



APPROVED

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

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

Present: Vice Chair Bob Wetzel, James Cofield, Bob Webb, Dan Snyder, Tom Burton, and Council Liaison Sandy Whitman.

Also present: Assistant Town Manager Connor Winstead, Planning and Permits Manager Sandy Cross, Community Planner Jim Gould, and Town Clerk Lori Ackerman.

Absent: Deputy Town Clerk Christy Hanks.

CALL TO ORDER

Vice Chair Wetzel called to order the Regular Meeting of the Planning Board for December 10, 2025 at 4:00 p.m. and welcomed Tom Burton as the newest Planning Board Member.

SWEARING IN OF NEW PLANNING BOARD MEMBER

Town Clerk Lori Ackerman was recognized to speak. Town Clerk Ackerman went on to swear Tom Burton in as the newest Planning Board member.

ELECTION OF OFFICERS

Chair

Vice Chair Wetzel opened the nominations for Chair. Bob Webb nominated Bob Wetzel for Chair. James Cofield nominated himself. There being no other nominations, Wetzel closed the nomination.

Motion carried 3-2 to appoint Wetzel as Chair with Cofield and Burton dissenting. Motion failed 2-3 to appoint Cofield as Chair with Wetzel, Webb, and Snyder dissenting.

Vice Chair

Chair Wetzel opened the nominations for Vice Chair. Wetzel nominated Webb. There being no other nominations, Wetzel closed the nomination.

Motion carried 5-0 to appoint Webb as Vice Chair.

PUBLIC COMMENTS

None.

ZONING TEXT AMENDMENTS

Chapter 156.051 Building Features Exempt from Setbacks of Minimum Yard Requirements

Planning and Permits Manager Sandy Cross was recognized to speak. Cross explained that she provided to the Board a mark up to include an exception for outdoor showers, adding that there were some gaps that would need to be filled with the zoning text amendment as it currently read because there was an allowance for three feet into the rear yard setback, but there was no indication as to how long it could be. She noted that if it was the entire width of the house, it could end up not being a shower, but a storage area. She added that it would be prudent to consider some kind of limitation on the length of the exception into the setback if it was something that the Board felt was warranted.

The Planning Board members went on to discuss outdoor shower enclosures, what the length of them could be, how many walls they should have, how long the door to a shower should be, whether or not it should have a roof, as well as the dimensions of the shower.

Cross read the suggested language that the Board recommended as follows: “(C) Outdoor shower enclosures attached to a single-family dwelling with or without a roof covering, with any non-structured wall no closer than 18 inches to the ground, including functional plumbing with a shower head, may extend no more than 3 feet into any required rear yard or beyond any required rear building setback line (plus an additional 12 inches for features as noted in section (A)) and may not exceed a length of eight feet, may not be fully enclosed, provided that the rear setback or building restriction line is not less than 25 feet; and...”

Burton moved to recommend the revisions to Chapter 156.051 with the amendments and recommendations made by the Board. Wetzel seconded the motion.

Motion carried 5-0.

Section 156.002 - Definitions

Cross explained that this issue was brought to the Board several months ago; adding that there were some zoning text amendments regarding lot coverage and when there was alternative ground cover such as artificial turf or pavers, there was a need for the Town to give people credit that would not count towards lot coverage. She pointed out that the Town does require that, once certified and the installation of the alternative ground cover was completed in accordance with the manufacturer's specifications, the homeowner would agree and understand that there was maintenance involved and that they would conduct that maintenance. This document would be recorded with the Register of Deeds so that future owners are aware of the associated requirements.

Cross stated that this item was not specifically included in the definition of lot coverage as it related to artificial turf, which was one of the alternative ground covers where the Town does not count coverage at all. She noted that the Planning Board and Town Council had agreed that artificial turf would no longer be counted as coverage. She explained that staff has been interpreting it as a

homeowner has to do it but it was not specifically stated in the ordinance. After discussing this matter with the Board in August, it was their consensus that the intent had been that a recorded ground cover agreement should be required in any circumstance where coverage credits were being provided and maintenance was needed to maintain permeability. She stated that she was asking to add the responsibility of the property owner to record design specifications, maintenance plans, and certification of the owner's responsibility for maintenance at the Dare County Register of Deeds, which would be consistent with other sections in the ordinance. She added that staff also realized that under the definition of Lot Coverage, it included pools which was removed from the ordinance during the last text revision.

The Planning Board members went on to discuss the item, discussing lot coverage, the homeowner's responsibilities, the process when it came to new construction, and the permit requirements.

Cofield moved to approve the changes staff brought forward as presented. Webb seconded.

Motion carried 5-0.

NEW BUSINESS

None.

OLD BUSINESS

None.

DISCUSSION

Planning Board Basics

Cross stated that since Burton had come on board, she provided him with the Planning Board Basics from the UNC School of Government, adding that she was also providing it to the rest of the Board because it was a good refresher.

