



MEETING MINUTES

BRUNSWICK COUNTY PLANNING BOARD REGULAR MEETING OFFICIAL MINUTES

September 8, 2025
4:00 PM

The Brunswick County Planning Board met in Regular Session on September 8, 2025 at 4:00 p.m. in the Commissioners' Chambers of the David R. Sandifer Administration Building, located at the Brunswick County Government Center, 30 Government Center Drive, Bolivia, North Carolina.

MEMBERS PRESENT

Clifton Cheek, Chair
Jason Gaver, Vice Chair
James (Jim) Board
William Bittenbender, At-Large
Howard Stocks, At-Large
Cecelia Herman, Alternate

MEMBERS ABSENT

Richard Leary
Ron Medlin

STAFF PRESENT

Kirstie Dixon, Director
Marc Pages, Deputy Director
Connie Marlowe, Admin. Asst. II/CAMA LPO
Phillip Coates, Planner I
Tyler Connor, Planner I
Garrett Huckins, GIS Planning Analyst
Ryan King, Asst. County Attorney

OTHERS PRESENT

Shirley Sullivan
James Paggioli
Judy Andricak
Trisha Howarth
P.J. Kelley
Josh Kirby
Randy Sullivan
Leslie Robinson
Carla White
Nathan Pound
Glenn Kye
Matthew Burbridge

Dylan Phillips, Brunswick Beacon
Zachary Thomas
Haleigh McFarland
Sherol Lappala
Elizabeth Nelson
Peter Varvaris
Jessica Clock
Tonya Powell
Scott James
Robert Wilfong
David Hollis
Shannon Curcio

George Lossen
Mark Mulder
Mary Geibel
Jennifer Gates
Nicole Sullivan
Niel Brooks, Deputy County Manager

Paulette Bellamy
Jeremie Nelson
Travis Mercer
Beverly Mercer
Savanna Teneoff, Wilmington Star News

I. CALL TO ORDER

Chair Cheek called the meeting to order at 4:04 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Chair Cheek said a prayer. He asked everyone to stand and face the U.S. Flag to say the Pledge of Allegiance.

III. ROLL CALL

Mr. Richard Leary and Mr. Ron Medlin were absent.

IV. APPROVAL OF MINUTES

Vice Chair Gaver made a motion to approve the 11-Aug-25 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS

Ms. Dixon reminded applicants and property owners to beware of scam/fraudulent emails instructing recipients to pay a fee to complete their zoning or planned development or major subdivision approval. She urged anyone that receives such an email to contact the Brunswick County Planning Department immediately to verify its authenticity before sending any money. She further stated that Brunswick County does not charge post-board meeting settlement fees and will never request payment via wire transfer or gift cards.

VI. PUBLIC COMMENT

Ms. Shirley Sullivan, 5502 Seaward Court, addressed the Board. She read a statement (attached) regarding out-of-control growth in the County and the Board's responsibility to ensure smart growth is approved in the unincorporated areas of Brunswick County. She felt that the public's health and safety should be addressed in the decision-making process. Ms. Sullivan suggested that the Board refer to 5 policies (IWS-3 Permit effective and safe on-site water and sewer systems; HN-2 Minimize impacts to and invest in established residential areas; DQ-1 Hold private developers and other real estate investors to a higher standard; DQ-2 Maintain the character of the County, particularly the unique features that contribute to the identity of the place; and HW-1 Adopt a health-in-all-policies to decision making) in the Blueprint Brunswick 2040 Comprehensive Plan during their decision-making process.

Mr. Zachary Thomas, 315 Robin Court, addressed the Board. Mr. Thomas agreed that growth is inevitable and there has been a lot of discussion regarding the County implementing a moratorium to slow down development. Mr. Thomas said a moratorium will not change the demand for development, but it will increase housing prices, rental prices, and other basic needs in the area. He stated that there are other ways to address the vast amount of growth that is coming to the area, but a moratorium is not the answer. He further stated that a moratorium would have a negative impact on potential jobs in the area as well as the local economy. Attorney Ryan King informed Mr. Thomas that the Planning Board does not have the authority to enact a moratorium. He encouraged Mr. Thomas to appear before the Board of Commissioners at their September 15, 2025 meeting to address his concerns. He provided the Board with information (attached) regarding the impact of a moratorium.

Ms. Judy Andricak addressed the Board. Ms. Andricak was concerned with the Board making smart choices (ensuring infrastructure is in place, ensuring water and electricity is always available for all residents, and placing a moratorium on all new development until all infrastructure can support and sustain all new and existing residences).

Ms. Haleigh McFarland, 1276 Cherrytree Road NE, addressed the Board. She was concerned with overdevelopment, preservation of wildlife, flooding and inadequate resources to accommodate thousands of new residential developments in the County. She was also concerned with clear cutting of trees that destroys plant species and increase flooding of properties. The cost of living and taxes are rising, country roads are being inundated with traffic, and swamp land is being negatively impacted. Ms. McFarland said the people of Brunswick County demand a halt to any additional housing developments until proper measures have been taken to protect our residents and preserve the rural communities. Ms. McFarland concluded that the developers do not live in the County; rather, they make their money and leave the residents to deal with the fallout.

VII. PRESENTATIONS

There were none.

VIII. OLD BUSINESS

A. Rezoning Z-923CZ – (Brunswick County %Three Sixty Five LLC).

Request rezoning of approximately 1.44 acres located at 1501 N. Howe Street (NC 211) near Southport, NC from NC (Neighborhood Commercial) to C-LD CZ (Commercial Low Density Conditional Zoning) for Tax Parcel 221MA03302.

