

**\*\*\*\*\*DRAFT MINUTES FOR REVIEW-FINAL COPY AVAILABLE**  
**MONDAY\*\*\*\*\***

**MINUTES**  
**TOWN OF PITTSBORO**  
**PLANNING BOARD REGULAR MEETING**  
**MONDAY, MARCH 1, 2010, 7:00 P.M.**

**ATTENDANCE:** Kenneth Hoyle, Chair, Alfreda Alston, Vice Chair, John Clifford, Jimmy Collins, Harold Howard, and Karl Shaffer.

**STAFF:** Planner David Monroe.

**CALL TO ORDER**

Mr. Hoyle called the meeting to order at 7:00 p.m.

**APPROVAL OF MINUTES OF FEBRUARY 18, 2010**

Mr. Hoyle indicated the minutes were not yet available for review and would be considered at the next meeting.

**NEW BUSINESS**

- **Rezoning Request by Piedmont Biodiesel**

Mr. Monroe stated the request was to rezone 50,000 square feet of Piedmont Biodiesel property from Heavy Industrial to R-10 (Residential). He said the property to the east was zoned R-12M (mobile home), and to the north the property owned by Pittsboro Place Partners was zoned M-2 and M-3, to the south and west all the property was zoned M-2 and owned by \_\_\_\_ Investments. Mr. Monroe said from the application it appeared that the zoning request was consistent with the uses of the Biodiesel facility and they seemed to be fairly well committed to sustainable development. He said the use of the property was consistent with the Land Use Plan, and would not have an adverse impact on the value or adjournment of adjacent properties, and would actually improve the value of adjacent properties. Mr. Monroe said because it was an extension of residential to the east there were no legal issues with the rezoning request, and there appeared to be no obstacles to considering approval of the rezoning. Mr. Monroe stated that this request was for just over an acre, noting that the entire tract owned by Piedmont Biodiesel was 14 acres.

The Board briefly discussed the uses and sizes of the tracts surrounding this property. Mr. \_\_\_\_\_ moved to approve the rezoning request, seconded by \_\_\_\_\_, and the motion was passed

unanimously. Mr. \_\_\_\_\_ moved to approve the resolution, seconded by \_\_\_\_\_, and the motion was passed unanimously.

- **Town of Pittsboro Site Design Performance Review**

Mr. Monroe stated this review had been in process for most of the last 2 years, noting it had begun when NC State had put on a low impact development seminar, and a group had then been organized to perform a review using the Better Site Design Handbook prepared by the Center for Watershed Development. He said there were 22 principles that were examined in depth by a committee in regards to the Town's Subdivision regulations and Zoning Ordinance to see if there were obstacles in those two documents that would prevent including site design using low impact design procedures, and this report was a result of that analysis. Mr. Monroe then turned the presentation over to Ms. \_\_\_\_\_.

Ms. \_\_\_\_\_ stated that the handbook had been widely used for the last 10 years throughout the southeast. She said the purpose behind the principles was to allow for economic development while better protecting their receiving waters. Ms. \_\_\_\_\_ said there were five key strategies of low impact development to try to maintain pre-development hydrology:

1. identify and conserve your natural areas
2. minimize development impacts through site footprints
3. optimize the amount of water infiltration happening on a site
4. put in best management practices by moving away from large stormwater ponds to more decentralized smaller practices
5. pollution prevention and education

Ms. \_\_\_\_\_ stated the handbook contained 22 principles as well as a code and ordinance worksheet that helped them to compare the Town's regulations and ordinances to those 22 principles to help them identify areas for potential change. She then provided highlights of some of the recommendations of the committee which were broken down into 3 different areas: streets and parking lots, habitats for people, and natural areas.

- Several principles dealt with street and parking lots, to find ways to reduce the amount of impervious surface.
  1. Street length and width – to design residential streets to achieve safety and impervious surfaces were reduced. Recommendation: to have residential streets 20 feet wide and add another 8 feet if on-street parking was provided.
  2. Managing corners by having flare-out sidewalks to increase pedestrian safety and to allow large vehicles to make safe turns.
  3. Reduce the radius of cul-de-sacs to about 35 feet, but that had not been considered to meet the needs of Pittsboro. Recommendation: to have cul-de-sacs at 45 to 50 feet but to consider landscape areas in the middle to help mitigate the impact of cul-de-sacs.
  4. New standards for parking were lower than used in the past but allowed for additional spaces if pervious.
  5. Using grass swales to convey and treat stormwater.

