

Town of North Topsail Beach

Joann M. McDermon, Mayor
Mike Benson, Mayor Pro Tem

Aldermen:
Richard Grant
Connie Pletl
Fred Fontana
Tom Leonard



Alice Derian, ICMA-CM
Town Manager

Melinda Mier
Town Clerk

Nature's Tranquil Beauty

Planning Board

Program for Public Information (PPI) Committee

Regular Meeting Draft Minutes

Thursday, January 12, 2023 at 5:00 PM

2008 Loggerhead Court, North Topsail Beach NC 28460

Present: Hanna McCloud – Chair, Paul Dorazio – Vice Chair, Pat Stigall, Lisa Brown, Susan Meyer.

Absent: Gunnar Mathews, Scott Morse, Stu Harness.

Present Other: Deborah Hill – Planning Director, Kate Winzler – Clerk to the Planning Board, IT Director Schwisow, Fire Chief Soward, Police Chief Younginer, Public Works Director Poehlitz, Building Codes Administrator Allen.

CALL TO ORDER Chair McCloud called the meeting to order at 5:03 p.m.

ADOPTION OF THE AGENDA Ms. Brown made a motion to adopt the agenda. Ms. Stigall seconded. The motion passed unanimously, 5-0.

APPROVAL OF MINUTES

Ms. Meyer made a motion to approve the November 10th, 2022 minutes. Ms. Stigall seconded the motion. The motion passed unanimously, 5-0.

PUBLIC COMMENT none.

NEW BUSINESS

COMMERCIAL PLAN REVIEW: FIRE STATION (ref § 2.06.07)

Planning Director Hill introduced to the Planning Board the designers and engineers of fire station number two at 3304 Gray Street: with Paramounte Engineering, Inc. Brad Schuler and Rob Ballard, and with Becker Morgan Group Architecture Engineering Ernie Olds and Brice Reid, all representing the applicant, Town of North Topsail Beach. Planning Director Hill presented the staff report to the Planning Board, and explained the requirements from the Unified Development Ordinance (UDO), the Coastal Area Management Act (CAMA) Land Use Plan, and the flood regulations are included in the staff report. She explained that as an existing structure with this lot size some requirements may be able to be met, and some requirements will not be able to be met, and noted both will be documented. A public hearing will be scheduled once the Planning Board makes a recommendation to the Board of Aldermen.

Planning Director Hill identified the UDO requirements to be addressed by the applicants:

- § 4.03.19 (B) Use separation
- § 4.03.19(C) Screening
- § 6.04.01 Buffers
- § 6.05(A) Off-Street Parking
- § 6.05(B) Storm water runoff
- § 6.05.03 Minimum Loading Requirements

Ms. Hill explained the Town's adoption of V-Zone construction standards throughout and expressed concerns regarding the Town's Flood Development Prevention Ordinance (UDO) § 7.05(A), (B), and (G). She explained that § 2.06.07 Commercial plan review allows the Planning Board to return the development plan to the applicant/owner for revision and/or additional information before recommending action by the Board, and the process involves a review of both a sketch plan and a development plan. She suggested that the Board may want to consider this set of plans as the sketch plans. The process also requires a certificate of review and approval of the technical standards certified by the Public Works Director, the Fire Marshal, the Police Chief, the Building Inspector, and the Planning Director. Planning Director Hill asked the Planning Board to require the applicant complete and submit a 2018 Appendix B Building Code Summary for all Commercial Projects.

Fire Chief Chad Soward addressed the Planning Board noting that in 2016 the Board of Aldermen approved fire station plans, the engineering firm remains the same, however the layout of the building has been altered slightly. He explained the current fire station is unfit for human habitation, and the goal is to move forward with a fire station that the Town is proud of. Chief Soward welcomed questions from the Board and turned to architect Ernie Olds to address Planning Director Hill's concerns.

