

TOWN OF SOUTHERN SHORES  
LAND USE PLAN STEERING COMMITTEE MEETING  
PITTS CENTER, SEPTEMBER 13, 2007, 7:00 pm

In Attendance:

Committee Members

Dan Shields – Council Member  
Frans Koeleveld – Board of Adjustment  
Mike Hejduk – Code Enforcement Administrator  
Tom Bennett – SSCA  
Joe Walter - CPOA, Planning Board

Public Participants

None

Press

None

Mr. Hejduk stated he has two topics that he would like to discuss at the meeting tonight. One topic is the Letter to the Editor (Coastland Times, Tuesday, 09/11/07 edition) and the second topic is to talk about bike paths, multipurpose paths and how these relate to the goals and funding the town might have and if we want to suggest policies.

Mr. Hejduk opined it's convenient the editorial letter from R. VAN CUREN is titled "Reader says 'time for a change'. Reading in part from the article "without regard to the citizen's wishes (tax raises for the past 4 years with no hint of a capital improvement plan"...). Mr. Hejduk stated this ties in with what we want to do with a multipurpose path which is an Infrastructure topic upgrade. Mr. Hejduk stated this group (except for Dan and Dave) is not aware of costs associated with these upgrades and where we have been in recent years. Mr. Hejduk referenced the map handout which shows the mid Dogwood Trl multiuse path.

Mr. Hedjuk, reading from the February 28, 2006 Manager's report, stated "at the February 8<sup>th</sup> Mayor / Manger's Chat, Al Smith suggested installing a path along East Dogwood in the dune area to NC12 so as to allow people access to the beach and to the NC12 bike path without folks having to walk by the heavily used East Dogwood roadway. He suggested the edge of road path as it might be less expensive due to the width of the right of way, the lack of vegetation, and the easy grade. During the Chat, the Town Manager responded that a multi-use path similar to the one Mr. Smith proposed was on in the Capital Improvement Plan (as part of the overall South Dogwood/East Dogwood path system from US 158 to NC 12) but it might be several years before the East Dogwood section would come up for construction due to the expense of the Mid-Dogwood path from the Cemetery to East Dogwood. The town had been awarded a \$50,000 construction grant for use towards the Mid-Dogwood Multi-Use path" and that would provide a path from the cemetery to Fairway Drive. Mr. Hejduk stated, at this point in time, there was a debate regarding which side of the street the multi-purpose path should be developed. Mr. Hejduk opined now that the path is located on the east side of Dogwood, if it were to be extended, we should extend it up that side of the street. The \$50,000 awarded was not matched by the Town and was returned to the State.

F:\Cyndy\Land Use Plan\Workshops - phase 2\Sept 13 2007\sept 13 lup workshop minutes.doc

Mr. Hejduk stated the Tourism Board is willing to give the town some money for paths and we received an email identifying the NCDOT announcement regarding their Bicycle and Pedestrian Planning Grant Initiative 2008 Call for Proposals. The announcement stated “ As of September 5, 2007 the Division of Bicycle and Pedestrian Transportation (DBPT) is accepting applications for the North Carolina Department of Transportation’s Bicycle and Pedestrian Planning Grant Initiative. This program encourages municipalities to develop comprehensive municipal bicycle plans and pedestrian plans. Together with the Transportation Planning Branch, the DBPT has secured \$400,000 to fund the 2008 grant program. All North Carolina municipalities are eligible and are encouraged to apply. The deadline is December 3, 2007. Mr. Hejduk stated our consultant, Earth Tech, has stated they will write the proposal up for free. Mr. Hejduk opined, when the money (\$50K) evaporated and the Capital Improvement plan did not include the task. The project has never had any preliminary design done and we really do not know what the true costs of the project will be.

The question for the Steering Committee is do we want to establish as a goal or policy. Mr. Shields stated multi use or walking paths have always been strongly advocated by the citizens. This is something the town needs to look at, especially along the main thoroughfares. Mr. Shields stated the town must maintain the roads, but multi use paths should be considered one of the major areas to look at. Mr. Hejduk reminded everyone that what ever the town wants to consider doing must be included in the Land Use Plan. Mr. Shields added the State requires a statement, for every public hearing, indicating if the Land Use Plan is being followed and if it is not then justification must be provided.

Mr. Sanders asked how multi use paths were addressed in the Long Range plan. Mr. Sanders stated there has been discussion on the mid Dogwood Trl multi use path and part of the reason the money was returned was due to the determination made at a budget workshop that it would not be possible to get the money needed to address the path. Estimates were obtained by the Town Manager but, when looked at closely, it was determined due to topography, removal of certain trees and the resistance to their removal, the Council decided to drop pursuing the project and the money was returned because the Council did not intend to continue to pursue at that time. Mr. Hejduk stated this is one of the big decisions that would need to be addressed if the CAMA Land Use Plan is to include the topic of moving people around town safely and if this is an overall high level objective. Mr. Shields stated even if the council does not allocate the money to address this in the next 2 to 3 years it should still be in the Land Use Plan so that when the money does become available it can be acted upon in accordance with the Land Use Plan. Mr. Sanders stated he has walked Dogwood Trl, on a Saturday morning, from East Dogwood down to the Cemetery, to see what the traffic is like and what the volume of people traffic is. Mr. Sanders stated there were people walking, pushing baby strollers, jogging, riding bicycles and it was obvious when the light changed because of the increase in vehicle traffic. Mr. Sanders stated there needs to be something in this area that can keep the pedestrian traffic separated from the vehicular traffic.