6. Parking lots should have no runoff that flowed directly to streams and should have some means of stormwater management. The use of pervious materials and spillover areas should be used to reduce impervious surfaces.
  7. Landscape areas in parking lots could serve double-duty as infiltrative practices.
- Some principles dealt with habitat for people, including lot design and density and how to protect open space, with sidewalks and driveways being a part of that.
    1. Open space development with flexible lot sizes and variations so that developers did not have to reduce the number of structures or suffer any loss; infrastructure installation cost would be reduced because water and sewer lines would be clustered more closely together with not as many linear feet to serve the same number of customers. One way to incentivize those types of developments would be to allow density bonuses if a percentage of a site were protected.
    2. Allow a stream corridor zone to count towards open space.
    3. The minimum area for planning and development was 25 acres, and a recommendation was to reduce that to 5 acres to allow for more flexibility and to make open space easier to achieve.
    4. Open space development and conservation was a larger issue than the committee would deal with effectively, in that that was a community-wide issue and should be dealt with in a separate process.
    5. County conservation planning effort currently ongoing with the Town participating to identify resources, and that information should be used in the Town's processes.
  - The last set of principles addressed natural areas, and the one the committee spent the most time on was stream corridor planning and protection. During consideration of stream corridor planning the Jordan Lake Rules were enacted, so the committee had gone back and compared to see that what they were recommending here was not contradictory to the Jordan Lake Rules, and had found that they fit together nicely.
    1. Stream corridor management recommendations were to provide filtration elements for runoff coming off development areas, to reduce downstream flooding, and to meet the net Jordan Lake strategy as required by the State.
    2. Diagram in the Appendix indicated 3 zones for perennial and what functions you were trying to protect by protecting those different zones. The first zone was recommended at 50 feet to provide runoff control from developments and disperse that runoff, the second zone provided the sediment and nutrient removal allowed the infiltration back into the ground, and the third was the zone closest to the stream which provided for the stabilization of the banks provided by trees.
    3. The diagram also showed what vegetation should be allowed in each zone and what the allowed uses should be.
    4. The table on page 50 provided an easy way to look at what those zones were recommended to be defined as, what the allowed uses could be in those zones, and the different types of vegetation management. There was also a recommendation for intermittent stream corridors at 50 feet on each side to include tree zones.
    5. Clearing and grading was important to consider with many communities forming local programs to better enforce State regulations, such as providing an erosion control officer that citizens could report problems to.

6. Develop tree protection goals to address things such as certain growth trees or percentage of canopy, and what kind of mechanism should be put in place to accomplish those goals.
7. Stormwater regulations had to meet the bare minimum requirements of the Jordan Lake nutrient strategy, and those performance goals were included in the report.

Ms. \_\_\_\_\_ said the recommendations began on page 6, noting that each principle as written was shown in blue, then there were the important discussion bullet points brought up by the committee, and then the recommendations. She noted that most of the committee members were present if the Board had questions.

Mr. \_\_\_\_\_ said an example was shown where the outer zone could be relaxed based on some type of development and open space. Ms. \_\_\_\_\_ said what she had been referring to was when you thought about encapsulating open space as being set aside on a development, and if you allowed that outer zone to count towards that open space, that would make it easier on the developer. She noted that some jurisdictions did not allow any property to be encapsulated into open space and some allowed all of it, so it was a community decision.

Mr. \_\_\_\_\_ said in regards to trees, when you were doing compact developments with open space, didn't you have to count everything because you would have very small lots with not much room to build a house. So, he said, you almost had to clear the lot and leave the open space around the outside. Ms. \_\_\_\_\_ agreed that could happen, but noted that each site would be different. She said one of the important things about low impact development was looking at the resources on the site and that maybe there were forested areas that provided more benefits than others. Ms. \_\_\_\_\_ said for example, if you had low lying wetland forests you would want to protect that. She said it was kind of a trade off, in that if there was a higher value to protect that kind of habitat, that forest, then it might make more sense to clear the rest of it.

