

Holden Committee Continues Investigation Of Beachfront Office

BY DOUG RUTTER
An investigation continues into alleged violations of building code, health department and coastal management regulations at a Holden Beach real estate office. The committee formed two weeks ago to look into complaints about Coastal Development & Realty's beachfront office had not completed its fact-finding mission as of Monday. Commissioner Jim Fournier, who is heading up the committee, said

Tuesday he hoped to wrap up the investigation soon so the town can send a report to the N.C. Division of Coastal Management. The state agency requested a town investigation after receiving a written complaint from C.H. Osborn, who owns a home next to the real estate office at 131 Ocean Blvd. West. In a Feb. 28 letter to Coastal Management's regional office in Wilmington, Osborn alleges that the building violates oceanfront setback

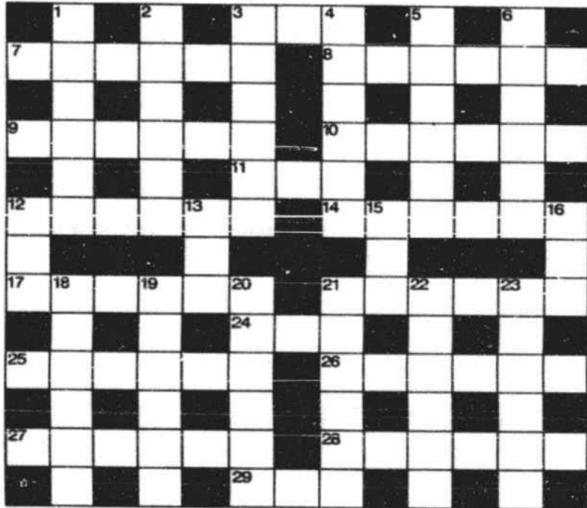
requirements and state septic tanks rules. Osborn also claims he was not notified prior to construction and that neither the general contractor nor electrical contractor who worked on the office was licensed for commercial building. Fournier reported at Monday night's town meeting that it's still unclear whether adjacent property owners were notified prior to construction of the spacious office. The town has in its files a form signed by Coastal Development owner Mark Saunders stating that adjacent landowners were notified of construction plans. However, Saunders does not have registered mail receipts to prove that the letters were delivered. "I don't know where you put the burden of proof," Fournier said Tuesday. "We certainly can't prove that he didn't send the notices." Fournier said the committee is still looking into allegations that part

of the septic tank system that serves the office building has been covered with pavement in violation of state law. A recent letter from a Brunswick County Health Department official to Saunders says that a sign was constructed over the septic system's nitrification field and that pavement was placed over the repair area. Bruce Withrow, environmental health program specialist, states in the March 31 letter that the violations must be corrected by removing the pavement, restoring the site to its original state and providing a physical barrier between the septic system and repair area. However, Fournier said he has received mixed signals from the county health department concerning the removal of pavement. During a recent conversation with Health Director Michael Rhodes, Fournier was told the county does not usually require property owners to remove pavement that is placed

over septic systems. Fournier said Rhodes told him the county requires removal of pavement only in cases where the septic system malfunctions. "I never have seen a lot of concrete torn up on Holden Beach, and I'm sure there are a lot of septic tanks paved over," Fournier said. "I'm sure you could stand at Mark's place and throw rocks on a half dozen of them." In his complaint to Coastal Management, Osborn also stated that the county septic tank permit was issued for nine occupants and Coastal Development had a staff of 13 as of December 1993. Fournier said a Feb. 10 letter from Saunders to the health department stated that a "significant portion" of Coastal Development's employees work in the field and not in the office. Saunders included with his letter copies of town water bills that show an average usage of 138 gallons per

day (gpd). The county septic tank permit was issued for 225 gpd. Fournier said he is waiting for Building Inspector Claude Spellman to gather information on the size of the building as it relates to the oceanfront setback and the contractors used during construction. Once the committee completes its investigation, Fournier said he will report to the full board of commissioners and it will send its findings to the Division of Coastal Management. If the allegations are found to be valid, Holden Beach must notify the state within 30 days, correct the situation and show how the town intends to avoid similar violations in the future. Saunders has declined to comment on the allegations until the investigation is completed. Commissioner Dwight Carroll, who was building inspector when the office was constructed, also has declined to comment.

