

**MINUTES
PLANNING BOARD
May 2, 2006**

MEMBERS Present: Jim Boericke, Eric Oliver, Edna Ellis, Toby Vandemark, Matthew Farrelly, Barrie Wallace, Paul Newton, Tom Campanella, Dave Remington

STAFF: Margaret Hauth, Bob Hornik

PUBLIC: Jeff Black, Jim Parker

ITEM #1: Call to order and confirmation of quorum.

Mr. Farrelly called the meeting to order at 7:03 p.m. and confirmed the quorum.

ITEM #2: Adoption of minutes.

MOTION: Mr. Oliver made a motion that the minutes of the April Planning Board meeting be adopted.

SECOND: Mr. Boericke.

VOTE: Unanimously approved.

ITEM #3: Additions to the agenda & agenda adjustment

Ms. Hauth stated that she had an addition to the agenda and had provided information through e-mail. She drew the members' attention to maps at their places. She reported that in the Town Board's deliberation on the Riverbend Subdivision, in light of the recommendation from the Planning Board that the Town Board considers annexation of the property, they had asked the applicant to come back with some variations on the plan to show what the impact of converting to the 60-foot road right-of-way would be. Those variations were in front of the Board. The applicant had stated that the applicant still preferred his applied plan, #1. There were four other options presented which showed the 60-foot right-of-way. The buffer area was shown for information to show that there were still some variances needed if the conversion was made to a 60-foot right-of-way. Ms. Hauth continued that this was a late-breaking agenda item and that it was her mistake that the members did not get notice of it because she misunderstood what was agreed to at the Town Board meeting and apologized for the mistake. She asked that the Board add the item to the agenda to at least begin its discussion possibly between Items 5 and 6.

Mr. Farrelly stated that he thought the addition was reasonable and asked for objections. Ms. Wallace said she had no objections but was wondering also if someone could give her a run-down on St. Mary's rezoning, since she was unable to make it to the Town Board meeting. Ms. Hauth said that it would be covered under the Committee Reports item. Ms. Ellis commented that she really did not like such things being added to the agenda unless it was publicized to the general public. The neighborhood involved wouldn't know that it was to be on the agenda. She didn't feel that she should vote on the item at the current meeting. Mr. Farrelly responded that he felt they had been asked to start on the discussion and that he felt they could do that. Mr. Newton added that they might not even have to vote unless they wanted to change something. Mr. Farrelly reminded the board that they had already made a recommendation. Ms. Wallace asked what action the Board would be taking. Mr. Farrelly responded that at the moment the question was whether they were going to adjust the agenda to talk about the item and asked for a motion.

MOTION: Mr. Newton moved that the Wes Cook application be added as Item #5B and adopt the agenda as presented with that addition.

SECOND: Ms. Vandemark

VOTE: Unanimously approved

Mr. Farrelly asked for further amendments or adjustment and there being none, moved to Item #4.

ITEM #4: Committee reports and updates

Board of Adjustment

Ms. Wallace reported that the Board of Adjustment elected the chairman, Bill Crowther, and Allen Hartkopf as the vice chairman. Ms. Hauth added that the variance request from the Methodist church was withdrawn.

Parks and Recreation Board

Ms. Hauth reported that the Parks and Recreation Board did some debriefs from some things they had been involved in and the preparation work for upcoming things. The Easter Egg Hunt at Carillon went well with a great turn out. The final design plan for the Hillsborough Heights neighborhood park was received. They are about ready to order the equipment for the park, so it should be available for playing this summer. Some time was spent discussing an alternative alignment for the Riverwalk as apparently one of the property owners is now slightly more in favor and there is a possibility of saving the cost of a river crossing bridge by staying on the south side of the river almost the entire length and also avoid disturbing some of the most archeologically sensitive areas. That is being pursued and the acquisition agent will talk with the property owner to see whether he is as interested in as has been reported. The eliminated bridge would be the one on Wake Street.