Mr. Ernie Olds noted that the existing metal building was constructed in 1986 and has weathered twelve storms with flooding that inundated the apparatus bay with water. He explained that the bay currently sits at six feet, and the base-flood elevation is twelve feet plus a 2-foot freeboard, making the Town's required elevation fourteen feet above sea level. He explained the Town's growing year-round residency is increasing public safety demands, and identified that the facility must meet today's needs, survive storms, and serve the Town in the future. The acquisition of land was not successful, so the current objective is to maximize the existing lot. Mr. Olds used the architectural site plan to illustrate the building design to the Planning Board. The four apparatus bays will accommodate modern firetrucks, boats, and trailers on an elevated slab brought to the maximum elevation allowed by the site- eight feet, eight inches, higher than it sits presently. He explained the firehouse building component includes sleeping quarters, a lounge, offices, and bathrooms, and is elevated above fourteen feet. Between the apparatus area and the living quarters there is a vital service element utility area, including a decontamination room, protective equipment contaminate extractors, gear storage, and a breathing apparatus area. Mr. Olds pointed out exterior components on the north face of the building: an elevated emergency generator as well as an elevated mechanical platform.

Vice Chair Dorazio asked for the heated square footage.

Brice Reid answered about 13,000 square feet.

Ms. Stigall asked for the occupancy limit.

Chief Soward answered five occupants during crossover.

Rob Ballard with Paramounte Engineering explained that CAMA will not allow an increase in impervious surface, and they are investigating the use of pervious concrete in the parking area and wooden decking for the patio not to exceed the 83% current impervious surface.

Planning Director Hill asked how many parking spaces were proposed.

Mr. Ballard answered seven total parking spaces with one ADA compliant parking space, and explained that a traffic study is unnecessary, since this building does not have high traffic from the public entering and existing the facility. He offered to work to properly sign the facility, making the public aware of emergency vehicles.

Ms. Stigall asked if there would be any public meetings held at this facility.

Mr. Olds stated public meetings are not the intention. The meeting room within the building is intended for internal use.

Brad Schuler explained that the use separations would not be met, due to the small size of the site. The building itself sits approximately eight feet from one property line and ten feet from another, so a fifty-foot use separation is not feasible. He suggested the proposed facility is comparable to what exists today.

Mr. Schuler expressed his belief that the screening requirements could be met, as there is no outdoor storage on site.

Planning Director Hill read "Service areas must be separated from the view from abutting residential properties using the standards for enclosed outdoor storage" and explained that it is the service areas which must be screened.

Mr. Schuler asked what Planning Director Hill would classify as a service area requiring screening.

Ms. Hill replied the entire fire station from both the existing residential property to the north and the future residential property to the west.

Mr. Schuler answered that the present situation does not comply with the buffer requirements, and it will be very challenging to meet that standard.

Ernie Olds suggested enclosing the walkway for the generator and the mechanical equipment with elevated screens.

Vice Chair Dorazio asked how often the generator would be running.

Mr. Olds replied that generators need to be run every thirty days, but some companies set them to a more frequent run cycle, sometimes once a week. He showed an example of an elevated generator at another firehouse, and offered to work with the Town on a solution to minimize any perceived disruption.

Vice Chair Dorazio pointed out that residents will most likely be evacuated when the generator would need to be running continually.

Mr. Olds agreed, and pointed out the patio is not a working area, but rather one for recreation, including a barbeque grill.

Ernie Olds addressed the loading zone requirement by explaining that the sixty-feet by one-hundred feet concrete ramp would be reasonable for deliveries when needed.

Mr. Olds spoke about the flood design, explaining the structural engineer is designing to the ASCE (American Society of Civil Engineers) code for facilities such as this in flood-prone areas, which distinguishes between an A-Zone and V-Zone. This site is in an AE-Zone. If this site were in a V-zone, or a velocity zone, a piling supported structure would be required. The proposed

structurally stout building is engineered for 162 mile-per-hour wind speeds, with a filled concrete block reinforced bearing design, and the soils report shows suitability for this shallow foundation structure with sheer cross bracing to provide stability for the height. He stated his belief this complies with FEMA flood regulations and federal regulations yet understands that the Town has a right to adopt more strict standards.

Planning Director Hill explained that the Town has adopted higher standards and participates in NFIP (Nation Flood Insurance Program) and CRS (Community Rating System). These requirements were introduced to the fire station planning process in 2016, although there has not been a consistent dialog since then. Ms. Hill read § 7.05(B)(2) "*Non-residential construction*. New construction and substantial improvement of any commercial, industrial or other non-residential structure shall have the reference level elevated no lower than the regulatory flood protection elevation, as defined in Article 11. Structures located in Zones V, VE, A, AE, AH, AO and A99 may not be floodproofed to the regulatory flood protection elevation in lieu of elevation." She then identified what the engineer is asking the Town to do would violate two of the higher standards adopted by the Town.