Planning and Zoning E-Module Learning

Cross stated that Wetzel had inquired about some training for the Board members to attend, noting that there was this option with the e-module. She stated that a few years ago, the Board had attended some Lunch and Learn sessions to complete some training. She pointed out that since the Board no longer handles quasi-judicial matters, she suggested that the Board members consider completing the e-module learning during the monthly meetings since they were only 20-30 minutes long. She stated that if the Board was in favor of it, the training could start at their January 14, 2026 meeting. She added that she would also invite the members of the Board of Adjustment to attend the e-modules and then discuss with them about completing the quasi-judicial modules at a separate time.

It was *consensus* of the Board to have the e-module learning begin at their January 14, 2026 meeting.

Zoning Ordinance Review

Cross explained that there were some things in the Town's ordinance that needed to be cleaned up, adding that this would be good for the Planning Board to review since a complete review had not been done since 2004. She stated that she was planning to present at the Council Retreat on the zoning ordinance and some of the things staff had encountered in the past year. She thought it would be helpful for the Planning Board to start looking at reviewing the zoning ordinances in sections. She hoped that when it was presented to Council at their Retreat, that they would consider in their budget allowing staff to put out Request for Qualifications to have a consultant help the Board and staff to complete a full review so that the Town was consistent with the General Statutes.

It was *consensus* of the Board to move forward with starting to review the zoning ordinance beginning at their January 14, 2026 meeting.

APPROVAL OF MINUTES

Minutes from the November 12, 2025, Meeting

Snyder motioned to approve the minutes as presented. Webb seconded.

Motion carried 5-0.

STAFF COMMENTS

Summary of December 3, 2025, Town Council Meeting

Cross stated that Monica Thibodeau is now the Mayor for the Town and Council Liaison Sandy Whitman is the new Mayor Pro Tempore. She congratulated Whitman. She stated that former Chair Marc Murray is happy to have been elected to Town Council. She pointed out that the 3rd quarter Mighty Duck award was given to Maintenance Technician Kim Pittman. She stated that former Mayor Don Kingston was recognized for all his years of service not only to the Town but also to North Carolina in general.

Project Updates

Cross stated that the Theresa Court bid opening was held recently and came in way over budget so staff was now working on reviewing options and determining whether the project would be feasible to move forward. She expected the retaining wall work at Plover Drive would begin after the beginning of the new year. She stated that the shoreline stabilization project was wrapping up and the boardwalk should completely reopen by the end of the week. She stated that the trail improvements between Pintail Drive and Wood Duck Drive should be taken to Council at their January 7, 2026 meeting for recommendation and approval to sign a contract with H & H Land Development which will be converting a section of asphalt trail to concrete. She added that the Town was working on a grant application with the Town of Southern Shores that is due on Friday, December 12, 2025 that, if awarded, will improve the intersection of Sea Oats Trail and Charles Jenkins Lane.

Cross stated that Community Planner Jim Gould was working with the Parks and Recreation Advisory Committee with them holding their second meeting on Tuesday, December 16, 2025,

and their first task being how to deal with the cul-de-sac area where the Town's pollinator garden was impacted from the shoreline stabilization project, adding that it was an area that was under-utilized, so the hope was that the Committee would reimagine the space in order for it to be improved before the season gets underway.

Snyder asked about the westside trail. Cross explained that it was a Capital Improvement item, but the cost to complete the utility relocation alone was approximately \$180,000. She stated that the Town applied for a grant back in August and were supposed to receive a decision, but because of the Federal shutdown, a decision has not been made and she did not have a timeframe for it at this time. Snyder asked if the work between Duck and Southern Shores would include installing a sidewalk. Cross stated that it would provide space for it because of the turn lane in the area of Jaycrest Road and Sea Oats Trail severely restricts the potential for right-of-way work. She stated that the goal with the grant was to purchase the corner lot and move the house on that corner to the west and use the space for stormwater as well as to address the utility issues.

Cross stated that she sent the revisions of the floodwater discharge pumping plan to Mr. May at Division of Water Quality. He stated that the plan was great, and he only suggested a few minor revisions to the resolution, but he did not touch on Item #6, which she had asked him to review. She recommended that the Planning Board send Item #6 as previously presented with Mr. May's suggested revisions unless any Board members had concerns about what was changed. She stated that if not, it would go before Council at their January 7, 2026 meeting.

It was *consensus* of the Board to send the resolution to Council.

Cross stated that Planner Gould has started doing some review work on the lighting survey, adding that she would like to have him bring the data from it to the Board at their January 14, 2026 meeting. She noted that there would not be any recommendations or suggestions to make any further revisions to the ordinance.

BOARD COMMENTS

Snyder welcomed Burton to the Board. Webb gave a summary of the recent Parks and Recreation Advisory Committee meeting to the Board and audience. Wetzel encouraged the Board members to feel free to voice comments and concerns they may have throughout the meetings in a respectful way and raise a hand if a member had something to say about what another member had said.

ADJOURNMENT

Wetzel moved to adjourn the meeting. Burton seconded.

Motion carried 5-0.

The time was 4:58 p.m.

Approved: _____


Bob Wetzel, Chairman