WEEKLY CROSSWORD



CLUES ACROSS

- 3. Babble
- 7. Bewilder
- 8. Choice
- 9. Outline drawing
- 10. Scottish dish
- 11. Poem
- 12. Cross-breed
- 14. Harvester
- 17. Ballerina
- 21. Middle
- 24. Tune
- 25. Audacious
- 26. Whole
- 27. Opportunity
- 28. Glare
- 29. Owing

CLUES DOWN

- 1. Every seven days
- 2. Assemble
- 3. Process
- 4. Trouble
- 5. Brand
- 6. Constabulary
- 12. Secreted
- 13. Anger
- 15. Before
- 16. Regret
- 18. Torpor
- 19. Customer
- 20. Old and torn
- 21. Cover
- 22. Idea
- 23. Firework

(Answers are on Page 7-C)

AT HOLDEN BEACH

Commissioners Approve Marker 55 Subdivision

BY DOUG RUTTER
A 16-lot subdivision featuring tennis courts, a clubhouse, swimming pool and chipping and putting green for homeowners received approval Monday night from Holden Beach officials. Commissioners approved the final plat for Marker 55, a 13-acre planned neighborhood located northeast of the High Point Street-Branswick Avenue West intersection. Holden Beach Enterprises is developing the subdivision, which had more than 60 lots when it was originally planned. The property is zoned R-1, which is reserved for low-density residential use. Commissioners approved the new plat even though one of the streets will be longer than 500 feet, which is the maximum length allowed in the town's subdivision ordinance. The Marker 55 street will be 655 feet long. Town officials said Monday they don't know the reason the 500-foot limit was established or if it's an arbitrary figure. Developer Harry Lockwood pointed out that homes will only be built on one side of the street, so it will have less density than a 500-

foot street with homes on both sides. The 2.2-acre recreational area will be reserved for property owners and will border the north side of Brunswick Avenue. Town officials received a letter from a man who owns a home near the Marker 55 property. He raised concerns about the possible impact of the recreational area, especially the noise and lighting. Lockwood said the area will be screened and landscaped. "I think he's going to be very pleasantly surprised," Lockwood said. **Coming Soon...Dunescape** Commissioners said they're pleased Marker 55's developers reduced the number of lots to 16. Town officials also are excited about another subdivision being planned at the east end of the island. While plat approval could be several months away, officials got their first look Monday night at plans for the Dunescape subdivision that covers 119 acres of hilly terrain near Lockwood Folly Inlet. The first phase of the subdivision, owned by John M. Holden and David L. Holden, will include 58 lots on 86.49 acres. The entrance will be off

Ocean Boulevard East at Avenue C. The neighborhood will feature large lots—at least 14,000 square feet each—and narrow, winding roads that may be divided in some places if it is dictated by the terrain. Developer Jay Holden said he wants to retain the natural conditions as much as possible and that will include saving trees and leaving the area's huge dunes in tact. Responding to questions from the developer, commissioners said they would approve a street more than 500 feet long and would not require a second access road for Dunescape. At least one issue remains unsettled, whether the streets in Dunescape will be public or private. Since the roads will follow the natural topography, the grade may be too steep and curves may be too sharp in some places to meet town specifications. Two commissioners, Sid Swarts and Dwight Carroll, said Monday they would prefer the streets be public if it can be worked out. "There's an awful lot of problems with being a private area," said Swarts, who lives in the private Holden Beach West subdivision. Planning Board Chairman Roger Williams said, "We think Dunescape is an excellent subdivision. You've got more acres than lots."



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