Mr. Howard asked you had a 45-foot cul-de-sac and you put an isle in the middle, how you would move a truck around that cul-de-sac without them driving over that isle. Ms. \_\_\_\_\_ said that would be something to consider.

Mr. Monroe stated that the cul-de-sacs in Willow Springs were smaller than normal and had grassed areas in the middle. He said in the far end of that development there was one cul-de-sac in particular that trash trucks seemed to regularly drive over that fairly flat curb. Mr. Monroe said the other cul-de-sacs seemed to be working well.

Mr. \_\_\_\_\_ said in regards to Mr. Howard's comment, how would you write an ordinance that had a great deal of flexibility to cover all types of situations. Mr. Monroe responded he did not believe it was possible to cover all situations, but it was possible to develop an ordinance that included the conditions that they had now. So, he said, they were looking for that middle ground. Mr. \_\_\_\_\_ said he was not in favor of bringing development to an abrupt halt, but he certainly did not want a situation to arise like they had just been dealing with. He said he believed the wording of the ordinance would have to have some flexibility, but did not believe the flexibility should reach a point that it could be used by someone to do whatever they wanted to.

Ms. \_\_\_\_\_ said there were some interesting checklists that could be used, such as when you had site impact submission the checklists would assure that all issues had been considered. She said those lists could be provided to developers with the information that that was what the Town expected to see.

Mr. Monroe said if they had some low impact design standards in place they would not see painful reviews such as they had seen with Powell Springs, because the site would have been analyzed before it come to the Planning Board. He said that was one of the goals of low impact development; that is, to spend the time up front to reduce the impact up front.

Mr. \_\_\_\_\_ asked his opinion in regards to the 5 acre PUD versus the 25 acre MUPD. Mr. Monroe said he believed it was a great idea, noting it was a win-win for both the Town and the developer. He said with an MUPD, practically speaking, you would have to have water and sewer in order to reduce the lot sizes.

Mr. \_\_\_\_\_ said in regards to the 5 acre PUD and the 25 acre MUPD, what would happen once you went beyond 25 acres. Mr. Monroe said the difference between the PUD and the MUPD was that the PUD was residential and the MUPD had various commercial uses. He said that was why the MUPD really needed to be a larger contract.

Mr. \_\_\_\_\_ asked about the reference to driveways. Mr. Monroe said there had been some discussion about shared driveways, and that was a hard sell in a rural area to the development community and he doubted they would see any opportunity for that. He said one of the things that happened with shared driveways was that you were forced to neighbor, in that you became conscious of your neighbors' comings and goings, much more so than you would otherwise. Mr. Monroe said on the east side of Hillsboro Street there were at least 5 shared driveways that he knew of, with one of the curb cuts on Hillsboro Street serving 4 or 5 houses. He said up to now shared driveways had not been encouraged.

Mr. \_\_\_\_\_ asked if he saw a trend towards shared driveways. Mr. Monroe replied he would like to have the opportunity to explore that and perhaps encourage it. He said he believed it would be an individual choice and did not believe you would see a lot of people choosing to do that.

Mr. \_\_\_\_\_ said on page 12, the second full paragraph, said that cluster developments had lot size flexibility but not setback flexibility, and that setback and fringe flexibility should be provided in order to increase open space and setbacks should be consistent with neighboring lots. He asked to have that explained. Mr. Monroe said that setbacks, both front yard and side yards, remained in place, but the footprint of the structure was generally reduced along with the lot size itself. Mr. Monroe said they had had a lot of difficulty in Potterstone Village, where the setbacks were not rigid and lot sizes were reduced. He said people had wanted to build a 3 bathroom, 4 bedroom house on a lot that just could not support it. So, he said, there were a lot of adjustments to house designs because the lot sizes had reduced.

Mr. \_\_\_\_\_ asked was there a certain distance that a water meter had to be from a driveway. Mr. Monroe responded that was not stipulated at the present time.

Mr. \_\_\_\_\_ said on page 12 there was a recommendation in regards to sidewalks, and asked if sidewalks were being recommended on both sides or on one side. Mr. Monroe said the current language in the ordinance required a sidewalk on both sides, but the Commissioners could choose to have a sidewalk installed on only one side. He said he would like to encourage sidewalks on only one side as a stormwater management tool.

