

**PLANNING BOARD
MINUTES
JUNE 14, 2011
CITY HALL
6:30 P.M.**

CALL TO ORDER

Chairman David Giera called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

ATTENDANCE: In attendance were Chairman David Giera, Bill Clark, Shayne Hawn, Sue Franks, Matt Smith (who arrived late), alternate Allen Phillips, alternate Tom Von Voigt, UDO Administrator Becky Cummings and Secretary Sylvia Wagner.

Due to Matt Smith's being late, Allen Phillips assumed a voting position on the Board.

APPROVAL OF MINUTES

A **motion** was made by Allen Phillips and seconded by Shayne Hawn to approve the minutes of the May 10, 2011 meeting.

Vote: 5-0 Motion carried

APPROVAL OF AGENDA

A **motion** was made by Shayne Hawn and seconded by Allen Phillips to approve the agenda as presented.

Vote: 5-0 Motion carried

PUBLIC COMMENT

- Becky Cummings informed the Board that City Manager Dave Lewis has resigned and has accepted a position in the private sector.
- Becky also noted that the Cape Fear Council of Government is looking to host a planning board member training class. Shayne Hawn and Matt Smith expressed 100% interest in this depending on the date. Becky will keep the Board posted.

OLD BUSINESS

Paw's Place Text Amendment

Becky Cummings told the Planning Board about a recent conversation with Rich Ducker of the Institute of Government at Chapel Hill. He offered two recommendations – (1) Make sure the enclosed area be climate controlled instead of having outside kennels and (2) take another look at the non-conforming ordinance.

A lengthy discussion followed which included the Board and representatives from Paw's Place: Nancy Janovetz the owner, William (Bill) Bushkie, PE, and Dale Smith, Consultant.

- Sue Franks sees the proposed renovation as an improvement to the existing shelter.
- Becky Cummings added that City Attorney Elva Jess suggested using the North Carolina general statute.
- The three representatives of Paw's Place have no problem with the definition of "animal shelter" in the general statute.

- Allen Phillips felt that we don't want animal shelter in commercial zoning because of BSL being too small a town. He added that animal shelters should be included in R-6 zoning right now since R-6 is BSL's only zoning where farm animals are allowed.
- Mr. Dale Smith told the Board that Paw's Place has made adjustments to their plan and supports the Planning Board's stand.
- Tom VonVoigt suggested setting a time for bringing the dogs in at night.
- Ms. Janovetz replied that there is currently no problem with dogs making noise at night. All dogs have their shots and comply with regulations and the State comes out regularly to check the facility. She added that Paw's Place tries to help the Community as much as they can and once the new building is completed, it will be the best in the State.
- Paw's Place will have letters of support from citizens to be included in the August Board of Commissioners' packets. They need to be submitted to the City Clerk by July 15th.
- Shayne Hawn felt that the Board needs to add wording that the main habitat be enclosed.
- Bill Clark noted that "6.47 Animal Shelter" needs to be corrected to read "6.48 Animal Shelter"

A motion was made by Bill Clark and seconded by Shayne Hawn to recommend to the Board of Commissioners that they correct in the UDO under Article 6, Supplemental Regulations "6.47 Animal Shelter" to read "6.48 Animal Shelter" and add the following required standard:

Structure: Animal shelters shall be provided with an enclosed climate controlled structure to be used as the main habitat for the facility.

Vote: 5-0 Motion carried

A motion was made by Shayne Hawn and seconded by Bill Clark to recommend to the Board of Commissioners that they adopt the North Carolina General Statutes definition of Animal Shelters as follows:

Animal Shelter

Animal shelter means a facility which is used to house or contain seized, stray, homeless, quarantined, abandoned or unwanted animals and which is under contract with, owned, operated, or maintained by a county, city, town, or other municipality, or by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, rehabilitation, or humane treatment of animals.

Vote: 5-0 Motion carried

Economic Development Update

Becky Cummings collected some questionnaires at Founders Day which indicated an interest in a grocery store, community pool, pharmacy, uniform design, restaurant, recycling, veterinarian clinic and that wetlands should not be sold. It was suggested that the questionnaires be placed at the Community Center and at businesses in town. Dave Giera will ask Jonathan Spiers of the *State Port Pilot* to run an article on the City's economic development.

Becky also told the Board of the new grocery store in town located where the produce store was. They sell discounted canned goods and she is trying to get advertisement of the store in the paper.

Conservation District Update

Dave Giera recently spoke with Dan Ryan of The Nature Conservancy and he is willing to get together anytime to help us out. Matt Smith thinks that we need to contact the State that we are moving forward with a memo of agreement. Becky Cummings will contact Dan Ryan for his assistance with an example letter. The next step is to draft memo of agreement between the City of Boiling Spring Lakes and the State of North Carolina. Becky reminded the Board that her research found nothing that pertains to our situation and the State left our meeting several months ago with a positive attitude.

Light Industrial

Allen Phillips would like to see the Antennae Road area used as residential, but Matt Smith would like to see light industrial allowed here, adding that it is not unattractive.

Shayne Hawn reminded everyone that development will rely heavily on sewer and Dave Giera stated that we will have sewer in two years up and down route #87.

Matt said that an industrial park would be a big deal to develop. Allen stated that first we need the road and then develop the land around it. An access road to the park could be camouflaged by shrubs and trees. Matt still likes an area in the southern section of the City as a good area for light industrial.

Becky added that at the last meeting with Brunswick County they are looking at a connector road to Boiling Spring Lakes from Antennae Road through Nature Conservancy land to Route #87. This connector road looks like a possible by-pass of the City's commercial corridor. Becky will research this possibility and get back to the Planning Board for discussion.

NEW BUSINESS

There was no new business.

OTHER BUSINESS

Building Inspector Jim Nicholas has several items in the UDO that need to be addressed and Becky will put them on the agenda in the future. Bill Clark would like the Board to take a look at the signage ordinance and some type of signage that would be allowed at the corner of W. Boiling Spring Rd. and Route #87 to advertise the businesses on that road.

ADJOURNMENT

A motion was made by Shayne Hawn and seconded by Sue Franks to adjourn the meeting.

Vote: 5-0 Motion carried

Respectfully submitted by Sylvia Wagner