

KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING ♦ August 2, 2011

A regular meeting of the Kure Beach Planning and Zoning (P&Z) Commission was held on Tuesday, August 2, 2011. A quorum of the commission was present.

MEMBERS IN ATTENDANCE

Chairman Craig Galbraith
Member Timothy Bullard
Member Alan Votta

MEMBERS ABSENT

Member Anne Brodsky

1 Member Vacancy

STAFF PRESENT

John Batson, Building Inspector
Barry Nelder, Liaison Commissioner
Josie Fitzgerald, Administrative Assistant

Attorney Holt Moore was not in attendance

CALL TO ORDER:

Chairman Galbraith called the meeting to order at 7:02 p.m.

APPROVAL OF AGENDA:

MOTION: Member Bullard moved to adopt the agenda

SECOND: Member Votta

VOTE: Unanimous

APPROVAL OF MINUTES:

MOTION: Member Votta moved to approve the minutes of June 7, 2011

SECOND: Member Bullard

VOTE: Unanimous

PERSONS TO ADDRESS COMMISSION:

None

OLD BUSINESS:

A. Form-based planning

Chair Galbraith offered update relating to ongoing summer research.

- There is a MBA program at UNCW culminating experience; for an eight-month project where 1-3 students take a project.
- He has put forth the idea for a practicum to work with either Town Council or P&Z

- Students can work on practicum such as form-based planning, budgeting plan or marketing at the beach.
- There is no cost to the Town other than perhaps out-of-pocket which should not occur
- There is some interest and Craig Galbraith will follow up with practicum director and try to pull it together for either:
 - Form-based planning
 - Strategic Budgeting issue
 - Developing a marketing plan
- There is interest in municipal government and a good chance of getting this but may take two to three weeks before getting an answer
- The program could be set up on a contractual basis, school starts around August 21st, so the program can go from sometime in September until May of 2012
- If there is definite interest, then the P&Z will present it to Council

No action will be taken at this time.

There was discussion regarding the open vacancy on the Commission as well as the member who has missed meetings.

- Chair Galbraith did not have the chance to contact the current member to discuss the member's absences and intentions;
- This issue was discussed at the last meeting and how to deal with the situation;
- Appears that five out of last eight meetings have been missed by this member;
- Town policy concerning excused absences has not changed;
- P&Z would like Council to make decision since they are appointing authority;
- Sec. 2-42 refers to "faithful attendance" at meetings and removal for "inefficiency of duty";

Chair Galbraith entered into minutes:

Sec. 2-42(b) that "members of the commission may after a public hearing, be removed by the appointing authority for inefficiency. . ." and it is the authority of the Town Council to effectively address this issue;

and

Sec. 2-42(d) "Faithful attendance at the meetings of the commission is considered a prerequisite for the maintenance of membership on the commission."

Chair Galbraith stated that since this is a mandate of a required commission, it is important that this be followed correctly. The liaison will take this to the Council for whatever action as deemed appropriate.

It was agreed that liaison Barry Nelder will bring to Council as informal notification.

Regarding the open vacancy, there was an application submitted to the Council by one person and it is believed an interview is set up, but there has been no action taken to date.

NEW BUSINESS:

Discussion on alternative energy – future trends, green construction and ordinances relative to alternative energy can be lumped together.

- Currently the Town does not have any ordinance relative to solar energy but it is becoming an important issue.

- Research found that just in the last year, many cities and communities are putting ordinances together.
- Craig Galbraith submitted a power point presentation from internet relating to zoning issues regarding solar panels;
- One issue of concern is statewide provisions and Federal limitations;
- Main zoning focus is on visibility of solar panels and aesthetic issue and accessory use;
- Most ordinances do not allow free standing solar panels;
- Situating them facing the sun, not all roofs have that exposure, reflection on neighbors, aesthetic issues are some of the problems;
- Protection for solar rights to the sun and legal issues throughout nation and why an ordinance is needed;
- Without an ordinance, Courts are upholding that homeowners have rights to the sun;
- Residential and Commercial regulations are different, commercial being more strict;
- Recommendation for Town of Kure Beach would be for installation in rear that could not be seen from the front of the property;
- 95% of Ordinances do not allow front placement of solar panels, only rear and side placement;
- Placement location does eliminate many from having solar panels;
- Ground mounted panels are limited to rear but most ordinances say no ground mounted panels;
- Solar panels are cost efficient for economic reasons and will probably become more popular;

Member Galbraith suggested to be put on the next Council agenda to discuss alternative energy issues and get direction from Council to solicit their input and interest in supporting putting together an ordinance to include alternative energy such as solar panels, water wells and windmills before problems arise.

Further discussion on water wells and regulations. The State already regulates water wells. Water wells are also becoming more popular especially for irrigation. They are regulated very well differentiating between shallow wells and deep wells being put in by homeowners and contractors.

Information from IGCC was provided to members which suggests code language regarding green construction.

MOTION: Member Bullard moved to request the next Council meeting agenda include discussion to raise the issue as to whether Council would want to develop an ordinance dealing with alternative energy issues.

SECOND: Member Votta

VOTE: Unanimous

MEMBER ITEMS:

Council Resolution for Jim Schutta

Council will be presenting Mary Jane Schutta with Proclamation of Appreciation for Jim Schutta for his service at Council meeting Tuesday, August 16th at 6:30. Would be nice to have P&Z members attend.

ADJOURNMENT:

MOTION: Member Bullard moved to adjourn the meeting

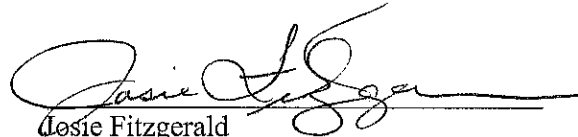
SECOND: Member Votta

VOTE: Unanimous

Meeting was adjourned at 7:40 p.m.



Craig Galbraith, Chairman



Josie Fitzgerald
Administrative Assistant