

SUNSET BEACH TAXPAYERS ASSOCIATION

P. O. Box 6053
Ocean Isle Beach, NC 28469

NEWSLETTER

August 2020

The mission of the SBTA is to foster growth within the town of Sunset Beach while preserving its unique, unspoiled non-commercial character; to press for responsible, efficient government; to prevent the extravagant wasteful expenditure of public funds; and to provide absentee, nonvoting property owners a voice in community affairs affecting their interests.

LABOR DAY WEEKEND SATURDAY MEETING CANCELLED

NOTE: Due to the COVID-19 precautions, the Board decided not to hold the Labor Day Saturday Meeting.

Minutes from the Easter Weekend Saturday Meeting

The 2020 Easter Saturday membership meeting was cancelled due to the COVID-19 pandemic.

Despite the cancellation of the meeting, the vote for membership on the SBTA Board of Directors was completed. Ray Puknys, the current president, and Nina Marable, a current board member, were re-elected. Mark Cramer, a newcomer to the board, was elected.

SBTA Website

Just a reminder to check the SBTA website for the latest news:

<http://www.ninam25.wixsite.com/sbta>

Shoreline Management (Dredging) Project

The CAMA permit to dredge Mary's Creek and Turtle Creek was approved on December 11, 2018. The Town Council decided not to proceed with the work until the permit for the remaining project area is approved. The Coastal Resources Commission (CRC) permit application to dredge south Jinks Creek, the bay area, feeder channel and finger canals was approved on October 28, 2019. However, as CAMA rules require that no canal or boat basin be deeper than its connecting channels, the approved permit stipulated that the dredging depth not exceed the -2 feet below Mean Low Water (MLW) of the connecting channels instead of the -5 feet requested. The -2 foot MLW depth is barely sufficient to allow for navigation of small vessels and, due to ongoing silting, this will likely mean that dredging will be required more often if navigation is to be maintained. The Town elected to apply for a variance to the CAMA depth requirement to allow for dredging to the -5 foot MLW depth. Following a commission

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hearing, the CAMA rule variance request was approved by the CRC on February 25, 2020.

However, the US Army Corps of Engineers (USACE) withdrew the application for the required federal permit due to uncertainty of placement of the beach quality sand from the south Jinks Creek section. NC law requires the beach-quality sand remain in the active nearshore, beach or inlet shoal system from where it is dredged (which, by the way, excludes giving it to other beaches such as Ocean Isle Beach). The original application proposed placing it on the beach strand between 5th and 12th Streets, but property owners objected to this option. A revised plan has been developed that will place the dredged beach-quality sand in a 200-foot wide by 2,000-foot long area seaward of the beach (termed the “nearshore”) between 3rd and 13th Streets. Note that while most of Sunset Beach strand accretes sand, this portion of the beach strand suffers some erosion. The sand deposited is expected to drift westward along the beach toward the jetty over time.

An amendment to the previously approved CAMA permit for this section of the project reflecting the change was submitted to CAMA on August 3. CAMA will review the permit modification application for completeness then open it up for public comment. The expected issuance date for the permit modification based on a 75-day review period is October 31. However, depending on the volume of comments received, the date could be extended to January 14, 2021.

The federal permit package was issued to the USACE on August 19. Allowing for the comment period, approval is expected by January 19, 2021, though with a high volume of comments this could be extended.

Assuming these two permits are issued as planned, dredging work could start as early as March 31, 2021. The CAMA permits do not allow excavation work in the period from April 1 through September 30 each year to protect juvenile shrimp and finfish populations. Placement of beach-compatible material in the nearshore is not permitted from April 1 through November 15 to avoid the turtle nesting season. The permits expire on December 31, 2021 for Mary’s and Turtle Creek sections and on December 31, 2022 for the remainder of the project.