Ernie Olds clarified the main part of the building is a pile-supported structure, and the fire station bays are on a concrete supported structure. He re-iterated that he believes this is the correct approach and stated that he is not a fan of break-away walls for this facility, given the wind loads. He pointed out the inclusion of flood vents for sustainability.

Planning Director Hill stated that she did not see the flood vents on the plans.

Mr. Olds offered to provide updated plans including flood vents once they are drafted. He suggested that as this location does not have hydrostatic issues or velocity water, there is no need for the break-away walls. The concrete block walls of the elevated sections are positioned and designed to manage the hydrostatic pressure of flood water, and explained that the building understands where it is, and it will accommodate the loads that will be imposed to all the standards that he is aware of and thinks makes sense. Mr. Olds stated does not think that a pile-supported fire station is as good as a non-pile supported fire station. He invited the Board to look at the intent behind break-away walls in other facilities, and to challenge the logic. Mr. Olds suggested that a masonry enclosed fire station engineered for 162 mile-per-hour windspeeds should be built in this way, and he put his professional reputation on the line for it. He stated his understanding that he is asking a lot for this unusual building.

Planning Director Hill clarified that this lot is located in an AE flood zone, not an A flood zone as Mr. Olds stated previously.

Chief Chad Soward spoke about the eco-friendly construction design of the fire station in Carolina Beach.

Mr. Olds spoke addressed the plumbing concern, mentioning a scenario from the Wrightsville Beach fire station during Hurricane Florence. He stated that this decontamination station could be located outside, and the breathing apparatus may be positioned on wheels to make it mobile during evacuations.

Chief Soward explained the firefighting gear must be decontaminated, removed, and stored prior to entering the main fire station area, to keep carcinogens out of the fire station's living areas.

Ernie Olds suggested the Town evaluate the operational risk to the expensive and heavy equipment located on the ground floor for accessing it versus needing to evacuate it in a storm

or hurricane. He posed the idea of relocating or elevating the equipment to help mitigate the flood risk. Mr. Olds again asked the Board to consider the special nature of this building and reiterated that he thinks this design is right.

Planning Director Hill asked if Mr. Olds had prepared a cost estimate for the current design. Mr. Olds answered not formally, as construction costs are currently increasing. He bid another fire station job in Wilmington at \$425 per square foot, suggested that this project might cost more, and promised a cost estimate delivery for this project by the end of January.

Ms. Stigall asked about the age of the Wrightsville Beach fire station.

Mr. Olds suggested close to fifteen years old and expanded the hurricane scenario.

Planning Director Hill asked what the building height is.

Brice Reid responded just under forty feet.

Ms. Hill inquired why the design did not try and maximize the building height.

Brice Reid explained that a fire truck's ability to scale the grade into the apparatus bays was a limiting factor, given the shallow nature of the lot.

Ms. Hill asked if it were possible to build office space above the apparatus bays.

Ernie Olds confirmed yes, but because the building is in a seismic zone, it would have to be engineered for the additional height and does not need to be unnecessarily tall.

Chief Soward explained that a grade higher than eight percent is a safety issue for fire fighters maintaining the fire trucks.

Ms. Hill asked why the design is not three floors.

Mr. Olds replied that a three-story building is not necessary for the fire departments' current needs or future needs, and it is not within budget. He recommended future lateral expansion if needed.

Chief Soward identified future needs which are encompassed in this design: more offices, a meeting room, and a gym. They did not go overboard with projected needs.

Ernie Olds identified the bunk space for 8 firefighters accommodates overflow or growth. He categorized the issues as land constrained: if the Town had procured additional land, it would have been possible to address these issues. Mr. Olds feels that the Town will be well served by this building and stated his appreciation for consideration by the Board.

Planning Director Hill stated that the conflicts with the Town's ordinance must be addressed. She explained that if the engineers submitted these plans today, she would not have the authority to approve them. As the Town's agent, she requested that the Planning Board remand the plans back to the applicant for revision addressing the other issues, including the Building Code Summary of Commercial Projects.

