



Town of Cedar Point
Board of Commissioners Regular Meeting
January 28, 2020

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6 The Town of Cedar Point Board of Commissioners held their regularly scheduled monthly
7 meeting on Tuesday, January 28, 2020 at 6:30 PM. Mayor Hatsell determined a quorum to be
8 present and opened the meeting.
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10 PRESENT: Mayor Hatsell, Commissioners Castellano, Bray, Nash, and Winberry, Town
11 Administrator David Rief, Town Attorney Whitford, Town Clerk Jayne Calhoun, and public
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13 The Invocation was provided by Pastor David Harper, Cedar Point Pentecostal Holiness Church,
14 followed by the Mayor leading everyone in the Pledge of Allegiance.
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16 The Town's newest employee, Tyler Merkel was introduced to everyone by Mayor Hatsell.
17 Tyler will be joining the Town's Public Works Department as assistant to Don Redfearn.
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19 The Agenda and Consent Agenda were presented for Board consideration and approval. The
20 Consent Agenda consisted of the December 17, 2019 Regular Meeting Minutes, the Financial
21 Statements, the Zoning Permit Report, Resolution Approving Qualified Source of Ethics
22 Training, Set Public Hearing Date for UDO Text Amendment, 2020-2021 Budget Meeting
23 Calendar, and an Amendment to the Cedar Point Personnel Policy. Commissioner Castellano
24 made a **Motion** to approve the Agenda and Consent Agenda as presented. The Motion carried
25 4-0.
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27 The Mayor opened the floor to public comment; there was no one wishing to speak.
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29 A Public Hearing concerning a Special Use Permit application (SUP-19-001) was the next
30 agenda item. This request was regarding keeping a pig as a domesticated pet in Town Limits at
31 129 Dolphin Bay Estates. Mr. Rief presented a brief overview of the procedures of a Special
32 Use Permit application, explaining that it would be conducted as a quasi-judicial proceeding,
33 with evidence and testimony provided. Ms. Suzanne Cochran, applicant, explained to the Board
34 how the pig, Hadleigh Mae, was cared for, was not aggressive and was very low maintenance.
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36 Commissioner Castellano made a **Motion** to approve the Special Use Permit Application to
37 allow a pig to be kept as a domestic pet at 129 Dolphin Bay Estates. The Motion carried 4-0.
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39 Mr. Rief will draft the Special Use Permit and forward to the applicants.

40 The next item for Board consideration was a Conditional Rezone Request (RZ-19-005) at 102
41 Dolphin Bay Estates. This request would change from R-15 Residential to B-1 Conditional.
42 This location was originally zoned as commercial, however in 2005 it was converted to R-15 and
43 was not changed on the Town Zoning Map. The Future Land Use Plan notes this location as a
44 potential commercial area. The septic system currently in place can only accommodate a 1-
45 bedroom residence, therefore its only purpose would be to house a B-1 business entity.

46
47 Town Staff recommends approval of the request however, the Planning Board was split as to
48 recommend or not recommend to the Board of Commissioners. A Consistency Statement is
49 included for Board consideration and approval alongside the rezone request.

50
51 Commissioner Winberry made a **Motion** to go into Public Hearing. The Motion carried 4-0.

52
53 Mr. David Ward, representing the applicant, provided an explanation to the rezone request. The
54 property owner, Mr. Francis Lane, wished to sell the property as his wife passed away and there
55 was no need for a vacation home any longer. The real estate listing was based upon the current
56 zoning map reflecting the B-1 designation. The conditional use is to be an accounting office.

57
58 Mr. Michael Shucher, who lives at 126 Dolphin Bay Estates urged the Board to disapprove the
59 rezone request. He is concerned that traffic will present a problem, especially with the
60 NCDOT's proposed traffic pattern change along Highway 24. He is also concerned that property
61 values may be affected with this zoning change. He believes that this property should remain
62 residential and the Town should focus on developing the locations already zoned commercial.

63
64 Board discussion followed.

65
66 Commissioner Winberry pointed out that the entire section where this property is located is
67 commercial and should have never been residential. He prefers the Conditional B-1 Zoning
68 proposal to the traditional B-1, as this ensures that less desirable uses will not go there. It is not
69 the Town's responsibility to verify that real estate listing matches the zoning map.

70
71 Commissioner Nash made a **Motion** to approve the Conditional Rezone Request to rezone 102
72 Dolphin Bay Estates from R-15 Residential to B-1 Conditional Business District. The
73 Consistency Statement is included in the Motion. The Motion carried 4-0.

74
75 Mr. Rief added that the rezone must be recorded at the County as well as updating the Town
76 Zoning Map.

77
78 Deputy Nakamura presented his report, stating that efforts to curtail speeding on Highway 24
79 have been successful, and accidents have decreased significantly.

80
81 Mr. Rief gave his Administrator's Report, beginning with the resignation of Planning Board
82 member John Zimmerman. No formal letter of resignation letter has been received however Mr.
83 Zimmerman sent an email to Town Clerk Calhoun stating that the letter would be forthcoming.

84 There will be Public Hearing at next month's regular meeting (Tuesday, February 25, 2020) to
85 hear and discuss public comments concerning a Text Amendment to the UDO concerning
86 Special Use Permits.

87
88 The Secretary of State did not have an accurate record of Annexations for the Town. This record
89 has now been updated and is current.

90
91 The 2020 Census will be underway soon, with mailings being sent to the residents. These census
92 counts are very important as they enable the Town eligibility for different funding opportunities
93 based on demographics.

94
95 The Clean Water Management Trust Fund Grant, in excess of \$1 million, will be made available
96 to the Town very soon. There are some restrictions that need to be outlined prior to the award.

97
98 NCGS 160D has been adopted, combining municipal and county governments requirements
99 concerning Planning and Zoning.

100
101 Town Clerk Calhoun announced the date of the 10th Annual Easter Egg Hunt as Saturday, April
102 4, 202 from 1:00 PM to 3:00 PM at Town Hall. Volunteers will be needed to help stuff eggs.

103
104 Mayor Hatsell will task Commissioner Winberry with repairs and improvements to the drainage
105 issues at various streets in Town. Ash, Hill, Franklin Court, Tammy Paige Court, Bluff Road are
106 all priority streets with either compromised road conditions or drainage issues. Current balance
107 in Powell Bill funds is \$116,542.

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109 There being no further business to discuss, the meeting was adjourned. Commissioner
110 Castellano made a **Motion** to adjourn the meeting. The Motion carried 4-0 and the meeting
111 adjourned at 7:53 PM.

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Scott Hatsell, Mayor



Jayne Calhoun, Town Clerk