At the Town Council meeting on August 18 a special assessment preliminary resolution for the project was passed. There will be a by-invitation meeting for the 334 benefited property owners on Saturday, September 21 at 10 am at the Fire Department, but watch the Town website for possible changes. Assessment will be by parcel with the Town general revenue contributing a share due to the frontage of the Town Park on the project. Assessment notices are expected to be sent to the benefited property owners once permitting is approved.

— *Bruce Hovermale*

Sunset Beach and the COVID-19 Pandemic

While many of us consider Sunset Beach to be a "great place to escape to", not even our beloved seaside town has been immune to the impact of the COVID-19 pandemic. The pandemic is a moving target, so it is difficult to say what the situation will be by the time this article goes to press. (And recent trends in North Carolina and nationally have shown some improvement, though the numbers are still high.) But the following is a quick summary of the pandemic's impact on Sunset Beach and the executive orders issued by the town and the state to deal with the pandemic. Also, see Ann Jensen's article following in this newsletter for specific information on mask wearing and the one-way walkways to access the beach.

First, a few numbers: As of mid-August, there have been 45 reported cases of COVID, with no deaths, in zip code 28468, which encompasses the Town of Sunset Beach. For Brunswick County, there have been 1,310 cases and 22 deaths. For nearby Horry County, SC, (the county of Myrtle Beach), there have been almost 8,828 reported cases and 169 COVID-19 related deaths.

Sunset Beach has been subject to the Executive Orders issued by NC Governor Roy Cooper in connection with the pandemic. The first state Executive Order was issued on March 10th, declaring a state of emergency, and was largely focused on relaxing state regulations and providing resources to deal with the pandemic. Subsequent state executive orders included, among other things: the closing of K-12 public schools; prohibiting dine-in eating at restaurants and bars; made unemployment benefits more widely available; put into place a "stay at home order" through May 20; closing of certain businesses; issued social distancing rules, including restrictions on the number of people who could gather; prohibited utilities from shutting off customers during the pandemic; and provided for more health care beds and workers.

A NC Phase 2 "Safer at Home" set of measures, which relaxes some of the previous restrictions, is currently in effect, through at least September 11th.

The Town of Sunset Beach issued a number of Proclamations that established local restrictions in connection with the pandemic, which included, among other things: closure of the beaches and the Town Park, closure of other Town facilities, cancellation of Town events, prohibition on rentals, and movement in and about the Town. Subsequently, many of these restrictions have been relaxed including re-opening of the beaches on May 6th and the resumption of rentals on May 22nd. Various other social distancing restrictions and guidelines remain in effect.

Area businesses have done their best to react to the rapidly changing business environment. Many local restaurants emphasized delivery and take-out options. Local supermarkets have been very busy, often with certain staple products sold out or in low supply, especially earlier in the summer.

As more has become known about the coronavirus, official guidelines have begun to indicate the relative safety of outdoor activities, provided that social distancing guidelines are followed.

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This has tended to make Sunset Beach residents and guests feel more secure while engaging in some of the favorite local activities at the beach and on local waterways.

— *Ken Sekley*

Summer Season 2020

We are presently in the throes of a worldwide coronavirus pandemic. Those of us who live here year round are fortunate enough to be hunkered down in a beautiful spot, but it certainly has made us very aware of our surroundings. When the quarantine went into effect this spring, our Town Council wisely put restrictions on beach going limiting activity to walking, running, and biking in order to avoid large gatherings. Additionally, beach rentals were suspended. Later, the beach was temporarily closed to all for several weeks, and there was no public parking allowed. Along with Sunset, many other coastal beaches were closed. Governor Cooper relaxed restrictions in May and Sunset reopened May 6th with limited activity again in place. The beach opened up to all activity on May 15th along with public parking, but social distancing was advised.

One way walkways have been instituted this season to help with social distancing. Although many have adhered to this directive, there are some people who insist on using the walkway closest to their rental property or parking spot. Due to damage to some walkways, following Hurricane Isaias the one way walkway restrictions were lifted.

As far as mask wearing is concerned, I think you would find it difficult to find someone on the beach wearing one, but mask wearing in the grocery store, pharmacy and post office has greatly improved as the season has gone on.

