



KURE BEACH PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
January 9, 2019

The Kure Beach Planning & Zoning Commission held their regular meeting at the temporary location for Town Hall on Wednesday, **January 9, 2019**. A quorum of commission members was present.

P&Z MEMBERS PRESENT

Chair Craig Galbraith
Vice Chair William Moore
Member Kenneth Richardson
Member Retha Deaton
Member Robert Young

P&Z MEMBERS ABSENT

All present

STAFF PRESENT

John Batson – Building Inspections
Kathleen Zielinski – Secretary

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Commissioner Joseph Whitley, Council Liaison  
Attorney James E. Eldridge

**1. CALL TO ORDER**

Vice Chair Moore called the meeting to order at 7:00 p.m. and recognized Chairman Galbraith in attendance at the commencement of the meeting. He then excused the Chairman from the rest of the meeting due to illness.

**2. ADOPTION OF AGENDA**

Vice Chair Moore suggested two changes to the agenda:

**MOTION** – Vice Chair Moore made a motion to table Item 5.b (Overlay District) to the February meeting and to add a second meeting in February so as not to fall behind schedule on the topic

**SECOND** – Member Deaton

**VOTE** – Unanimous

**MOTION** – Vice Chair Moore made a motion to move Item 8 (Candidate Interviews) to follow public comments at Item 5

**SECOND** – Richardson

**VOTE** – Unanimous

### 3. APPROVAL OF MEETING MINUTES

**MOTION** – Member Richardson moved to approve the December 5, 2018 Regular Meeting minutes as amended by correcting the spelling of Belville

**SECOND** – Member Deaton

**VOTE** – Unanimous

### 4. PUBLIC COMMENTS

None

### 5. CANDIDATE INTERVIEWS

Vice Chair Moore explained the function of the alternate position and emphasized that it is not a voting position, but by attending the meetings regularly the alternate will be prepared to step in when a vacancy occurs. He then invited the candidates to come to the podium in alphabetical order to introduce themselves and take some questions from the members.

a. David Garceau stated that he:

- has been a full time resident for three years.
- has been very active in various activities on the beach and in the community.
- is a member of the SLABP committee.
- has worked with the building and construction trades throughout his career through his employment in the heating and air conditioning industry.
- has developed a range of industry related training programs.
- has been involved in numerous homeowners associations throughout the country.
- has always been part of the community where he lived.
- is not afraid to stand up and speak about issues that he feels are important.
- feels that the alternate is a good position to start because it will allow him to learn the ways and can step in without any missteps.

#### Q & A

Member Young – Who did you develop training programs for?

Mr. Garceau stated that he worked for Rheem Air Conditioning for 15 years and developed contractor training. He also developed licensing training for the State of Texas and contractor training for Gen-Aire. He added that he travels nationwide to give presentations and training, which he enjoys.

Member Deaton – How does your involvement with the beach community and SLABP committee fit in with the planning process?

Mr. Garceau responded that the beach community is the major draw for most residents. In order to maintain a healthy attractive beach community you need the planning, zoning and infrastructure. He looks to have a balance between business for tourism and managing growth, and all that goes along with that to maintain property values.

Member Richardson – What do you see as the next challenges in the next five to ten years and what is your opinion on the 35' height restriction?

Mr. Garceau said that making sure rules are set and enforced is very important. With so many day trippers coming over the bridge, if you don't manage parking and the daily influx of people you become overrun for basic and critical services. It is very important to manage that and set

infrastructure with parking spaces and enforce them. He went on to say that the height restriction is one of the reasons he lives here. He loves it. Neighborhoods are fairly consistent, it helps with safety and fits in with the MOTSU buffer zone.

b. Tony Garibay stated that he:

- is a three-term member on the Board of Adjustment. He is very familiar with our rules and regulations, having been involved in quite a few cases brought forth for variance requests.
- is a 10-year resident.
- started his career in industrial refrigeration.
- has a masters license in HVAC and works for Trane Corp. in a leadership position.
- is a licensed general contractor.
- has spent his whole career in the construction business in Mexico, Canada and the U.S. and has been involved in a lot of projects that are energy saving.
- is working with DOT in NC, small municipalities and large cities.
- is currently working with Sarasota County in Florida on improving infrastructure.
- works with cities and government on a regular basis.
- wants to be on P&Z because, after having been on Board of Adjustment for so many years, he would like to move on to something different and P&Z is a good next step since he is already quite familiar with the Code of Ordinances.

