



# Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

[www.southernshores-nc.gov](http://www.southernshores-nc.gov)

8

9 **MEETING MINUTES**

10 **SPECIAL PLANNING BOARD MEETING-AUGUST 9, 2023, 5:00 P.M.**

11 **LOCATION: PITTS CENTER-5377 N VIRGINIA DARE TRAIL, SOUTHERN SHORES, NC 27949**

12

13

14 **CALL TO ORDER:**

15 Vice Chairperson DiBernardo called the meeting to order at 5:00 pm. Planning Board Members Ed  
16 Lawler, Robert McClendon, Jan Collins, Michael Zehner, Tony DiBernardo (Vice Chairperson), and  
17 Deputy Town Manager/Planning Director Wes Haskett were present.

18

19 **PLEDGE OF ALLEGIANCE:**

20 Vice Chairperson DiBernardo led the Pledge of Allegiance.

21

22 **APPROVAL OF AGENDA:**

23 **Motion** made by Planning Board Member Collins to approve the agenda as presented, Seconded by  
24 Planning Board Member Lawler. The motion passed unanimously.

25

26 **PUBLIC COMMENT**

27 None

28

29 **NEW BUSINESS**

30 **Draft Land Use Plan Update**

31 Andrea Radford from Steward, Inc. presented a PowerPoint Presentation highlighting the Draft Land  
32 Use Plan.

33

34 What's a comprehensive land use plan?

- 35 •a way to collect and agree on a shared community vision
- 36 •helps leadership prioritize community goals
- 37 •guide rezonings and land development decisions
- 38 •mandated by the state (condition of adopting and applying zoning regulations)
- 39 •a community conversation about shared goals and values

40

41 **CAMA PLAN TOPICS**

- 42 • Required by State / Coastal Resource Commission (CRC) For Coastal Communities.
- 43 • Land use management topics
- 44 • Public access (to public trust waters)
- 45 • Land use compatibility

- 46 • Infrastructure carrying capacity.
- 47 • Natural hazards
- 48 • Water quality

49

#### 50 PLAN DEVELOPMENT PROCESS

- 51 • Current -Public Adoption Hearings (incl. state review)

52

#### 53 ENGAGEMENT BY THE NUMBERS

- 54 • Project survey -583 online responses
- 55 • Ran for one month.
- 56 • December 9, 2022- January 8, 2023
- 57 • Two public meetings
- 58 • Kickoff meeting, November 15, 2022, at Pitts center
- 59 • Introduction to draft plan, April 26, 2023, at Pitts center

60

#### 61 DRAFT DOCUMENT ORGANIZATION

- 62 • Vision-broad inspirations for the Town
- 63 • Goals-more specific aims that relate to topic areas identified through CAMA and public
- 64 input.
- 65 • Recommendations-policy statements used to guide staff, boards, and elected officials.
- 66 • Strategies and Recommendations-discrete and specific steps to achieve the Town's
- 67 goals.

68

#### 69 DRAFT COMMUNITY VISION STATEMENT

70 "The Town of Southern Shores is a quiet coastal  
71 community comprised primarily of low-density  
72 single-family homes interspersed with passive  
73 and active recreational facilities, maritime  
74 forests, and open space. The Town's identity  
75 is intimately tied to its natural resources,  
76 history, and residential nature. We strive to  
77 protect Southern Shores' environment, enhance  
78 the small commercial district located on the  
79 southern edge of town, and preserve the Town's  
80 unique character by maintaining the existing  
81 community appearance and form."

82

#### 83 DRAFT GOALS

- 84 • Encourage the maintenance and improvement of
- 85 Existing private access facilities to public trust
- 86 Waters, beaches, and shorelines, and protect those
- 87 Public trust areas for public use and recreation.
- 88 • Protect, enhance, and support land uses that are
- 89 Compatible with surrounding, existing land uses, and
- 90 are in alignment with the founder's original vision.

- 91 • Preserve the existing, low density, residential
- 92 Character of this unique coastal community and
- 93 maintain alignment with the founder’s original vision.
- 94 • Effective and efficient delivery of infrastructure
- 95 Maintenance and services.
- 96 • Ensure that providing infrastructure services
- 97 does not affect the quality and productivity of
- 98 areas of environmental concern (aecs), important
- 99 resources, and other fragile areas.
- 100 • Preserve, protect, enhance, and improve the
- 101 natural environment and water quality in the
- 102 ocean, sound, creeks, and canals
- 103 • Protect public health and safety from the damaging effects of storm surges, wave
- 104 action, flooding, high winds, and erosion associated with hurricanes, severe weather,
- 105 nor’easters, and other hazards.
- 106 • Ensure adequate mobility options that prioritize the needs of residents and visitors
- 107 to the town.

108

109 DRAFT INTERPRETATION OF RECOMMENDATIONS

- 110 • Definitions provided for interpretation purposes
- 111 • List of acronyms to provide clarity

112

113 DRAFT FUTURE LAND USE MAP HIGHLIGHTS

- 114 • Maintains existing community character.
- 115 • Recommends pedestrian friendly small-medium scale commercial development along US
- 116 158.
- 117 • Protects existing conservation, open space, canals, and recreational space.