There are still a multitude of cabanas on the beach this year in a single line but as you get farther away from the pier, there are some gaps.

Dog owners can rejoice this year, beginning the Friday before Memorial Day thru Labor Day pets are permitted on the beach during the hours before 9:00 am instead of 8:00 am and after 6:00 pm.

Judging by the crowds on the beach this year and the full parking lots, it appears that people are more anxious than ever to enjoy a beach escape this season.



— Ann Jensen

Development in and around Sunset Beach

Developments either planned or already under construction will add hundreds of new homes to Sunset Beach and its surroundings. Below is a brief summary of what is going on.

A. Sea Trail

The big news is the August 4th announcement that all of the undeveloped portions of Sea Trail were sold to Riptide Builders on July 31. Riptide is a Sunset Beach builder that has already been building in Sea Trail. Mr. Pan will continue to own and operate the golf courses and commercial property in Sea Trail, but all further development will occur on land owned by Riptide. Riptide will also become the controlling entity of the existing Community Homeowners Association.

It is not clear how many homes could be added to Sea Trail, as not all of the property has been planned or platted. However, it is likely that many hundreds of additional single homes and multi-family residences will be added in the next few years. Much of the process will need Town and state approvals, and construction of additional infrastructure. Nevertheless, it is clear that Sea Trail will greatly expand in the near future.

Sunset Beach Town officials met with Riptide the week of August 10. Riptide said that its purchase includes 221 total acres, and that it plans to move ahead with single family development except for a continuation of the multi-family Eastwood Bluff town homes.

Although some of the property has been approved for development in the past, and Riptide intends to stay more or less with those plans, some revisions will be made and need Town approval.

Riptide has also hired a company to review the stormwater system and move forward with repairs to the system.

It appears the golf course owner is looking to put the driving range on a different piece of property, and that the current driving range will be turned into a subdivision.

There is other current development in Sea Trail. A developer is seeking approval for new single family homes on 49 lots in Sea Trail located at Clubhouse Drive and Crooked Gulley. The lots are about 15,000 square feet, and the development would be called “Byrd’s Watch.” The project was submitted to the Planning Board for approval in late July 2020, and will be heard by the Board on August 20.

B. Artesa Village

Located on several acres behind the Dock Street and Village Park developments, Artesa Village will include three buildings containing 72 rental apartments (12 one-bedroom, 36 two-bedrooms, and 24 three-bedrooms). The units are qualified for federal credits granted for housing that must be affordable for persons with incomes of 40%, 50%, or 60% of the area

median income. Access to the development is through Queen Anne Street and High Market Street, both of which are private streets running through Dock Street and Village Park. Building is ongoing, with all three buildings up and nearing completion. It is understood that the first building will be completed and ready for rental by October or November, and that all three will be finished by January or February. So far, the Town reports no issues with the construction. The developer is using a construction entrance off Angels Trace Road, and so far has been pretty successful in limiting construction traffic through the affected communities.



C. The Sanctuary

Bill Clark Homes has been approved to develop 363 new homes in a 138 acre portion of Jaguar's Lair, to be called The Sanctuary. The development will have access from Route 904, and include part of Angel's Trace Road, which will be restored to allow access from Sunset Boulevard. All but 12 lots will be in the Town's Extra Territorial Jurisdiction, with the other 12 within Town limits. Some lots will be next to the Sea Trail golf courses. The development will include a clubhouse and other amenities.

Land clearing, grading, and preparation for phase one (about 40 acres) recently began, and is expected to be completed by the end of August or early September. The developer is planning to construct a berm along Route 904, similar to that further up the road at Sunset Ridge, which will be landscaped to partially screen the development. Construction of homes is not expected until next spring.



View from east side of 904 across from ABC store looking northward toward The Sanctuary

D. “Townes at Seaside”

H & H Homes has purchased land and will be developing duplexes on 108 lots (216 homes). The project is to be called “The Townes at Seaside,” and is located just off Route 904 near the Post Office. The project is within Town limits and has been approved by the Planning Board. The developer broke ground in early August with some clearing and grading. Construction of the homes is expected to begin in the spring.