Ernie Olds stated that the schedule could easily be included, but they could not accommodate the break-away wall requirement.

Planning Director Hill asked if they could build on pilings.

Mr. Olds answered that he does not think it advisable. The recommended design builds the driving pad on structural fill, and the bearing of the building goes down to natural grade and bears on shallow foundations. He argued this is a better structural solution because this site does not have velocity action, or the wave imposed horizontal load that a piling-supported structure is suited for.

Planning Director Hill reiterated the Town's adoption of higher standards.

Mr. Olds argued that it is not higher, it is different.

Planning Director Hill asked Mr. Olds to propose that the Town drop their V-Zone construction standards. She offered to research the impact of such an action on the Town's CRS rating.

Mr. Olds asked for consideration in solving the issues with this anomalous project.

Ms. Hill stated that the Town has a CRS rating of five, and exceptions require a policy decision.

Mr. Olds agreed that this matter is complicated.

There was discussion about a possible motion.

Planning Director Hill explained the challenge of reviewing this application with many sets of revised plans and seeks a final set of plans approved by the Town Department Heads.

Ms. Stigall inquired if there would be an opportunity to discuss the CRS rating impact on hurricane insurance premiums at future meetings.

Fire Chief Soward stated that the fire department also impacts homeowner's insurance.

Ms. Stigall replied she understands that the fire station needs to be built, but there are other considerations.

Planning Director Hill explained the benefits the citizens and the Town have realized through insurance premium discounts since 2000, holding contractors to these higher standards, while also costing the contractors and property owners to comply. Ms. Hill asked the applicants how they expect the Town to hold people to the Town's higher standards, but not hold itself accountable to those standards to build a fire station.

Chief Soward stated that the original 2016 metal building plans do not have flood vents. He stated his disbelief that this conversation has not occurred since 2016 to address it. He expressed frustration at the current living conditions of the fire fighters.

Ernie Olds stated that he believes he is not asking for less. He believes these plans meet and exceed the Town's standards because the nature of the building requires it as an essential level four facility in the structural code chapter sixteen. Mr. Olds stated that the Town is receiving a superior structure over a piling supported structure.

Planning Director Hill explained that the Town holds her and the Building Codes Administrator Ralph Allen's responsible to do what they have done tonight. That is why she invited the Police Chief, the Fire Chief, the Public Works Director, and the Building Codes Administrator to attend and to do their due diligence, as the Town also holds them responsible. She noted the plans were supposed to be delivered in November for the December Board meeting, and stated her understanding that the Fire Department wants to move in. Ms. Hill asserted that this project is receiving everyone's full attention, and they are doing everything they are supposed to do.

Chief Soward disagreed with Ms. Hill, stating that he wants better conditions for the Town and his fire fighters.

Planning Director Hill asked that everyone work together. If it requires a change, an amendment, a variance, a sacrifice in CRS, or a policy decision, then let local government work the way it is supposed to: out in the open. Let that process happen so that this fire station can be approved, with the awareness of the Planning Board and the Board of Aldermen.

Mr. Olds agreed and stated that he is on board to work with the Town in any way to check all the boxes with the goal of keeping everyone happy.

Vice Chair Dorazio expressed the desire to work together and make everyone happy.

Vice Chair Dorazio made a motion that in accordance with 2.06.07(A)(1) the Planning Board returns the development plan to the applicant owner for revision and or additional

information before recommending action by the Board, to include a review and certification by the Public Works Director, Fire Marshal, Police Chief, Building Inspector, Planning Director and completion of the 2018 Appendix B Building Code Summary for All Commercial Projects by the engineer. Ms. Stigall seconded the motion. The motion passed unanimously, 5-0.

Ms. Brown requested that the Board state the everybody is working together, and discussions will continue by all parties to facilitate this happening as quickly as possible, whether it is the CRS discussion or phone calls between people to make sure that it is moving along.

Planning Director Hill asked if Ms. Brown wanted to propose that the meeting be continued to next Thursday, as her requests must take place during a meeting.

Ms. Brown responded no.

The Board discussed the process moving forward.

Ms. Stigall explained that part of the process will be the continued meetings between the interested parties.

Planning Director Hill agreed.

Ms. Brown directed Staff to work with the engineer and the architect to expedite the process as quickly as possible for the sake of the Fire Department.