Mr. Jeff Walton addressed the Board. He stated that the conditional zoning would allow for all uses in the C-LD zoning district excluding outdoor advertising structures (billboards). Mr. Walton said this matter was tabled at the August 11, 2025 meeting to allow for more public feedback. The applicant has not offered any changes to the rezoning request, but the applicant provided 4 letters (attached) supporting the rezoning request.

Mr. Walton said staff recommends approval from NC (Neighborhood Commercial) to C-LD CZ (Commercial Low Density Conditional Zoning) for Tax Parcel 221MA03302 located at 1501 N. Howe Street (NC 211) near Southport, NC based on the permitted use(s) and conditions outlined in the Staff Report and adopt the consistency and reasonableness determination statement.

Vice Chair Gaver made a motion to open the Public Hearing and the motion was unanimously carried.

Ms. Trisha Howarth, 632 Spartina Court, addressed the Board as a property owner of the subject property. Ms. Howarth reminded the Board that the subject property was previously in the City of Southport's ETJ (Extraterritorial Jurisdiction) and the property was zoned Highway Commercial at that time. When the City's ETJ was relinquished, the County zoned the property NC (Neighborhood Commercial) instead of the requested C-LD zoning. Ms. Howarth proceeded to read a letter (attached) from Charles Paul (CEO of Bald Head Island Limited, LLC) in support of the zoning change because the proposed use (golf cart sales and services) will improve the aesthetics of the area and create new jobs and business opportunities in the area.

Ms. Sherol Lappala, 316 West Brunswick Street, addressed the Board on behalf of the potential buyer of the property. Ms. Lappala reiterated that the subject property was in the City when they initially toured the property. She stated that Hayler and Robbie Osborn (Tax Parcel 221MA032 – Horsemint Partners LLC) support the rezoning because it has always been an eyesore and the proposed business will be appropriate for the area. Ms. Lappala said the owner of Tax Parcel 221MA03301 is in favor of the vacant building being refurbished for golf cart sales because it will be an asset to the community and Thomas and Julianne Harrellson were also in support of the zoning change.

With no further comments, Vice Chair Gaver made a motion to close the Public Hearing and the motion was unanimously carried. Vice Chair Gaver said he is confident that the zoning change being requested is a better fit for the property and area.

Vice Chair Gaver made a motion to approve Tax Parcel 221MA03302 to C-LD CZ (Commercial Low Density Conditional Zoning) located at 1501 N. Howe Street (NC 211) near Southport, NC based on the permitted use(s) and conditions outlined in the Staff Report and adopt the consistency and reasonableness determination statement and the motion was unanimously approved.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is CONSISTENT with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and CONSISTENT with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request REASONABLE, appropriate, and in the public interest based upon the following findings:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives support the rezoning:
 - Consistent with the goals and objectives
 - LU-2. Support development in areas that are best suited for future development.
 - ED-1. Maintain and expand job opportunities in the County.
 - LU-3. Support the concentration of future development in nodes in unincorporated County areas to ensure more efficient infrastructure provision and service delivery.
- The request is consistent with the characteristics of the area, existing zoning in the area, and adjacent uses.
- Biodiversity and Wildlife Habitat Assessment for the proposed request scores of 0 out of 10.

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| ☐ <i>Agricultural Development Plan</i> | ☒ <i>Unified Development Ordinance</i> |
| ☐ <i>Brunswick County Comprehensive Transportation Plan (CTP)</i> | ☐ <i>Southeastern North Carolina Hazard Mitigation Plan</i> |
| ☐ <i>Brunswick County Trail Plan</i> | ☐ <i>Airport Height Control Ordinance</i> |
| ☒ <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i> | ☐ <i>Other: _____</i> |

Chair Cheek stated that any person with standing may appeal the decision of the Planning Board to the Brunswick County Board of Commissioners. Notice of the appeal must be provided in writing within 15 days. If no appeal is received, then the decision of the Planning Board shall be final. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration.

B. Major Subdivision – SS-291

Name: Oxpen Oaks Major Subdivision
 Applicant: Norris and Bland Consulting Engineers (%Jody Bland)
 Tax Parcel(s): 2150009001
 Location: Located off Oxpen Road SW (SR 1140)
 Description: Oxpen Oaks is a major subdivision consisting of 14 single-family units on approximately 6.67 acres, creating an overall density of 2.10 dwelling units per acre.

Mr. Phillip Coates addressed the Board. Mr. Coates read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. He provided the Board with school capacity charts (attached) for the nearby schools.

Mr. Coates said staff recommends approval based on the following conditions:

- That the development shall proceed in conformity with all plans and design features submitted as part of the major subdivision application and kept on file by the Brunswick County Planning Department.
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
- Major Subdivision approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.

Mr. Board said the project was previously denied due to flooding concerns and the lots will be served by on-site wastewater systems (septic tanks) and Mr. Coates concurred. Mr. Board asked what has been done to accommodate the Board's previous concerns. Mr. Coates said the lot that was in the AE flood zone has been moved from the AE flood zone. Mr. Pages added that the septic tank on that particular lot was relocated out of the AE flood zone as well. Mr. Board asked staff when the school capacity figures will be updated and Mr. Pages said the updated school capacity figures will be released at the end of September 2025. Vice Chair Gaver clarified that the septic tank on Lot 5 was previously in the AE flood zone and Mr. Pages concurred. Mr. Pages concluded on that the septic tank on Lot 5 was moved to the east side of the property.

