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4 Town of Cedar Point Board of Commissioners  
5 Regular Meeting  
6 August 27, 2024  
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8 The Town of Cedar Point Board of Commissioners held their regularly scheduled monthly  
9 meeting on Tuesday, August 27, 2024, at 6:30 PM at Town Hall. Mayor Hatsell determined a  
10 quorum to be present and opened the meeting.  
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12 PRESENT: Mayor Hatsell, Commissioners Bray, Castellano, Nash, Winberry, and Town  
13 Manager Rief  
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15 A Moment of Silence was observed, followed by Mayor Hatsell leading the Pledge of  
16 Allegiance.  
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18 The Agenda and Consent Agenda, consisting of the July 23, 2024 Regular Meeting Minutes,  
19 were presented for Board approval. Mayor Hatsell moved Item III to the end of the agenda and  
20 replaced it with Cameron Pittner's Eagle Scout Project. Commissioner Castellano made a  
21 Motion to approve the Agenda and Consent Agenda as presented. The Motion passed 4-0.  
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23 Cameron Pittner presented his Eagle Scout project, a walking bridge on the Yellow Trail at the  
24 park. He expected to begin the project in December or February, weather permitting, at  
25 approximately \$500. Commissioner Bray made a **Motion** to accept the Eagle Scout project as  
26 presented. The Motion carried 4-0.  
27

28 The next item on the agenda was a public hearing to consider a rezone request. Rezone Request  
29 RZ-2024-02 requests to rezone a parcel at 1204 Cedar Point Boulevard, also known as Bogue  
30 Sound RV Park. The rezone would enable recreational amenities to be located at the front  
31 portion of the property. These amenities include pickleball courts, a dog park, a fire pit, and a  
32 picnic shelter. Mr. Rief presented an application overview, with the applicant's representative,  
33 Kimley-Horne, attending via Zoom. This parcel is currently zoned B3, this particular use would  
34 require a B3 Conditional rezone. The applicant intends to reserve the 200-foot front portion of  
35 the parcel for future use. Commissioner Winberry made a **Motion** to open the public hearing.  
36 The Motion carried 4-0. Ashton Smith, spokesperson for Kimley Horne, reiterated the  
37 applicant's intention to leave the front 200 feet of the parcel open for commercial development;  
38 however, there are no plans to develop this portion now.

39 Mr. Rief pulled up the Land Use Plan to discuss compatibility with the rezone request. Mr. Rief  
40 pointed out that conflicting provisions in the Land Use Plan apply to this type of development.  
41 Two consistency statements regarding how the Board will vote have been prepared.

42  
43 Mayor Hatsell opened the floor to public comment. Mr. Josh Reilly asked if any other space  
44 could be used for these amenities. Ashton explained that CAMA had many restrictions if they  
45 tried to develop near water. Mr. Reilly asked what the potential use was for the reserved 200-foot  
46 portion of the parcel. Ashton replied that the owners were not obligated to develop that parcel.  
47 Mr. Rief compared this parcel's size to that of the UPS store, which has a similar footprint.

48  
49 Mayor Hatsell opened the floor to Board comment. Commissioner Nash asked the applicant if  
50 any conversations were had with CAMA concerning options at the waterfront portion of the  
51 property instead of the front portion. Ashton stated they would be permitted to begin the  
52 development with a dog park, but any further land disturbance would trigger an archeological  
53 dig. Mayor Hatsell stated that the Land Use Plan clearly states this area has always been  
54 commercial. He also pointed out that Native Americans were everywhere in this area thousands  
55 of years ago. Commissioner Nash pointed out that no state permit applications have been  
56 submitted, and this rezone, if approved, would devalue the property. He does not see a  
57 compelling reason to approve the request.

58  
59 Ashton stated that the 200' portion would remain vacant forever if necessary; the owners are  
60 trying to utilize the space for recreational opportunities for park residents. Jay Amin of Real  
61 Projectives, assisting Kimley Horne, stated that the market would dictate what type of  
62 commercial entity might go into that parcel. But leaving it undeveloped still doesn't contribute to  
63 the town in terms of tax dollars.

64  
65 Commissioner Winberry understands the issues at the waterfront but does not want to see a  
66 pickleball court as you come into the town.