Mr. \_\_\_\_\_ asked for that issue, didn't you have to take safety into consideration. Mr. Monroe replied yes, but sidewalks on one side were safe.

Ms. \_\_\_\_\_ said the recommendation the committee had come up with said that requiring sidewalks on one side required that special approval as a stormwater tool, but it was not an easy tool to use because of the residential concern.

Mr. \_\_\_\_\_ said a case in point was the one side only sidewalk to be built on 15-501 North from Cole Park Plaza to the County line. He said the side it was to be built on was what he considered to be the commercial side. So, he said, if he lived on the other side he would have to cross 4 lanes of traffic in order to utilize the sidewalk, and to him that was a big safety issue.

Mr. \_\_\_\_\_ said it was mentioned that streets would be 20 feet and an additional 8 feet for on-street parking. He said where he lived, the Town controlled his street, and that street was no more than 20 feet across so it would not allow for on-street parking. Mr. \_\_\_\_\_ said his concern was emergency vehicles on his road, as well as the cul-de-sacs with roundabouts, because you could hardly get emergency vehicles around there, adding that mailboxes were frequently knocked over now. Mr. Monroe said they had talked with the Fire Chief who had told them that their base fire trucks were 9 feet, six inches wide, and could safety pass one another on a 20-foot wide street. He said if they had a 20 foot street with an additional 8 feet for parking, it became even less an issue.

Mr. \_\_\_\_\_ said the report also said that stream corridors within subdivisions shall be held by homeowners associations rather than by individual homeowners, and that a maintenance plan had to be recorded with the Town for management of the stream corridors. He asked what that plan would include. Mr. Monroe said it would include inspection of vegetation on an annual basis and repair and replacement as needed.

Ms. \_\_\_\_\_ said it made enforcement easier if they were dealing with a homeowners association rather than an individual.

Mr. \_\_\_\_\_ asked if Chatham Forest was a part of an HOA. Mr. Monroe replied they had an HOA.

Mr. \_\_\_\_\_ asked if there were recommendations about streets and roads, noting he had noticed only cul-de-sacs, street diameter, and the like. He said he was looking for references to curb and gutter, noting that when talking about sidewalks uncurbed streets would be an issue. Mr. Monroe said they should have a grassy swale between the edge of the sidewalk and the edge of road pavement, noting that was necessary for safety purposes. He said that curb and gutter

allowed you to reduce that space, but it also created more stormwater issues than it solved. Mr. Monroe said the grassy swale was much preferred in terms of stormwater infiltration.

Ms. \_\_\_\_\_ noted that was addressed on page 7.

Mr. \_\_\_\_\_ said under Principle #4, again addressing cul-de-sacs, it said that alternative turnarounds should be considered. He asked what would be considered an alternative to a cul-de-sac. Mr. Monroe said a T-intersection was a good example.

Mr. \_\_\_\_\_ said the report talked about sidewalks serving two purposes, one for the person walking on the sidewalk and the other so that larger vehicles would have some room for turning. He asked was that considered a safety issue. Mr. Monroe said actually they had approved that kind of design with Patrick Steele's project, where the radius of the sidewalk included reinforced concrete and a rolled curb, so that a vehicle could drive up over the curb. He said that constructed signs would be installed warning of that.

Mr. \_\_\_\_\_ asked would 20-foot-wide streets have curb and gutter, or would they have ditches. Mr. Monroe replied they could have ditches, but you would likely not see that. Mr. \_\_\_\_\_ said he believed that most of Ferrington Village had no curbing. Mr. Monroe agreed.

Mr. Monroe said their purpose tonight was to bring the principles to the Board's attention and then to begin preparing some ordinance amendments for the Board's review.

Mr. Hoyle asked was the Board ready to continue with that, or was another discussion needed. The Board agreed they needed another month to digest the information.

Mr. Hoyle moved to table the issue to the next meeting, and Mr. Clifford seconded. The motion was adopted unanimously.

- **Planning Board Members Concerns**

There were no issues brought forward.

## **ADJOURN**

Mr. Hoyle moved to adjourn the meeting at \_\_\_\_\_ (by the tape, it appeared to be around 50 or 55 minutes, so around 7:55?) p.m., seconded by Mr. \_\_\_\_\_. The motion was adopted unanimously.