118

119 DRAFT CHARACTER AREAS

- 120 • Residential-Mostly single-family homes.
- 121 • Recreational- Privately owned passive and active recreational facilities.
- 122 • Conservation/Open Space- Existing environmentally sensitive areas and open space.
- 123 • Municipal/Educational-Community serving facilities.
- 124 • Commercial- Medium-small scale commercial development.

125

126 CAMA POLICIES AND ACTIONS

- 127 • Public (trust water) access
- 128 • Land use compatibility
- 129 • Infrastructure carrying capacity
- 130 • Natural hazards
- 131 • (environmental) water quality

132

133 TOWN PRIORITIES

- 134 • Character
- 135 • Public safety & infrastructure
- 136 • Walkability

- 137 • Environment
- 138 • Public gathering space

139  
140 IMPLEMENTATION

- 141 • Provides timeframe to assist in accomplishing plan goals
- 142 • Outlines when action needs to be taken by staff or boards

143  
144 NEXT STEPS

- 145 • Recommendation to town council with or without changes
- 146 • Forward the plan to DCM for review
- 147 • Adoption by town council
- 148 • Certification of the plan

149  
150 Following Andrea Radford’s presentation, she added that staff has requested some revisions to page  
151 50, 54 and 78 of the draft plan and then requested comments or questions from the Planning Board.

152  
153 Vice Chair DiBernardo offered the following: The community vision statement contains recreation  
154 facilities, maritime forests, and open space, and he suggested canals would be appropriate to be  
155 placed in there as the canals are a major item. On page 14 under existing land use, the cemetery was  
156 left out. On page 16 he suggested adding Hickory, Hillcrest, and Wax Myrtle to the congested  
157 roadway list. The mention of commercial was left out when addressing septic systems, and the final  
158 item on page 22, the brief history is a run on sentence and should be addressed.

159  
160 Planning Board Member Collins commented that on page 48 it references page 45 and that is a blank  
161 page.

162  
163 Planning Board Member Zehner commented that the title should reflect both the Comprehensive  
164 Plan and the Cama Land Use Plan and on page 6 the difference between the two should be clarified.  
165 He also provided that the Planning Board provided some word smithing points to the Vision  
166 Statement, and they do not seem to be incorporated into this draft.

167  
168 Planning Board Member Zehner asked for the process in which the plan will go. Andrea Radford,  
169 Stewart Inc. stated the process is the Planning Board makes a recommendation to Town Council to  
170 adopt it, then it will go to the Town Council, and they will recommend sending it to DCM (Division of  
171 Coastal Management) for the initial staff completeness review. After revisions are made it will go  
172 back to the Town Council for adoption.

173  
174 Planning Director Haskett stated it will come back to the Planning Board, if necessary, after review  
175 from DCM before going to council for adoption.

176  
177 Planning Board Member Collins stated what stood out to her most was the water quality and poor  
178 soil. It should be a wake-up call and there is a need for more testing. She inquired if there should be  
179 something added to the document, an aspiration for more testing perhaps. Andrea Radford, Stewart  
180 Inc., stated there is a recommendation within the plan to look at efforts to look at water quality.

182 Planning Director Haskett stated in reference to the SSCA (Southern Shores Civic Association) doing  
183 water quality testing, the plan states the Town may start a new program or assist the SSCA with their  
184 program, leaving flexibility for the town.

185  
186 Vice Chairperson DiBernardo added that a survey was conducted of what was causing some of the  
187 water pollution. People thought it was the septic system at that time but according to whoever they  
188 hired to come out, they said a lot of it was water runoff from people’s lawns. The different chemicals  
189 being used and having reactions to each other were causing the problems.

190  
191 Planning Board Member Collins asked if Southern Shores was doing any water quality testing?  
192 Planning Director Haskett stated they are not at the moment, but the recommendation in the plan is  
193 to start.

194  
195 Planning Board Member McClendon commented that he understands this is not a scientific paper but  
196 there were quite a few comments made that were just sort of general facts that should have been  
197 cited.

198  
199 Planning Board Member Lawler stated there was an attempt to monitor the water quality but there  
200 are no parameters, it needs to be quantified by a new agreed upon system.

201  
202 Planning Board Member Collins asked who did the testing mentioned on page 56 and what is the  
203 process.

204  
205 Planning Board Member Zehner stated the Town of Nags Head conducted water sampling that they  
206 contracted out and eventually purchased the equipment and did it all in-house. The issue is what are  
207 you doing with the information once you have it. The testing mentioned in the plan was done by  
208 Marine Fisheries and maybe they still do it periodically. The Town could do its own sampling but if  
209 you get a bad number what are you doing with that information?

210  
211 Vice Chairperson DiBernardo stated the water quality testing is under aspirations for the plan. He  
212 asked the board members if they had any other comments or suggestions.