67  
68 Commissioner Castellano does not feel the use is compatible with the Land Use Plan.

69  
70 Jerry Stephenson, the park's property manager, stated that they are working hard to improve the  
71 property and offer amenities to residents.

72  
73 Commissioner Castellano made a **Motion** to close the Public Hearing. The Motion passed  
74 unanimously.

75  
76 Commissioner Nash made a **Motion** to deny the rezone request RZ-2024-02 with the appropriate  
77 consistency statement. The Motion carried 4-0.

78  
79 The next agenda item concerned a Public Hearing for a Text Amendment (TA-2024-02) to the  
80 Unified Development Ordinance (UDO) to exempt government signs in the right of way.  
81 Commissioner Winberry made a **Motion** to open the public hearing. The Motion passed 4-0. Mr.  
82 Rief provided an overview of the proposed amendment language allowing signs to be placed in  
83 the public right of way by or for a public body, federal, state, county, or local government.

84 These signs would be for the benefit of government speech, and no signage would be allowed  
85 unless pursuant to the ordinance. The town wishes to replace the sign at Sherwood Avenue and  
86 Cedar Point Boulevard with a digital sign.

87  
88 There were no public comments.

89  
90 There were no board comments.

91  
92 Commissioner Bray made a **Motion** to close the Public Hearing. The Motion passed  
93 unanimously.

94  
95 Commissioner Castellano made a **Motion** to approve Text Amendment TA-2024-02. The  
96 Motion carried 4-0.

97  
98 The Regional Hazard Mitigation Plan was the next item discussed. Mr. Rief stated that this plan  
99 must be updated every five years, and part of the process is providing information to the Board  
100 regarding its update.

101  
102 The next agenda item concerned an appointment for the vacant Commissioner seat.  
103 Commissioner Castellano nominated Phil Davis. Other candidates interested were Durwood  
104 Hudson, Tom Delmore, and Jerry Riggs. Commissioner Nash believes that serving on the  
105 Planning Board is a great springboard to becoming a commissioner. Phil would be an excellent  
106 addition to the Planning Board. Commissioner Nash nominated Jerry Riggs to fill the vacant  
107 seat. Commissioner Castellano voted Nay. The Motion passed 3-1.

108  
109 With Mr. Riggs being nominated to the Board of Commissioners, there will be a vacancy on the  
110 Planning Board. Commissioner Castellano made a **Motion** to appoint Phil Davis to fill Mr.  
111 Rigg's seat on the Planning Board. The Motion carried unanimously.

112  
113 Mr. Riggs wants to be sworn in at the September 23, 2024 meeting.

114  
115 Deputy Nakamura reminded everyone that school had started. He stated that 3 buses travel  
116 through Carteret County, where he provides an escort. The Sheriff's Department now provides an  
117 SRO for White Oak Elementary School.

118  
119 Mr. Rief provided his Manager's Report, beginning with brush clearing at Sunset Drive. This  
120 will improve drivers' visibility.

121  
122 The search for a Public Works Supervisor is ongoing; a candidate has been selected. However,  
123 the background check and drug screen results are still pending.

124  
125 Mr. Rief has further investigated the town's participation in the FMA grant through FEMA and  
126 has discovered that the town does not have the resources or staff to support the pursuit of the  
127 grant. The Board agreed that the interest was insufficient to merit the time and expense cost.

128 An estimate has been received to update the audiovisual equipment in the board room. The  
129 estimate includes two cameras connecting to the computer, monitors, and television and enabling  
130 a remote attendance feature. The estimate is approximately \$1700. The Board directed Mr. Rief  
131 to pursue the upgrade.

132  
133 The Bike and Pedestrian Plan is about to wrap up, and a draft should be made available soon.

134  
135 CedarFest is October 19, 2024, and unfortunately, the USMC 2 MAW Band cannot perform at  
136 this year's festival.

137  
138 The Board of Adjustment has a vacancy, and a member will be needed to fill the seat. This can  
139 be discussed at the September meeting.

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141 There being no further business to discuss, the meeting was adjourned. Commissioner Bray  
142 made a Motion to adjourn the meeting, which was carried 4-0.

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144 The meeting Adjourned at 9:00 PM

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Scott Hatsell, Mayor

  
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Jayne Calhoun, Town Clerk