Mr. Board made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. P.J. Kelley, owner of Coastline NC Homes LLC, addressed the Board. Mr. Kelley said he walked the property and they provided slides of the area after significant rainstorms in the area and there was no standing water on the subject property. He stated that septic systems are currently located on surrounding properties in this area. He further stated that he has no intentions of clear cutting the property except when necessary. He discussed the aerial photos of the area as well as adjacent communities from visual slides.

Ms. Elizabeth Nelson, Eli Engineering, addressed the Board. Ms. Nelson said she has 29 years of experience in stormwater engineering in the County. She stated that she also has experience in designing septic systems and vacuum sewer systems. Ms. Nelson said she received a map from a soil scientist that showed the green, pink, and orange zones and all septic systems located in the green zone are suitable for conventional systems or shallow conventional systems, which means the soils drain well. Ms. Nelson said there are potential flood issues in the area, but the homes are moved out of the flood zone, all stormwater runoff will drain internally and the stormwater will be slowed down in the retention pond before it is released. She said she walked the property yesterday and there was no standing water because the subject property naturally drains.

Ms. Cecelia Herman asked Mr. Kelley if he is going to save trees whenever possible and Mr. Kelley said yes. Ms. Herman said the trees will absorb water, which reduces stormwater runoff. Ms. Nelson said they are not installing curving, which will assist with natural infiltration and they are saving some oak trees because the septic systems have been moved off the back line.

Mr. Josh Kirby addressed the Board. Mr. Kirby said he saw on the news that this project was denied for a 401 certification (Clean water) and he asked if the 401 certification was obtained. Chair Cheek said the plans show the wastewater will be contained in the retention pond. Mr. Kirby asked about stormwater drainage toward the creek. Chair Cheek said the engineer stated that the stormwater will be released in that route at a normal rate from a storm. Mr. Kirby asked if the stormwater runoff will leave the property and Chair Cheek said the stormwater runoff will eventually leave the property. Mr. Kirby felt that the property would be better served as a park for the community.

Mr. Peter Varvaris addressed the Board. Mr. Varvaris was concerned with clear cutting trees not happening on the site. He asked if the Board can conditionally approve the site that clear cutting trees is prohibited and assess a fine if such should occur. Chair Cheek said there are minimum development standards that the developer has to adhere to. Mr. Pages added that there is no conditional approval for a major subdivision. Mr. Varvaris felt that the applicant saying he has no intention of clear cutting the property should be an influence on the Board's decision.

Ms. Cecelia Herman asked staff if the Board is limited to preventing clear cutting of the property. Mr. Pages said major subdivision requirements are different; in that, the project must meet the conventional standards of the Brunswick County Unified Development Ordinance (UDO). Attorney Ryan King said the County does not have a tree ordinance because the State Legislature has not identified Brunswick County as a county to have a tree ordinance. He reiterated that a major subdivision only has to meet the minimum standards of the UDO.

With no further comments, Vice Chair Gaver made a motion to close the public hearing and the motion was unanimously carried.

Chair Cheek felt Ms. Nelson was very thorough in explaining how the water flows on the property and the septic system on Lot 5 was removed from the AE flood zone. Vice Chair Gaver thanked Mr. Kelley and Ms. Nelson for providing the Board with the stormwater plan that shows the flow of the water.

Vice Chair Gaver made a motion to approve SS-291 (Oxpen Oaks Major Subdivision) with the noted conditions in the Staff Report and the motion carried 5 to 1 with Mr. Board opposing.

IX. PUBLIC HEARINGS

A. Rezoning Z-925 – (Jessica Clock).

Request rezoning of approximately 8.73 acres located at 331 Blue Dogwood Trail SW near Supply, NC from C-LD (Commercial Low Density) and R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) for a portion of Tax Parcel 19800040.

LAND USE PLAN MAP AMENDMENT (LUM-925):

Request to amend the Blueprint Brunswick 2040 CAMA Land Use Plan Map from LDR (Low Density Residential) to MDR-M (Medium Density Residential Mixed Use) for a portion of Tax Parcel 19800040 located at 331 Blue Dogwood Trail SW near Supply, NC. This Land Use Plan Map Amendment totals approximately 8.73 acres.

Mr. Tyler Connor addressed the Board. He read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Connor read the consistency and reasonableness determination statement (attached). He provided the Board with school capacity charts (attached) for the nearby schools.

Mr. Connor said staff recommends approval from C-LD (Commercial Low Density) and R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) for a portion of Tax Parcel 19800040 located at 331 Blue Dogwood Trail SW near Supply, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map from LDR (Low Density Residential) to MDR-M (Medium Density Residential Mixed Use) and adopt the consistency and reasonableness determination statement.

Chair Cheek asked for clarification of the proposed zoning change. Mr. Connor stated that the applicant is requesting a zoning change from C-LD (Commercial Low Density) and R-7500 (Medium Density Residential) to C-LD as well as a land use map amendment from LDR (Low Density Residential) to MDR-M (Medium Density Residential Mixed Use).

Mr. Board asked why the property cannot remain split-zoned? Ms. Dixon said split-zoned parcels are problematic to develop because a use may or may not be allowed in 1 of the 2 zoning districts. Mr. Board expressed concern with extending the C-LD zoning into a residentially zoned area. He felt that the split-zoning of the property better identifies the property based on the surrounding communities.

