



APPROVED

**PLANNING BOARD
REGULAR MEETING
September 10, 2025**

The Planning Board for the Town of Duck convened at the Paul F. Keller Meeting Hall on Wednesday, September 10, 2025.

Present: Chair Marc Murray, James Cofield, Bob Wetzel, Bob Webb, and Council Liaison Sandy Whitman.

Also present: Assistant Town Manager Connor Winstead, Community Planner Jim Gould, and Deputy Town Clerk Christy Hanks.

Absent: Planning Board Member Dan Snyder & Planning and Permits Manager Sandy Cross.

CALL TO ORDER

Chair Murray called to order the Regular Meeting of the Planning Board for September 10, 2025 at 4:00 p.m.

PUBLIC COMMENTS

None.

TEXT AMENDMENTS

None.

NEW BUSINESS

a. Discussion of ad hoc Town Parks and Recreation Advisory Committee and committee member appointments

Gould presented to the Board that Town Council approved Resolution 25-11 on September 3, 2025, authorizing the creation of the ad hoc Town Parks and Recreation Advisory Committee. He informed the Board that the committee membership will consist of 7 members:

- 1 Planning Board representative
- 2 Duck business community representatives
- 2 Duck residents
- 2 at-large members (may or may not be Duck residents, potentially experts such as landscape architects).

Webb expressed concern that the Committee could be comprised of 4 members that were not Duck residents, to which Cofield agreed. Webb suggested amending membership to say one of the two at-large members should be a resident of Duck, or as Wetzels revised, 3 member should be Duck residents with 1 at-large member. Assistant Manager Winstead suggested rather than having Council review a formal change to membership, the Board could adopt a motion to recommend that preference be given or Duck residents be encouraged to be selected as members on this committee. A motion was not adopted.

The committee's role is to advise Town Council on park planning and facility improvements, aligned with the Town's 2032 Vision Comprehensive Land Use Plan, emphasizing environmental stewardship, community engagement, high-quality recreational access. Staff will guide meeting agendas to ensure focused objectives and alignment with Council's direction

Gould reviewed past grant funds received, and expected committee focus; i.e. the development of a recreation master plan. He discussed future grant funding opportunities, and expected timeline for committee action.

The Town is currently under a 10-month contract with consultants Freese & Nichols to provide property development plans for the recently acquired Herron Property. This project will be separate from the Committee but may offer opportunities for collaboration or shared public engagement methods.

The Town will advertise for volunteer committee members immediately with appointment anticipated in October 2025. Planning Board members Dan Snyder and Bob Webb both expressed interest in participating in the Committee. The Board sought clarification that members may fulfill multiple roles if they meet various criteria, with Council discretion on appointments.

OLD BUSINESS

a. General Nuisances – Pumping on Private Properties and Streets (Improper Discharge of Water)

Gould opened the conversation about pumping on private properties and streets with the Board and began by reflecting on related ordinances from neighboring municipalities and similar coastal communities. Gould noted, The Town of Nags Head ordinance provided the most comprehensive language, authorizing immediate notice of violation and civil citations for stormwater discharge violations. Gould suggested that the Board may consider expanding the scope of the ordinance from water to "other liquids" (e.g., gasoline, chemicals) and extend enforcement to nearby properties, not just adjoining ones.

Gould highlighted that while the Board typically handles zoning ordinances, review of the proposed nuisance ordinance was approved by Town Council and is certainly in the context of the Board's responsibilities. Upon review of criminal penalties, Chairman Murray noted that enforcing criminal penalties seemed like a "big step" when considering going from nothing to

police enforcement. Other members expressed a similar preference to start with civil penalties to avoid over-enforcement and allow for education, with specific attention given to pool backwash practices and dewatering during construction. Cofield expressed interest in seeing other comparisons where communities treated the violation as criminal.

Wetzel raised additional concerns about difficulty proving the discharge of liquid could “threaten to cause a hazard detrimental to the public health and safety,” at a level required to justify criminal penalties, especially for minor, temporary discharges. Wetzel suggested removing “threat to public health and safety” language and adopt a clear prohibition “it shall be prohibited to discharge...”, simplifying enforcement and clarifying expectations. Gould provided an example that could qualify where stormwater pumped in low-lying areas (e.g., Soundsea Village), may cause flooding, property damage, or public safety hazards. Murray noted that’s where the Board should offer separate consideration and potentially stricter enforcement. Pool water backwash discharge was seen as more low volume and manageable with education and best practices, as noted by Cofield.

