



Dear Residents, Property Owners and Friends:

I hope everyone is doing well and I trust that most, if not all, have had a relatively pleasant & enjoyable summer while on the island. As I recognize some time has passed since I sent out the last message in providing several meaningful updates on a variety of topics, I didn't want to let time continue to slip by given how quickly we find ourselves already here on the eve of Labor Day and the end of yet another "season"!

For many organizations on the Island such as the Village that are responsible for providing a variety of services, including the hundreds of employees it takes to keep the Island moving forward day in & day out, the end of the "season" is a time to reflect on successes as well as areas in need of improvement as they plan for next "season". Having said, in recognition of all Village employees under my supervision and their commitment in support of the Village's mission, I want to thank you for your efforts in serving the community and hope everyone has had a safe and enjoyable Labor Day Weekend with family & friends!

***"Labor Day, a day of celebration in honor of the American labor movement and the contributions that workers have made to the strength, prosperity, laws and well-being of this great country"***

Moving on I wanted to provide an update on a number of important items including; flood map changes now in effect, a NC State Ports Authority Channel Deepening Study, upcoming road paving work, conceptual design efforts of a major island road intersection, and recent Council meeting actions related to the winter dredging and groin field replacement project, efforts on a CAMA beach access grant application, conditional use permitting process for a nano-brewery, planning & design efforts related to a temporary municipal parking area, but most importantly to let you know a date has been set for an "open house" at the new Public Safety Complex.

## **PUBLIC SAFETY COMPLEX "OPEN HOUSE" – ISLAND COMMUNITY INVITED:**

The Village Public Safety "open house" event is scheduled for next Saturday September 8th starting at 10:00 a.m. The event will get started promptly taking a few minutes to acknowledge several key folks that played a significant role in the overall successful completion of the project before opening the doors for island residents & guests to

showcase the new facility and some of its unique features.

**FLOOD MAP CHANGES TAKE EFFECT AUGUST 28TH:**

Earlier this year Village Council approved the updated Flood Damage Prevention Ordinance which at the time made it possible for building permits to be issued for construction based on the new flood zones that were identified on the 2014 revised preliminary flood maps. While this was a significant benefit at the time for property owners who were in the process of getting ready to construct, it did not yet have an affect on insurance rates for homes with existing flood insurance policies. As of August 28th, the end date of the mandatory 6-month FEMA compliance period, the revised flood maps are now deemed “effective” for the purposes of rating flood risk to establish annual insurance premiums. Having said, it is recommended that property owners who have flood insurance check with their insurance agent to see if there is a potential for a rate decrease based on the revised flood maps. In some cases, due to the reduction in flood risk, property owners could see significant savings in their premiums.

**NC STATE PORTS AUTHORITY CHANNEL DEEPENING STUDY:**

Village officials attended a recent “open house” event in Wilmington that included informational posters highlighting proposed plans for a study funded by the NC State Ports Authority that would look at the potential for deepening the navigation channel to a depth sufficient to accommodate larger post-Panamax container ships calling on the Port of Wilmington.

State Ports Authority officials and environmental consultants hired to conduct the study on behalf of the Ports Authority were on hand to answer general questions about the initial effort, called a Section 203 Study, outcomes of which would be submitted to the US Army Corps of Engineers in their deciding if the project should move forward with an Environmental Impact Statement (EIS). If an EIS were prepared and found favorable the State Ports could then move forward in securing the required permit approvals with the intent of getting started with construction in 2021.

For many BHI residents who recall past history dating back to the last deepening project in 2001 when the channel was deepened from 38' to 42', and associated impacts to the island's shoreline immediately adjacent to the navigation channel along west & south beach (i.e. the “Point”), for which we have worked hard over the years to stabilize including construction of the Terminal Groin structure, it does not go without saying the recent proposal for the Section 203 Study is of significant concern to Village Council and will be a focus of priority as the Ports efforts move forward.

To date, we have engaged all Village resources (engineering, legal, lobbying etc.) to monitor the study's progress moving forward knowing the process is long and slow and there are many unknown questions to be answered, but what is not an unknown is the potential for significant impacts to BHI's investment in protection of the Island's public & private infrastructure with millions spent to date..., and we know this given years of shoreline monitoring the Village has proactively done dating back prior to the last deepening project, and that Village Council will do what is absolutely necessary to protect the investments made to date for the long-term sustainability & future of the Island.