Strategic Growth Plan

Mr. Remington reported that the Strategic Growth Plan Committee meeting centered on transportation issues as sort of a counterpart to the previous discussion about water and sewer. These items are the big constraints on what ideally might be chosen to do. There were some interesting facts and projections, one of which was that only about 25 percent of Hillsborough residents live and work in Hillsborough and about half commute to Durham or Raleigh. Eighty-one percent drive alone to work. The information came from census data which does not take into account the number of people from outside Hillsborough who commute into Hillsborough. One study suggests that the daytime population of Hillsborough is more than the nighttime population. There were some traffic volume projections for 2030 that indicated that Elizabeth Brady Road, if it's built, would be over capacity as well as Churton Street. The main effect of Elizabeth Brady is projected to be to carry traffic from the north through to 85 and therefore take traffic off of 70. The upshot is big increases in projected traffic from the north coming down 86. The bottom line was the suggestion that the best places for residential development are the south and east, not to the north. The feeling was that light industrial use to the north would be good because the flow of traffic would be counter to the asymmetries of the peak flow in the morning and afternoon and would generate a lot less traffic in residential. The next meeting will flesh out of some of the alternatives scenarios that were previously discussed.

Scheduling discussion related to June 5 special hearing

Mr. Farrelly moved on to the final topic of the Scheduling Discussion Related to the June 5 hearing. Ms. Hauth first reported on the public hearing that the hearing on Ashton Hall was closed, so that item can proceed forward; however, the Town Board will not see it at its May meeting. Staff is still working with the applicant to work out some of the details on the water/sewer extension agreement. The items for Waterstone and the Walters' rezoning were continued to the July hearing. The Town Board actually closed the hearing on the Walters' request and scheduled immediately a new one for the July Public Hearing. That triggers new notification requirements and freshens up the

application. Both parties can now submit new information, submit new protest petitions as if the application had just been submitted.

Ms. Hauth further reported that the Town Board did schedule a new public hearing for Monday, June 5th, to address the items that couldn't be heard because of the ad being wrong in the newspaper. Normally there is a week between the public hearing and the Planning Board meeting so there is enough time to gather public comments, prepare the agenda packet, and allow the members to review the items from the public hearing. If the special public hearing were called on the 5th, as the Town Board has scheduled, the Planning Board's regular meeting would be the following night. There would be three text amendments and the Old 86 Commons project. She asked if the Board would then be willing to address those items on the night immediately following the public hearing or if the members would prefer to hold them till July. The problem with holding them till the July meeting is that if a recommendation is not made in July or the Town Board would carry them over, there wouldn't be final resolution on some things until September which is the same time frame applicants would have had if they had just been heard at the July Public Hearing.

She stated that she felt that part of the reason the Town Board scheduled a special public hearing was that the text amendments are time sensitive, one being the courthouse on which there are some time constraints, another being the development applicant who wants to proceed with due diligence. The other problem with the Planning Board's July meeting is that it falls on the 4th and already has been rescheduled to the 11th, the day after the Town Board meeting. She asked if the Board wanted to reschedule the June meeting or move their July meeting up a week to June 27th to allow things to follow through or would the Board be willing to consider the projects the night following the special public hearing.

Mr. Remington stated that it made sense to him to begin discussing things on the 6th of June, the night following the public hearing, and if the Board doesn't feel prepared to make decisions, at least they could discuss it so they would be aware of what the questions are and be better prepared to make decisions. Ms. Ellis said that she did not feel comfortable taking the items the night after the public hearing because it didn't give enough time to research or gather further information.

Mr. Farrelly asked Ms. Hauth about her suggestion to meet on June 27th, and she reiterated that if the Planning Board met on June 27th, the members would have an opportunity to make recommendations on things and get them to the Town Board before they take the month of August off. If the Planning Board stayed with its rescheduled meeting on July 11th, that opportunity would be gone. Mr. Farrelly agreed that having the meeting on the 27th would be best in terms of giving the Planning Board time to review the items and make a recommendation to the town Board.

Mr. Oliver said that he agreed with Ms. Ellis that the night following the public hearing would be too short a turn around to do the right kind of business. The public testimony will not be there until that night, and to do any kind of proper review of the information that's going to be presented, more time would be needed. He felt they needed the regular Planning Board meeting on the Tuesday in June because people count on the meetings as scheduled. Meeting the last week in June also would allow things to get on the Town Board agenda. He advocated for having the regularly scheduled meeting on June 6 and then having the July meeting rescheduled to June 27th.