E. Sunset Ridge

The final phase of Sunset Ridge (also just off of Route 904 as one heads toward Old Georgetown Road) is underway with clearing complete and installation of infrastructure underway. However, the wet summer caused some delay. Water and sewer is in, but stormwater protection is still under construction. It is expected that construction of homes will begin in October. When fully developed, Sunset Ridge (another Bill Clark Homes project) will include more than 400 single family homes, and 100 townhomes.

F. Summerwood

The developers of Artesa preliminary application to the North Carolina Housing Finance Agency to construct an apartment complex at the corner of Sunset Common Way and Seaside Drive was not approved by the state. (Sunset Common Way is the road leading into the Sunset Commons development for seniors that was de-annexed from Sunset Beach a few years ago following completion of construction). The development would include 84 apartments with a playground, community center, and picnic shelter, and presumably would have the same income restrictions as Artesa. This development is within the Town limits. However, it is not yet clear whether this project will go forward.

G. Commercial development next to Dollar General

A developer had been discussing with the Town planning department building a commercial building on the land next to Dollar General. The building would be around 10,000 square feet, with six units intended for retail or office use. However, the Town Planning Director advises that the pandemic appears to have derailed the proposal, and there has been no further movement.

H. Old beach store

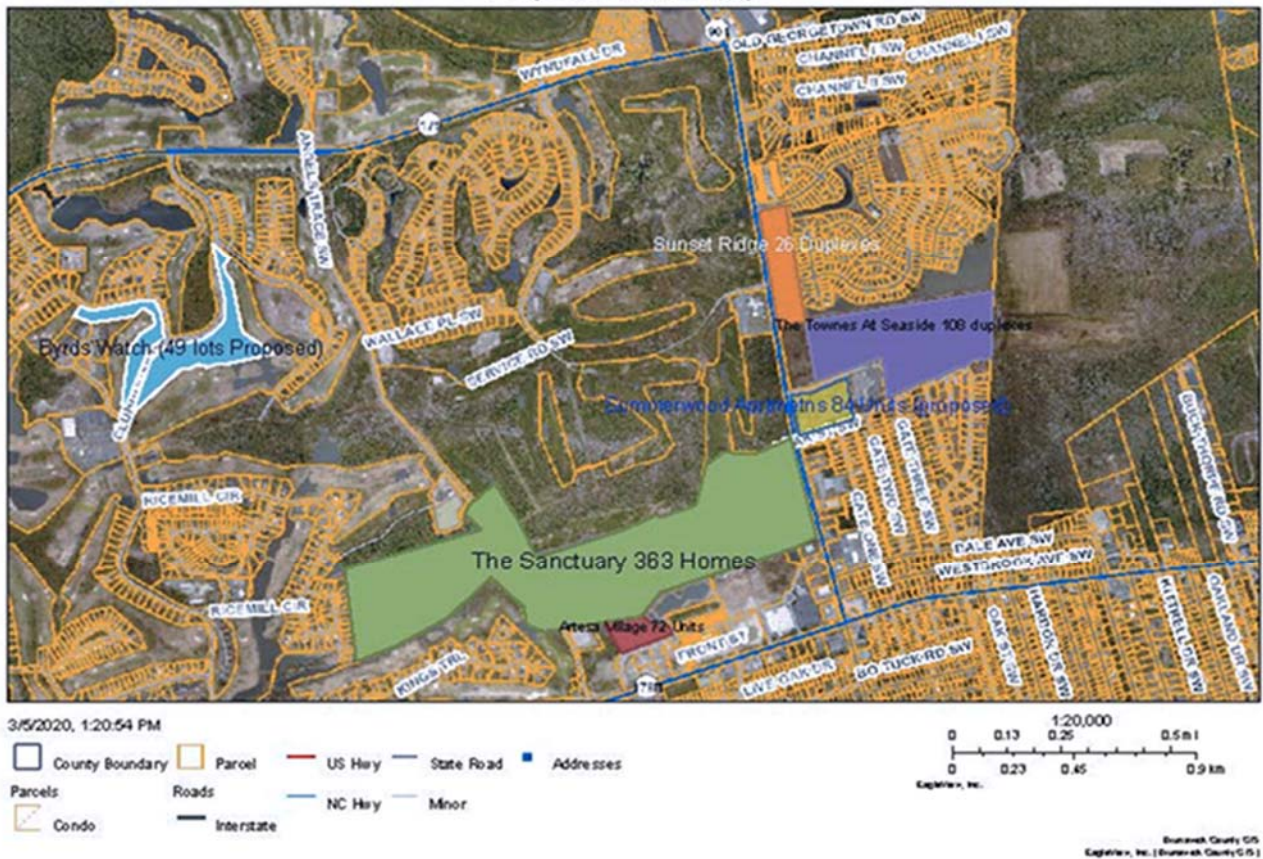
The Town planning department has had discussions with various persons who want to convert the failed beach store near the ABC store to a multi-tenant commercial building. However, nothing is imminent and the building remains vacant.