**LIGHTHOUSE WYND ROAD PAVING EFFORTS TO GET STARTED:**

Island Contracting, working as a sub-contractor to Barnhill Paving for the upcoming Fall Paving Project (to get underway in late October) will get started week after next on major road repair work required in preparation for the new asphalt surface. This effort will likely require the portion of Lighthouse Wynd in proximity to the Chapel, Village Hall, and BHI Association to be temporarily closed for a few days while work is going on. Due to damages sustained during the broadband fiber installation project, with the road and underlying compacted stone base taking on significant damage with the rupture of an 8" waterline, will require a more robust effort in prepping prior to paving. While the rough road surface often at times requiring continued patching of gravel by Public Works has been an inconvenience, we are almost there with a new surface and the Village appreciates your patience as it continues to be a "work in progress"!

**NORTH & WEST BALD HEAD WYND – LIGHTHOUSE WYND, and TIMBER BRIDGE-KEELSON ROW ROAD INTERSECTION IMPROVEMENTS PROJECT:**

In an effort looking at proposed options for improvements at the intersection of North and West Bald Head Wynd, Lighthouse Wynd, and the Timber Bridge intersection, staff worked with landscape & design architect Brian Jenest on several conceptual design options with a focus on improving vehicular (including electric & ICE vehicles), pedestrian, and bicycle safety for all who enter and transit through the major intersection.

While several options were put on the table with initial focus early on geared towards a "round-about" design, it became clear that a more simplified approach would be better suited given unique conditions as they have come to exist over time. Factors considered in pursuit of the round-about concept included the need to account for a radius in size sufficient to handle the largest of ICE vehicles capable of maneuvering through the intersection, the overall costs to construct such a design, and impacts to adjacent properties with encroachment of the round-about.

At the Village Council worksession earlier this month staff presented options for consideration and recommendations in moving forward with a design. The design recommended will include expanded medians, minor road realignments at West Bald Head Wynd and the Timber Bridge as they intersect with North Bald Head Wynd, which will require traffic to slow down as it approaches the intersection much earlier necessitating users to come to a complete stop. The redesigned intersection should also improve on-going confusion, often at times, for those not familiar with the area as it may be their first time on the island. [Click here](#) to view the design of the proposed intersection in addition to an aerial showing the current road pattern.

**WINTER 2018-2019 JAY BIRD SHOALS COASTAL STORM DAMAGE REDUCTION PROJECT & GROIN FIELD REPLACEMENT PROJECT UPDATE:**

Progress continues to move forward in preparing for the Village's winter dredging project expected to get underway sometime in mid-to late November after having secured all the required state & federal permits. In addition to permitting there was much work involved

to get to this point that included a bond referendum earlier this year to secure voter approval to obtain bank financing all the while working with the Village's coastal engineer on the development of required construction documents on the design of the beach fill template..., to identify where the sand will actually be placed on the beach.

The effort also included a formal public bid process over the summer, something that is required of NC Local Government Finance regulations due to the total project costs whereby receipt of formal bids, a minimum of three (3), to identify the lowest responsive & responsible bidder was required prior to selection and award of the contract. The low bid came in at \$10,969,000 with S.J. Hamill Construction LLC being awarded with the contract approved by Council at the August meeting. The high bid submitted by Norfolk Dredging came in at \$15,640,000.

At present, staff continues to work on financing of the project to secure Local Government Commission (LGC) approval..., while the bond referendum earlier this year gave the Village approval of the Island's voters to borrow the funds, this additional step is yet one more that must be completed in moving forward with the bank.

While I know that was a lot to take in, the point of sharing this information with you is that this effort is not easy, and it takes time with the work of many behind the scenes to bring it all together to include the Mayor, Council, Village attorney, engineer, and administrative staff.

