

Holden Beach Files Lawsuit Over High Yard Light

BY DOUG RUTTER

Holden Beach has asked for a court order that would force a resident to lower a yard light that is higher than town code allows. Town Attorney Kenneth Campbell filed the complaint July 5 in Brunswick County Superior Court as part of the town's effort to enforce a controversial outside lighting ordinance that went into effect last fall.

Defendants are Howard and Iris Wyrick of Kannapolis, Steven Bradshaw and George Bradshaw.

George Bradshaw said he had the light erected outside his residence at 258 Brunswick Avenue West, and the three other defendants shouldn't be involved in the lawsuit. The Wyricks own the house and are in the process of selling it to Bradshaw's son, Steven.

In the complaint, the town asks for a court order that would force the defendants to lower a yard light that is more than 10 feet off the ground—the maximum height allowed in residential districts.

The light is attached to a utility pole and is 20 feet off the ground. If the light was lowered to 10 feet, Bradshaw said it would provide 60 percent less illumination.

Bradshaw, an esophagean speak-

er, said he needs the yard light for health reasons. He said he often goes outside in the middle of the night to exercise his lungs.

"They've done everything in the world to bluff me into taking that light down," he said last week.

Bradshaw, who made an unsuccessful bid for town commissioner

in 1989, said 44 residents on Brunswick Avenue have told him the yard light is "nothing but an asset." He said that only a few of his neighbors oppose the light.

Holden Beach also wants the court to make each defendant pay the town \$25 per day from the time they are notified of the legal action

until they make payment at town hall.

Holden Beach's outside lighting ordinance was adopted in November 1989 and took effect last November. Property owners have voiced support and opposition to the rules.

The former interim town manager, Diane Clark, notified defendant

Steven Bradshaw of the violation on Feb. 8, according to the complaint.

However, due to difficulty in determining the interests of the parties involved, no formal citation was served on the three other defendants.

Therefore, the town plans to assess the civil penalty from the date

the court action is served. The complaint says all of the defendants have refused to lower the yard light to the 10-foot maximum height allowed.

The defendants have hired Charlotte attorney Roy Trest. Bradshaw said a response to the complaint would be filed within 30 days.



BRADSHAW

Soil Scientist To Speak At Meeting

A soil science professor from N.C. State University will discuss sewage disposal and management at an upcoming meeting at Holden Beach.

Dr. Michael T. Hoover will discuss maintenance of septic tanks and answer other questions during the meeting Tuesday, July 23, at 7 p.m. in town hall.

Hoover has received a bachelor's degree in agronomy, a master's degree in soils and waste management and a doctorate in soil genesis, all from Penn State University.

In the last five years, Holden Beach has contracted two different engineering firms to study the town's wastewater treatment needs.

Both of the studies, which cost a total of \$50,000, indicated that there are presently very few problems with pollution on the island.

However, the studies recommended that the town move away from the use of septic tanks toward an area or island-wide sewer system.

While developing the land use plan update earlier this year, Holden Beach Commissioners agreed to set up a wastewater management entity, which would oversee sewage disposal and treatment on the island.

The town's planning and zoning board has suggested a wastewater management division be established to document the location and capacity of existing septic tanks and recommend and implement a maintenance program.

It also would inspect and test for pollution, determine the feasibility of alternative systems and work to educate homeowners. The division would coordinate its efforts with the Brunswick County Health Department and other health agencies.

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