## Q & A

Member Richardson - what are the five to ten-year challenges and how do you feel about the 35' height restriction?

Mr. Garibay responded that he sees growth and infrastructure as the biggest challenges with parking being a part of that. He works with several cities on infrastructure and energy related projects and getting the funding to get things done. From water treatment facilities to changing lights, there are a lot of things energy related that he gets involved in. Structuring the contracts to be most advantageous for the cities is very important and Kure Beach is no different. He brings a lot of expertise because he sees so much nationwide in many towns with similar issues. As for the height restriction, Mr. Garibay stated that he is all for it. He saw during the hurricane, the larger buildings in Carolina Beach suffered more damage. He also likes the aesthetics and would not change it.

Member Deaton – Can you give a specific example of something you have been involved with that would bring value to Kure Beach?

Mr. Garibay said that there are many examples, but one that he is working on now is in Kentucky, upgrading water meters from old digital meters that need to be read manually to automated systems. The savings are then used to fund that project as well as others throughout the town. The structure of the deal helps small towns do things they could not do through capital expense.

Member Moore – You stated that you travel a lot. Can you be present 10 out of 12 meetings per year?

Mr. Garibay said that his travel is structured and meeting attendance would not be a problem. Since he is a virtual employee most of his work is done virtually.

Member Young – Describe your Florida work.

Mr. Garibay explained that his firm is building a new 500-ton central chiller plant for Sarasota County that will resemble the office buildings on their campus. The cost of the project is in the \$25 million range and will be funded in part by the savings achieved through energy conservation. He

went on to describe several other projects including lighting, landfills, geothermal and some GSA contracts for the U.S. government. He said that although some of these are very large projects, everything he does is scalable and his expertise can be applied to Kure Beach. His knowledge and experience has been beneficial in his career and on the Board of Adjustment.

c. John Kiwaha stated that he:

- purchased his home in 2009.
- always chose Kure Beach for his beach destination while serving at Fort Bragg.
- retired in 2011 after 25 years in the service.
- now still wants to serve and would like to serve his community.
- feels that Kure Beach reminds him of his childhood home in Hawaii.
- has been teaching high school since 2011 and involves his students in doing community projects and community service.
- is currently employed full-time as a trainer for a government contractor
- was encouraged by his dad, who is a P&Z member in Hawaii, to apply for this position

#### Q & A

Member Young – You state on your resume that you travel 50% of the time and prefer 8 a.m. Monday and Friday for meetings. Do you think your travel will be restrictive?

Mr. Kiwaha explained that he works from home and when he does travel it is for one week domestically and two weeks internationally. He does not see his travel as being restrictive.

Vice Chair Moore – Do you have flexibility in scheduling?

Mr. Kiwaha said that the travel schedule is dictated by the government and sometimes changes randomly at the last minute, which is frustrating for him.

Vice Chair Moore – What were your responsibilities at Fort Bragg?

Mr. Kiwaha responded that he is a Green Beret.

Member Deaton – You stated that you did infrastructure work overseas. Can you give a specific example?

Mr. Kiwaha replied that he did airfields with Air Force engineers, soil samples, measurements of land for suitability for aircrafts to land. He also worked with the Corps of Engineers in Afghanistan and other places for tribal communities to address issues with flooding, infrastructure, hospitals, sewage, water, laying out the short and long-term goal for their communities.

Member Richardson – What do you see as a challenge in the next ten years and how do you feel about the current height restriction?

Mr. Kiwaha said that he bought one of the last cottages in his neighborhood and his neighbor had a cement home on three lots demolished by a contractor with the intention of building a 35-foot home, which will look into his backyard. He is frustrated to see the changes coming to that beautiful place. Understanding the impact of all the condos affecting the local community and excessive water flow from home sites being raised up is important to zoning. All of his neighbors tell stories about the changing landscape that is causing flooding. Regarding height restriction, Mr. Kiwaha said that he wishes it were lower.

d. Howard Spallholtz stated that he:

- is an electrical, mechanic technician and has owned a couple of businesses in the past 35 years.

