

## Greenspace Informational Meeting May 18, 2019

1. Why are we having this meeting?

Info meeting only (no vote or decisions).

2. Why aren't non-Beachwalk Kure Beach residents invited?

It was suggested we invite others, but right now, we just want to get a sense of Beachwalk people perspectives

3. What and where are the Greenspace and Sandman Lot?

Map was attached to info meeting invite. Lot is behind Beachwalk lots near corner of 5<sup>th</sup> Avenue and Settlers.

4. Who owns the Greenspace and Sandman Lot?

Beachwalk owns greenspace. TOKB owns sandman

5. How large are the Greenspace and Sandman Lot?

Almost ½ acre (21,000 sq. ft. undeveloped space) and ~ ¾ acre

6. How valuable are the Greenspace and Sandman Lot?

Empty lots at selling for \$45 per square foot but this is questionable. Only real relevant comp is 517 sandman drive at \$42 per square foot. This lot has utilities and road access so is not in same condition as our lot (no utilities, no right of way established).

Est more than \$270k to develop (est. by homeowner).

Bill's previously published estimate was premature in that it was based on developed comps.

Suggestion for property appraisal as undeveloped property.

Suggestion to find out what TOKB thinks their property is worth (similar condition but already has road access).

TOKB has meeting Tuesday night about their sale of Sandman Lot.

History, NC allowed the retention pond that used to be on Sandman Lot to be filled in.

Currently have regular expense of maintaining our storm water system. This expense covers removal of sediment from our system. Concern that additional development will add to this sediment. Dan Church says that most of the sediment appears to come from the streets. Everyone agrees that additional impervious surface will add water.

System designed for 1" in 12 hours rainfall. Hurricanes are not expected to be accommodated in our system.

Mary Gentile has a series of photos that show standing water in the area and insists that additional development of any kind will have severe impacts.

Many homeowners already here do a poor job at storm water management on their own lots (moving water to the streets).

TOKB will hold public hearings and will do what they will with their Sandman lot. We should assume it will be developed.

If we are ever going to sell our Greenspace, it seems this is the time to do it as it will never be worth more than it is write now considering the TOKB lot actions upcoming.

17June Meeting, will kick off 60-day comment period for sale of excess TOKB Sandman Lot.

Dan: we have had many meetings with TOKB to discuss the options of packaging our lot with theirs for marketability. We need right of way. If we get price here then we can decide if that price is worthwhile to the owners to proceed. Jim C. notes that if our lot is involved in this combined development, we will have a say in how it is developed and how the water is handled. Otherwise, we will not have any say in how water is shed off their lot.

Dan: we have also discussed with TOKB the deed restricting of lots built on their lot. If this came to fruition, we would benefit of new dues income.

7. Was the Greenspace mentioned in our Bylaws or Covenants & Restrictions?

No, other than that it falls under Common Area.

8. Will the Town of Kure Beach sell their Sandman Lot?

yes

9. Has the TOKB laid out their lots on Sandman Lot?

Yes, 5 lots. TOKB has developed a map.

Dan has also developed a map that is different that would allow road access to our lot and lots to be built there.

10. Has the Greenspace lots been laid out?

Yes, see above

11. How many homeowners must approve the selling of the Greenspace?

80%, 68 lot owners. Division, not a partition

12. What are the discussions with TOKB on combining the Greenspace and Sandman Lot?

See above

13. Whose HOA's regulations will be placed on the Sandman Lot and Greenspace?

See above for sandman lot. Greenspace would be under our restrictions.

Kure Dunes has been involved in meetings with TOKB and Beachwalk. Kure Dunes has expressed not being happy with TOKB plans to develop their lot. They have expressed intent to sue the TOKB if they proceed.

Dan: ultimately Kure Dunes will have nothing to do with this decision.

Homeowners are upset that they have supported pond neighbors but others are not supporting neighbors neighboring the greenspace. Dan: everyone's stormwater goes to the ponds, Greenspace is different.

Homeowners are upset about the original letter that was sent that proposes \$5,000 benefit to each homeowner.

Debate about "done deal" for TOKB action to sell and develop their property.

No property taxes paid on greenspace.

Greenspace could always be developed as a different Common Area if not sold (committee garden, park, etc.)

Opinion: BOD should be pushing TOKB to include their lot into our deed restriction.

Decision to sell our greenspace or not must be timely b/c if we wait until after TOKB has sold theirs, we will be cut off from road access and utilities may not be coordinated.

May be in a stronger position to sell our lot to a developer that purchases Sandman Lot after they purchase TOKB Sandman Lot.

TOKB has asked for our input as to how their lot might be developed. Dan has a proposed drawing with stormwater easements built in as well as easement through their lot.

Question: how much does it cost to mow our Greenspace?

Question as to existing easements or setbacks associated with Greenspace. There is currently an easement between Beachwalk lots 23 and 24. Currently obstructions within this easement (ex: light pole).

Suggestion: Ditch 1: pipe this ditch and cover with grass to make a walkway. Jim C says this would be a bad idea because it would restrict drainage. D1 runs between 26 and 27.

What will we vote on and when will we vote: don't know yet

Adjoining greenspace homeowner voices concern about income tax as a result of the any income from sale of this property. Thinks the evaluation presented was unrealistic.

Bill says evaluation was based on square footage and comps.

14. What are the advantages vs disadvantages of selling the Greenspace?

See above

15. What are the costs associated with selling the Greenspace?

See above

16. How would the proceeds of the sale be distributed?

undetermined

17. What are the stormwater runoff implications for the Greenspace and Sandman Lot?

Jim: Can we handle water from there?: We take water from their now. Difference between impervious and non-impervious. Will more water come from there than now?: No but will come

faster because it will be shed faster on impervious surfaces. We are better off being at the table to make decisions about development.

State calls out system pollution control system, not storm water. Run off to meet EAP standards once it passes our system. Not designed as a flood prevention (hurricane) system. We depend on it to handle stormwater but that is not the state's concern. We want to make sure new development does not exceed our current permit. No indication that it will but we are looking into it to make sure it does not.

Past vote about stormwater was not a beautification project for the ponds, it was required for the pollution control system. HOA inherited a system that was not in compliance with state laws. We had received noncompliance letters from the state and was threatened daily fines if we did not comply.

18. If Beachwalk members vote to sell the Greenspace lots, is the TOKB willing to plat an easement into our land?

See above

Other:

Where did lawyer come up with 80%? NC Planned committee act.

Opinion is we should get appraisal.

People next to greenspace will have opportunity to purchase greenspace once for sale (we could add a right of first refusal clause).

Difference of drawings: TOKB has 5 lots but Dan's would have less lot value because they would have to include right of way taking up lot space.

5,000 square feet min. building lot ordinance. TOKB is just short of 5<sup>th</sup> lot at this minimum, even though they are showing 5 lots on their proposed drawing. Dan's drawing proposal includes using a little of our lot to make up what the TOKB needs to make their 5 lots, and then we can make 3 lots with a right of way.

Whether we sell greenspace or not, we will defend water shedding from TOKB lot.

Homeowners encouraged to attend TOKB public meetings regarding their Sandman Lot. Check TOKB website for schedule of meetings.

Comment: for those who feel like they moved into a property next to an empty lot, don't assume you control what is next to you if the lot is not yours.

If you build in Carolina Beach, all your roof water has to stay on your lot. Large pipes are buried to contain water underground. Permeable driveways can also be installed. Deed restrictions possibly.

Decision on sell or not sell should not be based on hurricane conditions.

Bill will send email out with notes from today's meeting.

Zoning: multifamily dwellings allowed on our lot but only single family on Sandman Lot.