The Board took a break at 6:13 p.m. Chair McCloud left the meeting at 6:13 p.m.

The meeting resumed at 6:22 p.m.

Vice Chair Dorazio chaired the remainder of the meeting.

The Planning Board and Planning Director Hill discussed the history of commercial plan reviews in North Topsail Beach, including the development history of the fire station through several Town Managers, Fire Chiefs, and Building Inspectors.

Vice Chair Dorazio stated he was impressed that the new fire station was engineered to 162 miles-per-hour, because it exceeds the requirements for the Gold Fortified Program. He explained to the rest of the Board that he had studied the fire station plans and could not locate flood vents, or discern the square footage.

Planning Director Hill explained the challenges she faced creating a staff report and discovering that she had outdated and superseded plans. She asked the Planning Board if they wanted the Town's Department Heads to review and approve the design.

Ms. Meyer noted the importance of the Planning Board's project review, as the Board of Aldermen rely on the Planning Board's recommendation.

Vice Chair Dorazio told the Board that he watched an old video cassette from the North Carolina State Police helicopter recording of North Topsail Beach after Hurricane Fran. He noticed there was three feet of sand that had washed down Green Street in the parking lot of the fire house. Mr. Dorazio expressed that he felt better that the new fire station is elevated higher, and he is eager to see the upcoming adjustments for the Town's ordinances.

Planning Director Hill noted timing concerns with either a text amendment or a variance.

Vice Chair Dorazio suggested that if the Town adopted a text amendment, there would be discontent from homeowners who have built to the higher standard.

Ms. Brown asked if it was possible for the engineer or architect to document deviations from the Town ordinances and explain why the deviations are acceptable.

Planning Director Hill offered that the engineer or architect could write a justification, yet she still would not have the authority to approve plans that exceed the Town Code. The only two options are to change the text or grant a variance, and that repercussions affect CRS. Ms. Hill suggested a cost benefit analysis for both a text amendment and a variance, noting the Town has never granted a variance to the Flood Ordinance. Flood Ordinance variances are reported to CRS annually.

The Board discussed verbiage for a text amendment.

Planning Director Hill spoke about the Limit of Moderate Wave Action (LIMWA) line indicated on the revised Onslow County flood maps.

The Planning Board continued discussing the design history for the new fire station, as well as the merits and repercussions of a text amendment versus a variance. Planning Director Hill offered to update the Planning Board on progress.

PROPOSED AMENDMENT § 6.06 ARTIFICIAL TURFGRASS PROHIBITED

Planning Director Hill asked the Planning Board for their opinion on artificial turfgrass. There was discussion.

PROPOSED AMENDMENT § 4.03.20, § 11.02 DUPLEX, DWELLING

Ms. Hill identified a typo in the Unified Development Ordinance regarding duplexes and offered to present a duplex text amendment for the Planning Board's consideration.

PROPOSED AMENDMENT § 4.03.07 FENCES

Planning Director Hill asked the Planning Board for their opinion on six-foot high privacy fences along the sides of houses, which is currently prohibited, while allowing a maximum four-foot high fence in front of houses. There was discussion, and Ms. Hill offered to present a duplex text amendment for the Planning Board's consideration.

DISCUSSION

WETLAND PROTECTION

Planning Director Hill explained current challenges regarding the marking of 401 wetlands by CAMA and 404 wetlands by the United States Army Corps of Engineers (USACE) on project development applications. She offered to draft a requirement for 404 wetland delineation marking within building application packages.

Planning Director Hill noted a North Carolina Resilient Coastal Communities Program (NCRCCP) phase three concept review meeting was held on December 7, 2022. Ms. Hill attended a Permuda Island Local Advisory Committee meeting on December 13, 2022, and a CAMA workshop on December 15, 2022. Ms. Hill is preparing for the CRS cycle verification meeting on April 18, 2023.

ADJOURNMENT Ms. Meyer made a motion to adjourn. Ms. Stigall seconded. Motion passed unanimously, 4-0.

The Planning Board meeting adjourned at 6:50 p.m.

APPROVED

This 9th day of February 2023



Hanna McCloud
Chair

CERTIFIED

This 9th day of February 2023



Kate Winzler
Clerk