Vice Chair Gaver made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Randy Sullivan, 335 Blue Dogwood Trail, addressed the Board. Mr. Sullivan said his great nephew wants to put a single-wide mobile home on the subject property and a single-wide mobile home is not allowed in the area where the home will be located on the property. Mr. Sullivan said they have no desire to cut down trees; rather, they plan to plant trees on the property.

Ms. Jessica Clock, Coastal Permitting and Consulting LLC, addressed the Board on behalf of the applicant. Ms. Clock said the subject property is split-zoned and the split-zoning of the property makes it complicated for the applicant to utilize the property for the intended use. She further stated the proposed zone is more compatible for future development of the site.

Ms. Leslie Robinson, Coastal Permitting and Consultant LLC, addressed the Board. Ms. Robinson said the proposed zoning will be consistent with the land use plan map. Chair Cheek asked about buffer requirements with 2 uses on the site and Ms. Dixon said the minimum buffer requirements depend on the intended use and the adjacent use and/or zoning district.

Mr. Board suggested the entire property be rezoned to either R-7500 or R-6000. Ms. Dixon said staff suggested different options with the applicant, but the owner and applicant chose the C-LD zoning district. Mr. Pages added that the owner did not want to change the C-LD zoning at the front of the property. Ms. Robinson said C-LD is more suitable for the entire property because it allows for more uses that will be conducive to the owner's intent of developing the property in the future. Mr. Board was concerned with adjacent properties being affected by the intrusion of C-LD zoning abutting a residentially zoned area. Mr. Pages said there is an existing stream on the west side of the subject property that abuts the R-7500 zoning district.

With no further comments, Vice Chair Gaver made a motion to close the Public Hearing and the motion was unanimously carried. Mr. Board was concerned with the potential impact on the surrounding properties currently zoned R-6000 if the property is zoned C-LD.

Vice Chair Gaver made a motion to approve a portion of Tax Parcel 19800040 to C-LD (Commercial Low Density) located at 331 Blue Dogwood Trail SW near Supply, NC in conjunction with an amendment to the Blueprint Brunswick 2040 CAMA Land Use Plan Map to MDR-M (Medium Density Residential Mixed Use) and adopt the consistency and reasonableness determination statement and the motion carried 4 to 2 with Mr. Board and Ms. Herman opposing.

CONSISTENCY & REASONABLENESS DETERMINATION

Per NCGS, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment (including map and text amendments), a statement regarding plan consistency shall be adopted.

This request is NOT CONSISTENT with the Blueprint Brunswick 2040 Comprehensive Plan place type designation and CONSISTENT with the goals, recommendations, and policies of the plans adopted by Brunswick County (listed below). Staff also finds the request REASONABLE, appropriate, and in the public interest based upon the following findings:

- The Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan) goals and objectives support the rezoning:
 - Consistent with the goals and objectives
 - ED-1. Maintain and expand job opportunities in the County.
 - Consistent with characteristics of the area, existing zoning in the area, and adjacent uses.
 - This rezoning will correct a split zoning.

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| ☐ <i>Agricultural Development Plan</i> | ☒ <i>Unified Development Ordinance</i> |
| ☐ <i>Brunswick County Comprehensive Transportation Plan (CTP)</i> | ☐ <i>Southeastern North Carolina Hazard Mitigation Plan</i> |
| ☐ <i>Brunswick County Trail Plan</i> | ☐ <i>Airport Height Control Ordinance</i> |
| ☒ <i>Blueprint Brunswick 2040 Comprehensive Plan (CAMA Plan)</i> | ☐ <i>Other: _____</i> |

Chair Cheek stated that any person with standing may appeal the decision of the Planning Board to the Brunswick County Board of Commissioners. Notice of the appeal must be provided in writing within 15 days. If no appeal is received, then the decision of the Planning Board shall be final. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration.

B. Planned Development – PD-155

Name: Woodland Reserve Planned Development
 Applicant: Lennar Carolinas, LLC
 Tax Parcel(s): Portion of 19300021
 Location: Located off Ash-Little River Road NW (SR 1300)
 Description: Woodland Reserve is a planned development consisting of 650 single-family units on approximately 232.30 acres, creating an overall density of 2.80 dwelling units per acre. The developer is also proposing 13.90 acres of commercial area.

Mr. Marc Pages addressed the Board. Mr. Pages read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Pages said there is a commercial entrance to the project and they are proposing 2 stub outs (1 stub out is near the internal traffic circle on the southeast side of the project and the other stub out is on the extreme east side of the project for potential future connection). He provided the Board with school capacity charts (attached) for the nearby schools.

Mr. Pages said staff recommends approval based on the following conditions:

- That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
- Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.

Chair Cheek asked for clarification on the minimum buffer from wetlands as part of the exceptional design elements and Mr. Pages said the wetlands will be buffered with a 20' minimum setback. Mr. Board said there seems to be a discrepancy between staff's report (6,364 vehicle trips per day) and the TIA (Traffic Impact Analysis) that says there will be 14,235 daily trips. Mr. Pages said staff's calculations are based on the residential portion of the project and the TIA includes both the residential and the

commercial portions of the site. Mr. Board was concerned that the road (tiny country road) will not be able to handle the volume of traffic that will be generated by the proposed development on a daily basis. Mr. Pages reminded the Board that North Carolina Department of Transportation (NCDOT) approved this project as presented.

Vice Chair Gaver made a motion to open the Public Hearing and the motion was unanimously carried.