213  
214 Vice Chairperson DiBernardo referenced his earlier comment about Town property and the addition  
215 of the cemetery, he stated he meant to include the canals too.

216  
217 Planning Board Member Lawler referenced page 46 where it says there are no wells, it should say  
218 there is no public water supply. He also suggested on page 42 towards the bottom Southern Shores  
219 consists of marshes, sediment banks, miscellaneous and it should just say, sediment banks and  
220 hardened shoreline. Andrea Radford, Stewart Inc., stated that the “miscellaneous “is a category in the  
221 data set.

222  
223 Planning Board Member Zehner suggested placing the term “miscellaneous” last in the order, to help  
224 it make more sense.

225

226 Planning Board Member McClendon suggested on page 86 under Land Use Compatibility and  
227 Community Character replacing the term “founders” with community vision or the original Vision  
228 Statement should be referenced.  
229

230 Andrea Radford, Stewart Inc., asked Planning Board Member McClendon if his preference would be  
231 to use the term “community vision” rather than “founders”, to which Mr. McClendon agreed. Mr.  
232 McClendon stated what really counts is what our vision is today.  
233

234 Planning Board Member McClendon asked that the common facts referenced in the plan be cited,  
235 such as the information referenced on sea level rise. He also mentioned that the term “Maritime  
236 Forest” is used but what people really care about is the tree canopy and suggested using that  
237 wording. He stated it is more than a maritime forest, it is maintaining the tree canopy and it should  
238 be in the Vision Statement.  
239

240 Vice Chairperson DiBernardo suggested changing the Vision Statement to say, tree canopy which  
241 includes the maritime forest, or something similar.  
242

243 Andrea Radford, Stewart Inc., stated this will change some of the action items on page 103 and asked  
244 the board if they would like to include tree canopy. Planning Director Haskett stated that 10.1 on that  
245 page refers to monitoring forest cover and canopy but felt including tree canopy would keep it  
246 consistent.  
247

248 Planning Director Haskett polled the board members, as he stated there are mixed views and  
249 especially from the public comments, but there are references to three other jurisdictions in the  
250 document, the Town of Manteo, Town of Nags Head septic program and Pine Knoll Shores as  
251 examples of things that are being done, as they relate to what's being referenced in the document.  
252 He asked if the members had any objections to those references and the way they're shown in the  
253 document or did they agree with using them.  
254

255 Planning Board Member Zehner stated best practice examples are always good.  
256

257 Vice Chairperson DiBernardo felt it solidifies things and provided examples.  
258

259 Planning Board Member McClendon asked if referencing another town’s ordinance was controversial,  
260 Planning Director Haskett felt it was not.  
261

262 Hearing no further comment, Andrea Radford with Stewart Inc.’s presentation was complete.  
263

264 Vice Chairperson DiBernardo asked Planning Director Haskett the best way to expedite the plan. Mr.  
265 Haskett stated the changes could be made and the plan brought back again for review by the  
266 Planning Board or a recommendation for approval with the changes could be made to the Council.  
267

268 Planning Board Member Zehner felt that the completeness review could be lengthy and  
269 recommended forwarding it to Council with the changes noted. He stated that way any additional  
270 changes the Council makes will be forwarded to DCM and then it comes back to the Planning Board  
271 after DCM reviews it. The Planning Board then can review it to make sure they captured everything.

272 **MOTION:** Vice Chairperson DiBernardo moved to approve the Land Use Plan with changes noted  
273 tonight that the Board has made, the corrections and changes, and be forwarded to Town Council,  
274 Seconded by Planning Board Member Zehner. The motion passed 4-1 with Planning Board Member  
275 Lawler casting the sole opposing vote.

276  
277 **PUBLIC COMMENT**

278 None

279  
280 **PLANNING BOARD MEMBER COMMENTS**

281 Vice Chairperson DiBernardo announced that he looks forward to getting Chairperson Ward back  
282 soon.


283  
284 **ANNOUNCEMENTS**

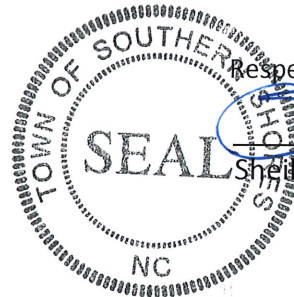
285 Planning Director Wes Haskett stated the next meeting will be August 21<sup>st</sup> and the agenda most likely  
286 will include special use permit 23-01 submitted by Ginguite LLC, lot width ZTA, and changes to the  
287 rules of procedure.

288  
289 **ADJOURN**


290 Hearing no further business, **motion** made by Vice Chairperson DiBernardo to adjourn, Seconded by  
291 Planning Board Member Collins. Motion passed unanimously. The time was 5: 58P.M.

292  
293  
294  
295 ATTEST:

296   
297 Tony DiBernardo, Vice Chairperson



Respectfully submitted,

  
Sheila Kane, Town Clerk