Cofield suggested Staff to develop educational materials for property owners and pool contractors outlining acceptable practices and alternatives for pool water discharge to reduce violations. Enforcement actions and penalties to be primarily directed at property owners and repeat offenders, not uneducated contractors. Staff will consult further with Police Chief Ackerman and Town Attorney Hobbs for final review and to explore a graduated enforcement mechanism, potentially starting with civil penalties escalating to criminal for severe or repeated violations.

Staff will work to submit an ordinance draft for police and legal review with feedback before the next meeting. Further refinement to potentially split ordinance sections addressing pool discharge and stormwater pumping separately. Possible adoption of ordinance as a text amendment within nuisance section with clear definitions and penalty framework.

PRESENTATION OF STUDIES/REPORTS

a. 2025 Trend Report for Planners: AI’s Double-Edged Sword: Environmental Solutions, Sustainability Challenges (pages 22-24)

Gould presented the 2025 Trend Report for Planners on Artificial Intelligence (AI) use and its environmental impact. Gould noted Community Development Department Staff use AI tools such as Fireflies AI for capturing meeting minutes and Gamma AI for creating PowerPoint presentations. The integration of these AI tools can contribute to overall operational efficiency within the Department.

However, Gould went on to highlight the energy and environmental costs of AI, including large-scale server farms in North Carolina which host critical data services but consume substantial water and energy resources. In contrast, AI can be applied in a positive manner to assist in environmental management including early detection of forest fires, targeted crop watering, traffic optimization, and emissions reduction through targeted strategies for pollution reduction and public health improvement.

APPROVAL OF MINUTES

Minutes from the August 13, 2025 Meeting

Murray concluded that after speaking with Gould there were revisions needed to the August 13, 2025, minutes. The Board agreed to address these minutes at the October 8, 2025 meeting.

STAFF COMMENTS

a. Summary of September 3, 2025 Town Council Meeting

Gould let the Board know that the Town Council has released the outdoor lighting survey to gather public input, distributed via e-newsletter and neighborhood associations. Survey framed under the campaign “Who is ALAN?”. Staff plan to use AI (ChatGPT) as part of the analysis process and generate detailed analytics on community perceptions. The town website now features a dedicated lighting impact page that provides educational content on artificial lighting from its effects on the environment and community health to the impact on public safety. Stakeholders are encouraged to provide feedback on the content, allowing for community involvement in shaping the information presented.

Employee Sandy Cross received the SOAR Award for exemplary service by removing a deceased animal from public view, reflecting the town’s values of service, accountability, ownership and respect. Cross demonstrated exceptional initiative by addressing a situation that was not part of her official duties. Gould encouraged the Board to share outstanding employee actions to Department Heads or Town Manager. Such recognition can enhance employee morale and encourage continued exemplary service in the community.

b. Project Updates

Gould informed the Board that Council agreed to a sole source contract with Millstone Marine to replace the section of the bulkhead north of Georgetown Sands. Staff are not sure exactly when the work will begin, but it's around \$17,000 worth of work. Expectation is after Jazz Festival and may be completed quickly as the recent project they did was done within 5 days.

Winstead let the Board know that staff did finally have a successful bid opening for the shoreline stabilization project in Town Park. Winstead will be presenting that to Council next Wednesday.

Gould let the Board know that the Teresa Court improvements are set back 30 days. The delay was due to NCDOT review and approval. They had to review the permeable pavers because it's not something that is standard in their road design practice. Staff are hoping to see this let for bid very shortly so that construction can begin early November.

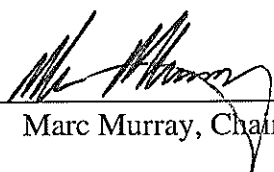
BOARD COMMENTS

None

ADJOURNMENT

Murray moved to adjourn the meeting.

The meeting was adjourned by consensus of Board members at 5:17p.m.

Approved:  _____
Marc Murray, Chairman