Mr. Bennett stated he sees two choices. We have to recommend this from a safety standpoint and from a long range standpoint. Mr. Bennett opined the choices available are to widen Dogwood Trl, which he believes would be less complicated than to develop a multiuse path along the road which may require encroaching across peoples’ yards. Mr. Shields we really don’t have multi use paths in peoples’ yards, they are all located in the

town right-of-way. Mr. Shields stated there may be some places where there would be encroachment into yards, but until we have the project engineered we really won't know what we have. Mr. Walter stated the long range planning survey responses were heavily in favor of developing a path. There were some concerned citizens who objected to access on their property, who didn't want their money spent for paths and who wanted to know who the paths were for.

Mr. Sanders stated these reasons also led to dropping the conversation in council. Mr. Sanders stated he agrees with Mr. Bennett, initially a figure a little over \$100,000 was needed to complete the project, but after further review it was determined the topography, the bulkheading and the cuts required for a separate path was estimated at a more realistic cost of \$260,000. We did have a grant for \$50,000, however given the budget discussions at that time this project did not fit. Mr. Sanders stated there is a designated pedestrian area on Hillcrest and there was an immediate benefit. The vehicles now have a white line guide down the road and the joggers now have a designated zone to run.

Mr. Shields stated it doesn't make a difference who the person is, resident or tourist, that want to use the path. It is a safety issue for everyone for everyone on the streets.

Mr. Bennett stated we have to take a pro-active position to ensure we have a safe travel for everyone. It may require a combination of widening the road and/or bike path and we will have taken a step into the next ten years. Mr. Shields stated we need to incorporate into the land use plan for future development, when ever it may occur. Ms. Gabrys stated widening the roads also tie into earlier conversations regarding prohibited emergency vehicle access to some areas because the roads are not wide enough. Widening the roads would address two areas, the emergency vehicle access and the pedestrian use. Ms. Gabrys stated NCDOT dictates the amount of space needed between the edge of the road and the multiuse path. Mr. Walter stated the State requires 8 feet for a multi-use path. Mr. Shields stated the town roads are not state roads and we are not required to follow these guidelines. Mr. Shields stated we need some space but necessarily the amount required by the State.

Mr. Koeleveld asked if the path running down Juniper and Trinitie is a multi-use path. Mr. Hejduk stated the area along Trinitie is a sidewalk and what is on Juniper is a multi-use path. The path along Trinitie did not meet the 8 foot rule. Mr. Shields added a path with segment lines is a sidewalk, which is not preferred for bicycle riding because of the rough ride.

Mr. Walter stated the Long Range Plan addressed this as an issue. The plan said to establish and provide improvements to a network of biking, jogging and running paths. Mr. Walter read the section of the Long Range Plan addressing this issue. Mr. Koeleveld asked what roles do the home owner associations play in the development of these plans. Mr. Shields stated it has been done in different ways, adding this is the first time there has been a lot of participation by the SSCA and the CPOA in this type (Land Use Plan update) of effort. Mr. Koeleveld asked if the previous Long Range Plans included deadlines. Mr. Shields responded this one does adding the Council will now have to review all activity recommended by the Planning Board and/or Council and must state if the activity is in accordance with the Land Use Plan, or why it is not in accordance.

Mr. Hejduk read, from the letter to the editor [Coastland Times, September 11, 2007 edition, R. Van Curen] which was quoting the minutes from Land Use Plan meeting discussions, The comment by the current interim/interim town manger/police chief was

also of major concern. The chief stated (again at the LUP meeting) that traffic was his major concern which should be upsetting to the town residents. I would think that security of the town and its residents would have been the major thing and that traffic being a problem, mostly in season, was an enforcement issue. This issue has been a concern and will continue to be one as long as automobiles are sold. Traffic cutting through various portions of the town continues to upset people, but let's face it, traffic happens wherever you go. Mr. Hejduk stated his point for this reference is the police department has been doing traffic counts all summer and that is what DOT does when they want to plan for what a road will accommodate in the future. If the traffic counts are going up and there is more traffic on South Dogwood Trl or East Dogwood Trl, as a cut through, the road can handle that traffic flow. There are about 54 properties from the cemetery to Fairway Drive that may view widening the road to support the additional traffic as a solution creating a problem (widening the road will encourage more traffic rather than supporting the traffic volume already there).