Mr. Farrelly asked Ms. Hauth if she could anticipate some of what might be on the agenda for the Planning Board's meeting on June 6th. She said that staff was trying to pull together three or four text amendments for the July Public Hearing and thought that in the current meeting they might

look at addressing some of the issues that had been sitting for about a year. She suggested that they might say that the meeting on the 6th would be for only new items, not public hearing items, then reserve the June 27th meeting for public hearing items only unless the Board voted to continue something from their June meeting. Mr. Oliver observed that if the meeting on the 27th was restricted to public hearing items, the Board would be giving up any new items which would normally be heard in July. He did not think the June 27th meeting should be restricted. They should put on the agenda the items from the public hearing but leave it open to whatever comes up. Mr. Boericke commented that the restriction would be on the June 6th meeting to not hear the public hearing items and the June 27th meeting would be the normal July meeting. Ms. Hauth requested a motion on the rescheduling of the meeting.

MOTION:
SECOND:
VOTE:

Mr. Newton made a motion to reschedule the July Planning Board meeting to June 27th.
Ms Vandemark seconded.
Unanimously approved.

Mr. Newton asked Ms. Hauth in relation to mistakes which had occurred if the Town Board had allowed her to hire more help. Ms. Hauth responded that she had the job descriptions for new positions on the agenda for the Town Board meeting the following week. As soon as those are approved, she intends to offer those positions and have people on staff by May 31st.

ITEM #5:

Review information submitted by Ashton Hall to the February Town Board workshop.

Action requested: Discussion

Ms. Hauth reported that at the public hearing some members had requested copies of the slides from the applicant's February presentation to the Town Board, and she had provided paper copies at the current meeting. Not all of the information was presented at the Town Board meeting. The presentation by the applicant had only gotten through page 26 of the materials. She further stated that pages 39 through 42 addresses conditions which would be of interest to the Planning Board. Both the applicant, Rob Wilson and Jack Smyre had assured Ms. Hauth that it was their intention of meet all of the conditions recommended by the Planning Board. She explained that the drawings were not amended, but the words were.

Mr. Oliver noted that the greenway goes all the way into the shopping center and asked where the fence would start and stop. Ms. Hauth said that the drawing was her interpretation of the fence and she is the person who would interpret whether the applicant meets the condition. Her interpretation of what the condition is is that the fence would have to run the entire length of the properties that front on 70, the entire southern boundary where it intersects on residential property.

Ms. Ellis commented that she had attended the workshop and believed that the item had been added to the agenda when it had not been publicized. She stated that the issue that was alarming to everyone was the water situation about the water tank, re-engineering the water distribution. She did not feel that that information was ever heard by the Planning Board. Ms. Hauth confirmed that the Planning Board had not heard the details of the utility connections. Ms. Ellis continued to say that when people in town heard about it, they were up in arms because the applicant was proposing to put the line in, if approved, but expected the town to pay for it, and she felt the applicant should pay for it. Ms. Hauth said that the item was not ready for the Town Board because staff and the applicant are still negotiating the conditions of a water/sewer extension contract, and it has been the town's policy for years that the applicant would have to pay. Ms. Ellis asked why the Planning Board did not hear of the issue when they were deliberating. Ms. Hauth responded that it was not relevant as it was a water system question, a Town Board question. The details of water and sewer service are not usually the venue of the Planning Board.

Mr. Remington commented that he felt the water issue brought up a question which is that with the strategic growth planning they are addressing where the town can afford to provide water and sewer service. The discussion had him thinking whether this was an area where providing water service that will be adequate is affordable and it had him reconsidering whether there are more considerations pending the strategic growth plan.

Mr. Oliver said that he agreed with Ms. Ellis about not wanting to see his water bill go up just to finance water access for Ashton Hall. He also was wondering what the "Conditions of Approval" section was that appeared to be added which was beyond the conditions that the Board had placed. He directed the Board to pages 42 and 43 and asked if any conditions of approval were adopted at the Town Board work session. Ms. Hauth responded that those were two conditions that the applicant was seeking to have added to address some issues that they came up with dealing with parking and street trees. They had offered the two conditions to clarify some vagueness in the proposal.