Ms. Tonya Powell, Attorney for the developer, addressed the Board. Ms. Powell said this project will be developed as an age-restricted (55 years old or older) community. She stated that the traffic studies that were completed are based on a market rate community. Ms. Powell said there will not be any impact on nearby schools due to the age restriction (55 years old or older) of this community. The commercial section is designed to be an amenity for the community as well as surrounding property owners that will potentially house service offices and retail facilities to service the community and the surrounding area.

Ms. Shirley Sullivan, 5002 Seaward Court, addressed the Board. Ms. Sullivan said the Ash community has been saturated with new development. She asked why a consistency statement is only used for rezonings and how many signs were posted about the public hearing for this project? Ms. Sullivan said the map indicates this area to be agricultural, which is the way the Ash community used to be. She asked the percentage difference of the traffic volume now verses the proposed traffic count for this project because that is important for health and safety reasons. Ms. Sullivan felt that the project should be denied based on policies (LU-4 Conserve viable agriculture while facilitating the transition of some existing working lands affected by urbanization; DQ-1 Hold private developers and other real estate investors to a higher standard; HN-2 Minimize impacts to and invest in established residential areas; DQ-2 Maintain the character of the County, particularly the unique features that contribute to the identity of the place; HW-1 Adopt a health-in-all-policies approach to decision making; and HW-2 Ensure equitable access to healthcare and healthy environments) outlined in the 2040 Blueprint Brunswick CAMA Land Use Plan.

Ms. Carla White, 2177 Stone Chimney Road SW, addressed the Board. She asked if Hwy. 31 has been considered in this project design because this particular area is the preferred route of Hwy. 31 into the County? Mr. Pages said developers are informed during the TRC (Technical Review Committee) meeting about Hwy. 31 study area, but NCDOT has to select the right-of-way before staff can restrict development in an area that is being studied by NCDOT for Hwy. 31 passage through Brunswick County.

Mr. Scott James, Davenport Engineering, addressed the Board. Mr. James said the traffic study for this project is not affected by the route of Hwy. 31 into Brunswick County, NC from Horry County, SC. He said they will be attending the public meeting at the end of the month regarding the traffic study of Hwy 31 into Brunswick County, NC. Ms. Powell said there is a lengthy draft environmental impact study that is on the NCDOT website that is the basis for the meetings that will occur on September 29th and 30th, 2025. The final impact study addresses how the North Carolina portion of the extension of Hwy. 31 will be financed because no funding has been set aside at the current time.

Mr. Board asked about the difference in trips per day because this will be an age-restricted (55 years old or older) community that was likely not a factor in traffic volume calculations. Mr. James said land use for a traffic analysis for age-restricted communities has approximately 50% of the peak hour load on the network and the ultimate buildout for this project's daily volume is approximately 5,766 trip loads per day on the network and this age-restricted community will be approximately 2,966 trip loads per day. Mr. Board clarified that the total trips (residential and commercial) per day will be

approximately 11,000 trips per day. Mr. Board felt that the traffic generated from this project will have a major impact on Ash-Little River Road NW (SR 1300). Mr. Board said NCDOT felt that no road improvements are warranted for the area and Mr. James clarified that the TIA included road improvements (traffic signal and turn lanes) to Ash-Little River Road NW (SR 1300). Chair Cheek asked if the TIA includes other road improvements from neighboring developments and Mr. James said NCDOT considers neighboring communities that will utilize the same road(s). Mr. James further stated that the TIA included references of neighboring communities (Rich Square and McLamb Tract) and their traffic volumes were also included in this project's analysis. Vice Chair Gaver read a comment from Helen Bunch (Three driveways off Ash-Little River Road is unlikely to be approved by NCDOT. Please remove the right-in right-out driveway) and Mr. James said NCDOT conditionally approved the project with 3 access points as long as the necessary turn lanes are installed. Ms. Powell said the commercial portion of the project is a necessity to the area. Ms. Powell added that they have received positive feedback from neighbors in the area supporting the commercial portion of the project because the area is remote enough that commercial uses are needed. Mr. Board said he is not opposed to the commercial portion of the project because commercial activity will be advantageous for this remote area.

Vice Chair Gaver read comments from the flood plain administrator (Recommend the storm water ponds be designed to the higher standard due to the location being within a flood prone watershed). Mr. Nathan Pound, Thomas and Hutton, said the floodplain administrator is addressing the NC Advisory Flood Map, which includes a portion of the wetlands along the perimeter of the property where the stream/creek is located. However, the Federal Emergency Management Agency (FEMA) has not identified any flood zones on the site, but they have designed the project to the 100-year storm event.

Chair Cheek asked Mr. James Paggioli about the NC Advisory Flood Map. Mr. Paggioli said the County utilizes the 2018 approved FEMA Flood Maps, but the entire County was not studied at that time. North Carolina Emergency Management conducted, through a cooperating partnership with FEMA, a flood study (NC Flood Maps) and they studied all of Brunswick County that include digital advisory flood maps for planning purposes. Mr. Paggioli said the advisory flood maps are not included in the regulatory day-to-day administration of the flood plain ordinance for building. He further stated that they are a useful tool to determine areas that were not previously studied in the 2018 approved FEMA Flood Maps. Mr. Paggioli said the NC Advisory Maps can be found online at ncem@floodadvisorymaps.gov.

