with adding “or do nothing” to statement 2.

Vice Chair Murray asked if nothing was done, would the Town’s sand fence and vegetation installation move across the front of a property in a uniform manner. Permit Coordinator Cross stated that it will not without leaving a path for access. Vice Chair Murray asked how staff determines where the path goes. Chair Blakaitis stated that it will be at the end of the present walkway to the beach. Permit Coordinator Cross agreed. It was the *consensus* of the Board to leave statement 2 as it was written.

Chair Blakaitis asked the Board for their thoughts on statement 3 in the draft ordinance: “A dune walkover is permitted to extend twenty feet down the eastern side of the dune. This walkover may only be constructed of beach access matting.” He stated that he would like to see it extended to at least twice what is proposed. He didn’t think it matters once one goes down the slope how much matting is put down as it can be taken out. Director Heard recommended that “toe of the dune” be used in the language in the place of a particular distance. It was the *consensus* of the Board to use the recommended change to the wording for statement 3.

Member Cofield moved to accept the staff recommendation with respect to Part I as written with the changes made. Chair Blakaitis seconded.

Director Heard stated that the change was to #3 and would read: “A dune walkover is permitted to extend down to the toe of the eastern side of the dune.”

Chair Blakaitis noted that the #3 has been lengthened down to the toe. He wondered about the wording, “a dune walkover”. He noted that the Board has been discussing that a dune walkover is nothing more than a path, mat, or some type of lumber to channel people down to the beach. Vice Chair Murray stated that in this instance, it may only be constructed at beach accesses. Chair Blakaitis asked if it implied that one must put access matting there. Member McKeithan noted that it said it is permitted and not that it has to be put in. Vice Chair Murray agreed.

Motion carried 4-0.

### **Text Amendment Ordinance 17-07: Proposal to Amend Several Sections of the Town Code with Necessary Updates and Corrections**

Director Heard stated that the items being addressed are purely corrective. He added that in 2014, former Director Andy Garman had brought a proposal before the Planning Board to make some changes that the Town reduce the size of its required parking spaces to 9’ x 18’. However, there is one section of the ordinance, under the definition of *Parking Space*, where the former 10’ x 20’ standard is still referenced. He stated that the amendment will remove that statement so as not to cause confusion.

Director Heard stated that the second item is something that has to be done. He stated that back in 2013, there were some changes made to the Planning statutes in the North Carolina General Statutes. He stated that it took away the authority from Boards of Adjustment to be the

interpreter of zoning district boundaries. He stated that, based on the recommendation of the UNC School of Government, staff is proposing to give this authority to the Director of Community Development to make the initial decision. If someone feels that the Director has erred or wants to dispute his decision, the decision can be appealed to the Board of Adjustment.

Director Heard stated that the third item deals with a loophole that has come up recently with a development proposal that staff would like to close. He explained that the Town has structure setback standards that apply to pools and pool decking. He stated that the Town has standards for walkways where they are allowed to encroach into the setback. He stated that the issue is that someone chose to look at the standards and felt if they could run the walkway directly by the pool, the pool border could be pushed over to the setback line and then install the walkway into the setback. He stated that it is proposed to add a point of clarification that the walkway structure shall not be exempt from minimum yard requirements if it abuts a swimming pool deck or is located within three feet of a swimming pool.

Chair Blakaitis asked why this was brought to the Planning Board's attention. He asked why staff can't take care of it. Director Heard stated that it is a text amendment and requires a change to the ordinance standards.

Member McKeithan moved to recommend text amendment Ordinance 17-07 as presented. Member Cofield seconded.

Motion carried 4-0.

## **APPROVAL OF MINUTES**

### **Minutes from the May 10, 2017, Regular Meeting**

Member McKeithan moved to approve the May 10, 2017 minutes as presented. Member Cofield seconded.

Motion carried 4-0.

## **OTHER BUSINESS**

None.

## **STAFF COMMENTS**

### **Summary of June 7, 2017 Town Council Meeting**

Director Heard gave an update on the June 7, 2017 Council meeting to the Board and audience.

### **Project Updates**

Director Heard updated the Board and audience about several Town projects.

**BOARD COMMENTS**

Member Cofield asked for an update on 1166 Duck Road. Director Heard stated that their permit amendment with CAMA has been put on hold until they comply with the Town's standards. He stated that the owners do not have a CAMA permit and he understands that they are looking at other alternatives to deal with the structural issues that would not involve this type of project. He stated that he has not spoken with anyone directly related to the project other than the Division of Coastal Management about the permit. He stated that staff has not been contacted, but he hopes they are heading in that direction. He added that he will let the Board know if there are any new updates.

**ADJOURNMENT**

Chair Blakaitis adjourned the meeting. There was no vote or second.

The time was 8:30 p.m.

Approved: \_\_\_\_\_  
/s/ Joe Blakaitis, Chairman