#### **CAMA BEACH ACCESS GRANT APPLICATION UPDATE:**

Village staff is presently working on a "final" grant application submittal to the Division of Coastal Management after having been selected from an initial round of applicants that would help fund the construction of a new beach access on south beach in vicinity of Snowy Egret to Black Skimmer. The grant proposal submitted includes the construction of a new beach access ramp that would be handicap accessible (ADA compliant) and provide additional beach access parking. At Council's August regular meeting the required public hearing as part of the grant process was held to present the proposed plan and hear public comment.

Recognizing as the island continues to develop with the construction of new residential homes and the increased demand for available beach access and parking during the "season" new homes will bring, ideally for areas located off the primary roadways adjacent to the oceanfront shorelines of south & east beach, identifying areas for beach access will continue to be a priority for Village improvement.

#### **CONDITIONAL USE PERMITTING PROCESS & "NANO BREWERY":**

Village Council at the August worksession revisited a previous Planning Board recommendation that Council move forward with a zoning ordinance text amendment process, a required 1st step in establishing a "conditional use" permit process whereby an applicant proposing a "nano brewery" on the island could do so through the Village Board of Adjustment (VBOA) review process.

The VBOA, *not Village Council*, would ultimately be responsible for reviewing & approving the conditional use permit application and have authority to place certain

“conditions” on the use requested, that are within reason, in approving the conditional use permit. A *conditional use permit* allows the Village to consider *uses* which may be essential or desirable, but which are not allowed as a matter of right within a zoning district, through a public hearing process. While this process does provide some flexibility within a zoning ordinance, it also enables the Village to control certain uses which could have detrimental effects on the community. Conversely, permitting a particular use such as a nano brewery, subject to certain conditions of approval, may help to make that use more compatible with the neighborhood.

This 1st step requiring the text amendment would include a definition of “nano-brewery” and add the use to the permitted uses table as a “conditional use” in the commercial zoning district on the island. [Click here](#) to see the Village’s Zoning Map. As part of the text amendment process, a public hearing would be required for Council to receive public comments on the proposed text amendment prior to taking action. Once the text amendment process has ran its course having been approved by Council, the applicant could then submit the application to the VBOA.

Note, of importance with respect to the BOA process is that it is considered a “quasi-judicial” process whereby the BOA makes its final decision on the application based on evidence presented at the public hearing. In making its quasi-judicial decision, due process requires the board to follow certain rules including advanced notice giving a reasonable opportunity for interested persons to present evidence at the hearing..., folks wishing to be heard are sworn or affirmed prior to making comments and that the board must act on all relevant factual information and not on opinion or hear say, and that no ex parte communication is allowed with any member of the board outside of the formal hearing proceedings.

All said, the process is one that will take time and provide opportunity for public comment with both the text amendment and VBOA processes. At the point in which a conditional use permit is issued, the applicant can then proceed with any additional permitting required that could include local (i.e. building permit) or state (ex., ABC permit, CAMA permit etc.) to establish the business.

#### **PLANNING & DESIGN EFFORTS MOVE FORWARD – VILLAGE “TEMPORARY” MUNICIPAL PARKING AREA:**

Village staff, as directed by Council have started to look at the feasibility for installing a “temporary” parking area for overflow parking to relieve traffic congestion issues with on-street parking that have become customary with many of the special events that take place along Lighthouse Wynd.

With the Village’s ownership of the adjacent land to Village Hall, opportunity exist for additional parking which would provide relief to Public Safety. Often, Public Safety is required to manage the congestion, particularly during times when parking occurs on both sides of the narrow Wynd to maintain appropriate access for fire & EMS response. Recently, tree and topographic surveying of the parcel was completed and shared with the Village’s architect assisting the Village. [Click here](#) to see a map.

As always, if you have any questions or comments feel free to e-mail, call, or stop by Village Hall and as a reminder, if you know of anyone who may find the Village Voice message of particular interest, but are unsure if they are a current subscriber, please forward this message to them and let them know getting on the e-mail distribution list is as simple as filling out the online request form at the following link:

[http://villagebhi.org/government/administration/village\\_clerk/signupform.html](http://villagebhi.org/government/administration/village_clerk/signupform.html)

Thanks,

A handwritten signature in green ink that reads "KCMCCALL".

Chris McCall  
Village Manager