Vice Chair Gaver asked if the developer can change his mind about this project being an age-restricted community? Mr. Pages said the Board would have to make that a condition of the approval. Attorney King added that the Board can impose that condition (age-restricted community) and Ms. Powell said they are agreeable to that condition.

Mr. Josh Kirby addressed the Board. Mr. Kirby asked if the subject property is adjacent to Stump Hill Farms? Chair Cheek said the subject property is adjacent to the Rich Square portion of Brunswick Plantation. Mr. Pages added that Stump Hill Farms is to the north of the subject property where the agricultural fair is held. Mr. Kirby was interested in how this project will interact with the farm. Mr. Pages said a 30' VAD buffer is required, but the developer is proposing a 50' buffer adjacent to the VAD area with a 0.60 (only 0.20 required) opacity. Mr. Kirby asked if the developer intends to plant trees on the site and Mr. Pages said plantings will be required in the buffer area unless existing natural vegetation is on the site. Mr. Kirby asked if sewer is in the area and Mr. Pages said sewer is to the south of the property in question. Mr. Kirby asked if the commercial portion of the property will have facilities available for the age-restricted community such as a doctor's office? Chair Cheek felt that the

commercial portion of the project will house facilities that cater to age-restricted individuals, but the Board cannot require the developer to construct specific commercial uses.

Ms. Carla White re-addressed the Board. She asked the distance the proposed development will be to the Waccamaw River and Caw Caw Swamp due to previous flooding in those areas and Chair Cheek pointed out those areas on a visual map that were not in close proximity to the subject property. She was concerned with adjacent property owners potentially being displaced in the future when Hwy. 31 is routed through the County.

With no further comments, Vice Chair Gaver made a motion to close the public hearing and the motion was unanimously carried.

Mr. Board was expressed concerned with the additional traffic on Ash-Little River Road NW (SR 1300). Vice Chair Gaver was also concerned with the additional traffic that will be generated by this development and the potential flooding, which creates health and safety concerns. Mr. Stocks said traffic is a concern, but the Board cannot control what NCDOT allows. Mr. Board said the Planning Board members are stewards for the constituents of the County and the property is currently agricultural land. He further stated that the developer only has to meet the minimum standards of the UDO, but he was concerned with the quality of work if only the minimum standards are met. Mr. Board also expressed concern with the rural agricultural areas being destroyed by development. Attorney King said the Board can pose additional conditions for planned developments if they desire to do so.

Mr. Board made a motion to deny PD-155 (Woodland Reserve Planned Development) based on traffic concerns, voiding of agricultural land and overdevelopment in the area and the motion carried 5 to 1 with Mr. Stocks opposing.

C. Planned Development – PD-163

Name: Cherrytree Tract Planned Development
Applicant: Resource Development Group, LLC
Tax Parcel(s): 1100000312
Location: Located off Cherrytree Road NE (SR 1406) and Bell Swamp Road NE (SR 1406)
Description: Cherrytree Tract is a planned development consisting of 1,000 single-family units on approximately 741.09 acres, creating an overall density of 1.36 dwelling units per acre. The developer is also proposing 25 acres of commercial area on Cherrytree Road NE (SR 1406).

Mr. Marc Pages addressed the Board. Mr. Pages read the Staff Report (attached) and identified the subject property and surrounding properties on a visual map. Mr. Pages said staff received a letter regarding the Tharp cemetery being on the subject property. However, after a site visit, it was discovered that the Tharp cemetery is on the Voluntary Agricultural District (VAD) parcel, approximately 50' from the subject property line and there will be an additional 50' buffer from the subject property line. He stated that there is a cemetery on the subject property, but there were no headstones present. However, survey markers were visible where the cemetery is located. Mr. Pages said that particular cemetery is protected with a buffer and proper access must be provided for the deceased loved ones to visit the gravesites. He provided the Board with school capacity charts (attached) for the nearby schools.

Mr. Pages said staff recommends approval based on the following conditions:

- That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
- Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.
- Add a note to the plan stating that the on-site cemetery will be preserved and protected with a 30-foot buffer.
- The Flood Zone Boundary has been added on the plan along the northerly portion; however, the Non-Encroachment Areas (NEA) have not been added due to the NEA and Flood Zone Boundary being coincident in many locations, the following conditions may be used: That no lots and no stormwater facilities (including fill for embankments) can be placed in the AE Flood Zones.
- Each development area will be required to submit plans for review to the Floodplain Administrator prior to any construction on that phase of the development.
- The main entrance road should be designed/relocated in order to minimize the filling of Floodplain areas that clearly collect floodwater/stormwater from the opposite side of Bell Swamp Road NE (SR 1406).

Mr. Pages discussed a flood map showing flood zone areas. Vice Chair Gaver asked staff about the letter the Board received today indicating that there is another gravesite in the area. Mr. Pages said there is a gravesite (discovered by GIS via GPS in 2010) on the subject property with survey markers in place. Mr. Board asked staff if the pond shown next to the cemetery is currently in place and Mr. Pages replied no. Mr. Board asked staff if a pond can be located next to a cemetery? Mr. Pages said some buffering may be required by the State, but this is a conceptual plan that is subject to any minimum requirements imposed by the State.