I. Development in general

Construction of the senior community New Haven in Calabash continues apace with completion and occupancy scheduled for the next few months. Building also continues at a high rate of speed in the Heather Glen Community (Rt 17 just on the other side of Calabash) and the Kingfish Bay community in Calabash (which has now completed a clubhouse on the Island next to the clubhouse for Ocean Ridge).

Overall, in 2019 there were 2,506 building permits issued in Brunswick County, which led North Carolina Counties, and another 4321 in Horry County, SC. Seventy five of those were in Sunset Beach. Data for 2020 is not yet available, but development is expected to have slowed slightly due to pandemic-related delays. Nevertheless, as of early August there were 12 homes under construction on the Island, and 19 on the mainland in Sunset Beach. The area is growing enormously, with predictable impacts on traffic, the beach, and the Town in general.

Project Location Map



— Peter Scott

Town Personnel Changes

Town administrator Hiram Marziano has resigned citing personal reasons. Lisa Anglin, currently the town clerk, will take on the additional position of assistant town administrator, and temporarily the role of town administrator, until another person is appointed.

Hurricane Isaias

On August 4, 2020 Hurricane Isaias, the ninth named storm and second hurricane of the 2020 Atlantic hurricane season, made landfall at Ocean Isle Beach. The eye approached in the evening on a high tide and full moon. Winds were reported as peaking at 85 mph at Ocean Isle Beach, though they seemed lower at Sunset Beach. Ocean Isle Beach, Holden Beach and Oak Island received major damage. Sunset Beach suffered very little structural damage-the usual damage to shingles and siding in a few places and some docks washed away. The storm moved very quickly over land with only about 3.6 inches of rainfall. As the storm came ashore near high tide, tidal surge flooding occurred on the causeway, Riverside Drive, around the fish streets, 40th Street, Inlet Street, and Bay Street areas.

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The beach dunes took the brunt of the storm losing about 10-20 feet of the primary dune. This had the effect of undercutting several of the walkways—mostly on the east end of the beach. The walkways at 3rd St, 5th St, 7th St, 10th St, 11th St and 1318/1402 were damaged and closed for use until repair could be made.

While we were having a great turtle season until this storm, the sea turtle nests were almost completely destroyed with only two or three thought to survive.



Beach looking west before Isaias



Beach looking west after Isaias

— Bruce Hovermale

Frank Nesmith



Sunset Beach has lost a treasure, a comic, a poet, an amazing body of knowledge, a man who was endlessly curious, and an inspiration to anyone who met him. He was, and always will be, the Kindred Spirit and Mr. Bird Island. Frank Nesmith passed away peacefully on Thursday, July 16th, at the age of 93 at his home. He cared about everything – people, birds (especially mergansers), crabs, minnows, plants (especially *Spartina*), sand, water, the sun, the moon, history, and poetry.