The policies and goals developed by the Steering Committee, which will be subject to public hearing, will need to address these issues. Mr. Hejduk stated we [the Steering Committee] are looking at the big picture issues identified by people's concerns and will then develop a presentation with some reasoning provided as to how these fit into the overall scheme and why they [the recommendations] are the best choice. Mr. Shields stated the people [Council] are elected to look at all of this, listen to the people that speak and come up what is best for the town as a whole and not just a half dozen citizens. Mr. Shield stated the State has now passed a law that requires a statement be provided identifying if a proposed ordinance change is or is not in accordance with the Land Use Plan and the reasons why if it is not in accordance.

Mr. Hejduk stated for consideration of the committee, if there is discussion regarding the concern to be able to get from one side of the town to the other and emergency response there need to be at least two identified routes cut through town. Mr. Hejduk identified two areas, the South and East Dogwood Trail route and the Juniper/Trinitie Trail and Chicahawk Trail route. These are the two major thoroughfares and the town can try to minimize cut through traffic on other streets but in order to support the issue of access there must be major routes through town. Mr. Koeleveld added if the multiuse path is added along the side of a street, such as Dogwood Trl, it will be safer for the pedestrian traffic. Mr. Hejduk stated once the decision is made to install the multiuse paths there are a few possibilities on how they could be installed. Mr. Shields stated before it can be presented to the public it must be designed, but the first decision that must be made is if it is to be done or not. Mr. Hejduk stated if we include under the Infrastructure topic a capital improvement plan goal then the plan must be done as a requirement of the Land Use Plan and asked if this is what should be done. Mr. Shields opined it should, stating he has been an advocate of a capital improvement plan even before elected to Council. Mr. Shields asked if nothing is planned for then how will it get done, adding the town has not had a capital improvement plan and money has been spent as projects identified but not as part of an overall plan.

Prior Land Use Plans were developed, reviewed and approved but then put on the shelf and never referenced. The capital improvement plan must be done because this is one of the basis for the budget. The budget is planning for the next year where the capital improvement plan is planning for the next ten years or more. Mr. Koeleveld asked if the SSCA and the CPOA are invited to the budget retreat. Mr. Shields stated anyone is

invited and Mr. Sanders stated the retreat is open to the public and is advertised. Any citizen can attend the retreat. Mr. Koeleveld asked if anyone is allowed to participate in the retreat. Mr. Shields stated anyone that is recognized at the meeting can participate in the discussion.

Referencing the map handout from a prior meeting, Mr. Hejduk stated the project to develop a multipurpose path along identified major thoroughfares will require a review of the existing network of paths that would feed into it and the result may be a need to cross SSCA and CPOA properties. This would initiate the home owner association involvement directly, but if the project is limited to town right of way properties there may not be a need for direct involvement. Mr. Koeleveld asked if the associations do not participate in the planning then why would they agree to make their land available for the project. Mr. Bennett agreed, adding the associations would have to know that the town's long range plans are. Mr. Hejduk stated the south end of Duck Woods Drive is a good example of a project, consolidating the SSCA property by moving the existing road to the west, that would require the town and the SSCA to develop the plans together. Mr. Hejduk asked if this should be considered a goal of the Land Use Plan. Mr. Bennett opined that it should, stating this would consolidate an eight (8) acre parcel of land that could be used for a myriad of uses and does not feel that any individual would be impacted by moving this road as long as they have access to their home. Mr. Shields stated moving this road to coincide with the entrance to Kitty Hawk Estates may promote DOT to install a light at the intersection which would make it much more convenient for the people to exit onto US 158.

Mr. Koeleveld asked how far is the town from being filled. Mr. Hejduk responded there are a little less than five hundred (500) vacant lots and does not think the town will ever be filled because the old infrastructure is rebuilt with a new structure that is usually a completely different character, i.e. a three bedroom house is replaced with a seven bedroom house. Mr. Koeleveld asked if fifteen hundred (1500) more people could be added to the year round population. Mr. Hejduk responded the total number of additional people is difficult to calculate, adding Mr. Sanders has indicated there is currently a trend to remove rental properties, when sold, to private properties but they are not necessarily becoming year round homes. This is not necessarily a trend that will continue. Mr. Hejduk asked what the significance is of the number. Mr. Koeleveld responded the town's response to needs will accelerate as the growth of the town continues.

Mr. Hejduk stated the stop signs have been used for speed control rather than for traffic control. The stop sign locations should be reviewed and removed to promote traffic flow. Mr. Bennett suggested the committee needs to consider suggesting three lanes of traffic all the way to Duck. Mr. Sanders stated there may not be enough right-of-way available for DOT to develop the third lane. There may be citizens not happy with these decisions. Mr. Bennett stated we [the committee] have an obligation to make these types of recommendations. The next job will be for someone to sell the recommendations.

The committee agreed to meet, Thursday, October 4<sup>th</sup> at 7:00 PM. [NOTE: Time changed to 1:00 PM after the meeting due to schedule conflict with room.]

Respectfully submitted,  
Cyndy Gabrys  
Administrative Support Assistant

Reviewed and approved by  
Mike Hejduk  
Land Use Plan Project Manager