Vice Chair Gaver made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Robert Wilfong, PE Development Resource Group, addressed the Board. Mr. Wilfong said this is a challenging tract and they are placing the wetlands in a conservation easement. Mr. Wilfong said some of the proposed retention ponds are 6 acres in size. He reiterated that density is considerably less than allowed, which allows for more stormwater areas and active open space. Mr. Board asked how much of the 417.7 acres are wetlands and Mr. Wilfong said 387 acres are wetlands that will be placed in a conservation easement and they will provide for interconnectivity to trails between the ponds. Mr. Board asked if the 30.7 acres of active recreational open space are part of the wetlands? Mr. Wilfong replied, no. Chair Cheek asked if the recreational spaces are highlighted in purple on the plan and Mr. Wilfong replied, yes. Chair Cheek clarified that there will be walking trails, interconnecting ponds, and activity areas. Mr. Board asked Mr. Wilfong to identify the 30 acres that are not wetlands on the plan and Mr. Wilfong said all the areas highlighted in purple on the visual map are not wetlands. Mr. Board was concerned with the magnitude of the project and the large number of wetlands on the property that may cause flooding issues.

Mr. Glenn Kye, 888 Cherrytree Road NE (SR 1406), addressed the Board. Mr. Kye was concerned with the secondary roads in the area that cannot handle the traffic that will be generated by the subject property. He expressed concern with existing flooding in the area. He felt that a moratorium should be put in place until the Planning Department and developers meet directly with descendants of the

gravesites to discuss and agree upon cemetery preservation measures; a comprehensive site assessment is conducted to identify all existing and potential gravesites within the project area, in coordination with an independent third party if needed; and a cemetery preservation plan is developed and formalized with input from descendants, the developer, and relevant agencies prior to any construction or ground disturbance.

Mr. David Hollis, 101 Brookhaven Trail, addressed the Board. Mr. Hollis spoke on behalf of his mother that owns property (105 acres) to the east of the subject property. He said his mother is in favor of the project and she requests a connection to her property for public safety and interconnectivity purposes.

Ms. Haleigh McFarland, 1276 Cherrytree Road NE, addressed the Board. She stated that Cherrytree Road NE (SR 1406) was underwater and impassable on or about September 16, 2024 due to PTC8 (Potential Tropical Cyclone). She expressed concern with flooding and accidents in the area as well as the additional traffic that will be generated by this development. Ms. McFarland said farm animals will be affected in the area. She was opposed to the proposed development because she felt it would be harmful to the area and she asked the Board to vote against this development.

Mr. Matthew Burbridge, 1337 Quail Ridge Loop, addressed the Board. He was concerned with flooding (Rock Creek, Lewis Swamp, Phillips Nursery, Maultsby Road, and The Barn) as well as accidents in the area. Mr. Burbridge said there will be more traffic issues in the area that will likely be generated by the proposed development. Mr. Burbridge was opposed to the project. He also expressed concern with wildlife preservation.

Mr. Josh Kirby asked if the proposed project was designed based on the FEMA flood maps? He asked if the open space is retention ponds? Chair Cheek said most of the open space is shown as wetlands with retention ponds and walking trails. Mr. Kirby asked if the proposed 30 acres are retention ponds? Chair Cheek said portions of the 30 acres are amenity areas and walking trails. Mr. Kirby felt that retention ponds are not true active open space. Mr. Pages said ponds can be used as open space as long as there is a recreational element such as a walking trail around the pond or an adjacent park. Mr. Kirby felt that allowing such is not consistent with the Blueprint Brunswick 2040 Comprehensive Plan. Mr. Paggioli said the AE flood zone located on the northern portion of the site is based on the 2018 FEMA Flood Maps, but the NC Advisory Map shows areas on the southern boundary and across the street. Mr. Paggioli said the comments he made are based on the NC Advisory Maps and the 2018 FEMA Flood Maps.

Ms. Shannon Curcio, 1317 Quail Ridge Loop, addressed the Board. Ms. Curcio was concerned with flooding that may be generated by this development and how fires in this development will be extinguished when there is limited fire protection in the area. She, too, was concerned with safety.

Mr. George Lossen addressed the Board. Mr. Lossen said there was substantial flooding (PTC8) in the area in September 2024 and Cherrytree Road NE (SR 1406) was underwater during that time. Mr. Lossen said the swamp in the area drains to the Green Swamp.

Ms. Paulette Bellamy addressed the Board regarding the torrential rainstorm in September 2024 that flooded several properties in the area. Ms. Bellamy said her property never flooded until the PTC8 Storm. She stated that the existing trees on the property are a wind breaker that will no longer protect the community if the proposed development is approved. She, too, was concerned with wildlife being displaced. She stated that the proposed site is a bad location for development.

Mr. Mark Mulder addressed the Board. Mr. Mulder said the TIA said this project will generate approximately 8,000 daily trips, but it does not seem like the commercial portion was included in those calculations. He was concerned that the density of the proposed development is higher than 1.8 dwelling units if the wetlands are excluded. Chair Cheek explained that the current UDO allows for 2.9 dwelling units per area in the current zoning district based on the total acreage of the site, which includes wetlands. Mr. Pages added that the commercial area was calculated for RV boat parking that normally generates minimal traffic. Mr. Pages said any change to the commercial use will likely require further approval from NCDOT. Mr. Board said the PTC8 Storm was not a normal flood occurrence. He stated that the Board is trying to change the design standards in the UDO and they are requiring developments be designed to the 100-year storm event to help alleviate flooding issues.

Mr. Jeremie Nelson, 2123 Cherrytree Road, addressed the Board. Mr. Nelson said there is a creek that runs through the proposed commercial area of the project. He felt that traffic concerns have not been addressed along Cherrytree Road NE near the fire station. He reiterated that there are currently flooding issues in the area, Cherrytree Road NE needs to be widened and this project will generate an excessive amount of traffic. Mr. Nelson was opposed to the development moving forward until the issues/concerns (traffic and flooding) expressed by the citizens are addressed.