- loves working with kids, especially through 25 years in Little League.
- has never been involved in a government entity and is interested in learning.
- moved here a year and a half ago.
- would like to see how to make the island more accessible to the bikers and walkers.
- would like to extend the bike path from Carolina Beach.
- would like to push parking out of the downtown area and use shuttle buses.
- would like to develop a path down K Avenue, similar to Cape Fear Blvd. in Carolina Beach.
- believes that the height restrictions should be shorter.
- will be part of meetings and come up with suggestions.

## Q&A

Member Deaton – Aside from walking and biking paths, because they cost money, what is another challenge that our beach community faces?

Mr. Spallhotz stated that parking is a problem in the summertime. Building will not stop and the need for parking spots will continue to grow. He reiterated that parking is one of the biggest problems and shuttles are a viable solution.

Vice Chair Moore – With an additional 3000 new homes going up nearby, how do you propose controlling the parking problem?

Mr. Spallhotz restated his suggestion for employing shuttle buses.

Vice Chair Moore thanked the candidates for their interest and explained that the commission will come up with rank order. They will pass their suggestions on to Council, who will make the final decision.

## 6. OLD BUSINESS

- a. Vice Chair Moore reported that Council has adopted the text amendments and consistency statements for regulating permitted uses for religious institutions and defining monument sign.
- b. Discussion of downtown mixed-use overlay district was tabled to the February meeting.
- c. Regulating propane tanks

Vice Chair Moore re-stated the problems that occurred with very large propane tanks coming loose at Ocean Dunes during Hurricane Florence, which had been a topic of discussion at previous meetings. He understands that this is a county issue, but thinks regulations can always tighten up. Though the State regulates large propane tanks, installation is done through the permitting process at the County Level. His question is if P&Z should address this at all. He welcomed Fire Captain Steven Zwally into the discussion.

In response to questions from the members, Captain Zwally explained that propane tanks fall under State regulation. There are stipulations and code for propane tanks, but as long as they are installed and maintained per code, there is nothing the fire department can do. In case of storms, the HOA or homeowners themselves are responsible to take care or remedy the situation.

Captain Zwally went on to explain that NFPA states that tanks installed in a 100-year flood plain, no matter the size, must be tied down with the same strapping anchors used for manufactured homes and trailers. Outside of the 100-year flood zone, securing the tanks in such a way is voluntary. The town currently has no rules that address securing propane

tanks and the responsibility lies with the homeowner or HOA in coordination with the contracting company.

The captain viewed pictures of the dislodged propane tank and remarked he had seen the problem first-hand and the fire department did what they could on the day of the storm. If a situation arises again and the fire department is called, they will note it and push for remedy.

Vice Chair Moore acknowledged the fire department for being very helpful and thanked Captain Zwally for attending the meeting to formally address this with the commission.

## 7. NEW BUSINESS

None

## 8. MEMBER ITEMS

- a. Vice-Chair Moore stated that elections of officers are slated for the February meeting.
- b. When the suggestion was made for a closed session to discuss the candidates for the alternate position and the commission's recommendation to council, Attorney Eldridge advised that the discussion be held in open session. Vice-Chair Moore then took a short pause to openly discuss the options and decide on how to proceed. At the conclusion of the discussion, it was agreed to delay the decision to next month. In the meantime, each commissioner will individually send a recommendation to the Chairman.

**MOTION** – Member Deaton moved to table the decision on the alternate member to the next meeting and send individual recommendations to Chairman Galbraith

**SECOND** – Member Richardson

**VOTE** - Unanimous

## 9. NEXT MEETING

February 6, 2019 at 7 p.m.

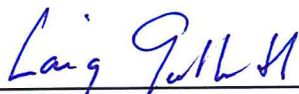
## 10. ADJOURNMENT

**MOTION** – Member Deaton moved to adjourn


**SECOND** – Member Richardson

**VOTE** – Unanimous

Meeting was adjourned at 7:56 p.m.



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Craig Galbraith, Chairman



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Kathleen Zielinski, Secretary

NOTE: These minutes reflect items considered and actions taken by the Planning & Zoning Commission and should not be considered a transcript of the meeting. An audio recording of the entire meeting can be found on the Town of Kure Beach website.