Sunset Beach will be forever grateful for the contributions that Frank made to the area. Frank is best known for the Kindred Spirit mailbox. His daughter Lynn wrote in her tribute to him, “In 1975 a chance meeting between Frank and Claudia Sailor, an artist selling her paintings in a booth on the island, changed both of their lives. Their collaboration would also greatly influence the lives of so many others. Together they came up with the notion of the Kindred Spirit. They mounted a simple metal mailbox on a weathered driftwood post and placed inside an empty notebook with an inscription inviting anyone who discovered the journal to read the existing messages and compose their own. A spit of land in Tubbs Inlet, accessible only by boat and christened Isle de Claudia, was the original setting of the Kindred Spirit Mailbox. Tubbs Inlet has always been defined by fickle currents and shifting sands so it wasn’t long before the island was disappearing, and the mailbox was moved to Bird Island in the late 1970s.” Here’s the original Kindred Spirit shortly after it was moved to Bird Island, I think.



The Kindred Spirit mailbox has become a key attraction at Sunset Beach having been featured in numerous magazine stories, for example in an [Our State Magazine article](#), and on a [CBS News report](#) and on UNC-TV – [here](#). It is also the setting used in Nicholas Sparks' book *Every Breath* – [see synopsis here](#). *TripAdvisor* website rates it as the number 1 attraction in Sunset Beach – [see here](#).

Again, Frank's daughter Lynn says in her Facebook tribute, "Placing the Kindred Spirit mailbox on Bird Island was a lark. No one could have possibly predicted what a positive impact it would have on the future of Sunset Beach. In the early 1990s when plans for developing Bird Island into a private resort were moving ahead, Frank started leading nature tours along the pristine stretch of beach. He always said, "If you could get them to go walking out there to Bird Island, they would fall in love with it." The Kindred Spirit mailbox was the destination and the magic of that place convinced a lot of locals and tourists that the island should be preserved. A frivolous lawsuit charging that Frank's beach walks were trespassing brought national media attention, including an article in the New York Times on January 2, 1995.

Bill Ducker, Minnie Hunt, Sue Weddle, Nancy Hughes Miller and countless other kindred spirits were instrumental in the formation of the Bird Island Preservation Society. Thanks to their effort, in 2002 the state of North Carolina purchased 1,200 acres and created the Bird Island Reserve. In 2019, an additional 35 acres were added to the original tract.

Frank was also instrumental in preserving the area that became the gazebo and public parking area. In 1958 when Frank's father purchased property along the Intracoastal Waterway from Mannon Gore an old-fashioned "Gentlemen's' Agreement" still held weight. Old Man Gore, as he was called by nearly everyone, shook Ben Nesmith's hand and promised that the causeway road would extend to the Atlantic Ocean with a 100-foot dedicated public right of way. Property owners within Mr. Gore's Twin Lakes Development on the mainland would always have free and easy beach access. In 1977 Mannon's son, Ed Gore, chose to disregard his deceased father's promise, and put up a barricade to block the public from traversing the land,

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which came to be known as Lot 1A. Frank crossed the barricade and was charged with trespassing. It took twelve years, but in September 1990, Frank was vindicated by the NC Supreme Court. That ruling came after a five-year legal battle brought by Sunset Beach Taxpayers Association and other co-defendants. The land where Frank had trespassed was rightfully returned to the public. Lot 1A is now home to the gazebo, public parking, and a gateway for visitors to the beach.”

Frank was a recipient of The Order of the Long Leaf Pine. The prestigious gubernatorial award is bestowed on citizens for exemplary service to North Carolina and their communities that’s “above and beyond the call of duty,” according to The Order of the Long Leaf Pine Society website.

Mr. Frank rode to Bird Island on his 3-wheeler, even when he was the [only man on the beach](#).

Surely, we should keep looking for him on the beach.

— *Nina Marable and Bruce Hovermale*