Ms. Mary Geibel, 1327 Quail Ridge Loop, addressed the Board regarding a stop light at the intersection near the fire station that was never installed. She said she travels in the opposite direction to NC 87 or Old Town Creek Road to avoid the excessive traffic in this area. She was concerned with the additional traffic that will be generated by this development. Mr. Pages added that there is a funded project to improve the intersection (signalized intersection with a superstreet) near the fire house. He said he is uncertain of the construction date.

Mr. Travis Mercer, 5394 Potterfield Road, addressed the Board regarding funding for the road improvements at the intersection near the fire house and he said funding has not been addressed by NCDOT according to a representative from NCDOT. Mr. Mercer said he is the Fire Chief of the Winnabow Fire Department and they are trying to address the intersection situation, but funding is not available at this time. Mr. Board asked Mr. Mercer if he reviewed the proposed plan and Mr. Mercer said his concerns were utilities and the traffic study for this project.

Ms. Jennifer Gates addressed the Board. Ms. Gates was concerned about the Tharp cemetery and she thanked Mr. Pages for verifying the location of that cemetery. She wondered how the local fire department will be able to manage the proposed growth to this area should a fire(s) occur. Ms. Gates was concerned with the fire rate changing with the high demand for fire protection from volunteer fire fighters and the potential to increase taxes when additional equipment is needed at the fire station. She reiterated that the roads, historically, flood in the immediate area. She asked the Board to think of the people currently living in the area and the new residents moving into the area.

Chair Cheek asked Mr. Wilfong if they are agreeable to provide a buffer from any nearby cemetery. Mr. Pages said there are State Statutes that regulate development near cemeteries and proper access being provided for family members to visit gravesites. Mr. Wilfong said he has dealt with similar situations and provided buffers and access to the cemetery. Chair Cheek asked if the developer is willing to provide a stub-out to the Hollis property for interconnectivity purposes and Mr. Wilfong agreed. Chair Cheek asked about the commercial portion of the project and Mr. Wilfong said they intend to have RV storage/boat storage for the residents of this development. Mr. Wilfong said any change in land use will require further review from NCDOT. Chair Cheek asked if they are be willing to provide an emergency service site and Mr. Wilfong said yes.

Ms. Herman asked Mr. Wilfong if the developer has intention of assisting the volunteer fire department due to the additional dwellings in the area and Mr. Wilfong said they are providing public water in the development. Attorney King said the Board cannot impose on the developer to assist in the growth of the local fire department. Chair Cheek clarified that the green spaces on the map are pockets of wetlands and/or open space that will be put in an undisturbed conservation easement and Mr. Wilfong concurred.

Mr. Travis Mercer re-addressed the Board with concerns of the commercial area (150,00 square feet commercial storefront) being changed. Mr. Pages said it is still 150,000 square feet of commercial area, but the TIA only shows the area to be utilized as boat and RV storage. He said any change will require an amendment to the TIA, which will have to be re-approved by NCDOT.

Ms. Beverly Mercer addressed the Board and she was concerned with the additional traffic that will be generated by the proposed development. Ms. Mercer said Bell Swamp Road NE (SR 1406) and Cherrytree Road NE (SR 1406) are narrow roads that cannot handle the additional traffic from the proposed development.

Ms. Nicole Sullivan addressed the Board regarding potential impacts to the grave sites in the area. She felt that a retention pond in close proximity to a gravesite will have a negative impact on the cemeteries in the immediate area. Ms. Sullivan felt that the cemeteries should be protected and families should have access to the gravesites. She, too, was concerned with the additional traffic to the area that will be generated by this development.

With no further comments, Vice Chair Gaver made a motion to close the public hearing and the motion was unanimously carried.

Vice Chair Gaver expressed concern with flooding (Floodplain Administrator said the application is recommended to be denied as presented. Flood Zone Boundaries and Non-Encroachment lines are not shown on plans), schools are at-capacity, cemetery and traffic (currently a problem) and Mr. Board and Ms. Herman concurred.

Mr. Board made a motion to deny PD-163 (Cherrytree Tract Planned Development) based on flooding, education and traffic and the motion was unanimously carried.

X. OTHER BUSINESS.

A. Planning Board Case Update.

Ms. Dixon addressed the Board and she stated that Zoning Cases Z-920CZ and Z-922CZ were not appealed, so the Planning Board's decision stands. She stated that Z-917 was appealed to the Board of Commissioner's and the Board of Commissioners overturned the Planning Board's decision to rezone the property to C-I (Commercial Intensive). Attorney King said the Planning Board's decision to deny PD-158 (Sailor's Haven) has been appealed to Superior Court and they are requesting that court costs and lawyer fees be paid. Mr. Pages felt that the planned development will likely come back to the Planning Board for consideration.

B. UDO Modernization Project Update.

Ms. Dixon reminded the Board members to review the consultant's presentation that was presented to the Board of Commissioners at their August 5, 2025 Board meeting. She stated that the consultant is

working with the floodplain administrator to update the Flood Damage Prevention Ordinance and combine the stormwater ordinance into the UDO update. Ms. Dixon said staff is waiting for the State to make a decision before moving forward with the UDO updates.

XI. ADJOURNMENT.

With no further business, Vice Chair Gaver made a motion to adjourn and the motion was unanimously carried.