Mr. Campanella asked if it could be relayed to the applicant that they needed to be more concise as the presentations tended to be tedious and they were not doing themselves any good. Ms. Hauth said that they had tried and the applicant appeared to understand. Mr. Hornik added that it had been conveyed to the applicant that some sources had referred to the presentation as a "bludgeoning." Ms. Hauth said they had been as clear with the applicants as possible. Mr. Newton suggested that the mayor might set a time limit on agenda items. Mr. Hornik added that generally speaking, the Board can set its ground rules with some limitations for quasi-judicial hearings.

Mr. Oliver asked the Town Attorney if the town approved the Ashton Hall project but lost a court case on the disputed boundaries, what would that do to the Ashton Hall approval. Mr. Hornik answered that the applicant might have to come in and get a modification of its approval depending on what happens to the boundary and how much difference it makes and whether it significantly alters where they can place some of their structures, amenities, et cetera. Mr. Oliver asked if they would come back through the Planning Board or through the Board of Adjustment or where. Mr. Hornik said that the zoning ordinance provides that they could come back and depending on the nature of the modification, although there is some room for the exercise of judgment, if it were a major adjustment, it would go to the Town Board which would decide whether a public hearing was necessary or that board could modify the SUP.

Ms. Ellis asked if anyone had done any calculations to see if all that was proposed could be put on the property without stripping every tree. She said she had not seen anything that would show that the development would fit on the property as proposed. Mr. Campanella stated that the applicant had shown the board a plan which works and is drawn to scale and is meant to show that the development can fit. Mr. Hornik suggested that if the plan shows 200 single-family residential dwellings, they could build 200 but not 206. They might come in and say they could only build 194 because of some terrain issue or something. If a plan is approved, it is for a maximum density.

Mr. Campanella continued that if the definition of "fit" was looser or is it the right use of the land, that's another issue. To build what was proposed, he felt the applicant would have to strip the site clean. Mr. Hornik added that the looser definition of "fit" was a policy decision the town makes when it decides if it's going to do the zoning portion of the application. Mr. Campanella said that the quandry with the project is that it is in theory a good kind of development as a walkable community with the density to create neighborliness, a sense of community, have a defined center,

playgrounds, sidewalks, walkability. Whether all that is appropriate in the designated location is the big question. Isolated from anyplace in Hillsborough, it is not a bad plan, but the real question is whether it is appropriate where the applicant is planning it.

Mr. Farrelly commented that that might beg the question of, "If not that, then what," or is it nothing until the strategic growth plan is in place. Mr. Campanella said that even with the strategic growth plan, if the area was determined to be a good receptor for residential development, then if the town does not go with a plan like the one proposed, it might be the default which is more large lot, suburban sprawlish type of development which moves away from a more walkable model. It is much harder to do new neo-traditional development, but they bring a much higher market value. Mr. Remington said that near where he lived which was traditional suburban development, people bought, built large homes, got transferred, and were having a great deal of trouble selling their houses.

Mr. Farrelly called for any further discussion and asked Ms. Hauth if there was anything further that she needed. Ms. Hauth said that she had understood that most people had wanted to see the information and discuss it but there was no particular action indicated.

Mr. Remington inquired about the recommendation which had been made several months prior and if that was still what the Planning Board wanted its recommendation to the Town Board to be. He also asked if it would be appropriate to reconsider that. Ms. Wallace said that she did not want to reconsider it. Mr. Oliver commented that he did not think they could reconsider it and didn't know if it would be legal or not. He added that the Board may have moved too fast, and it will be six months before the issue gets to the Town Board in which time other things have happened. He questioned whether the board wanted to act in that fashion in the future.

Mr. Farrelly stated that it was a recommendation and that the Board could reconsider it and make another recommendation. Mr. Hornik said that he would urge that if they did reconsider and make another recommendation, that the Board state as clearly as it could the basis for the change in the recommendation, what new information it has which has caused the change or what better understanding of the existing information it might have so that there is a clear record. Ultimately it is the Town Board's decision that could be challenged, but if the Planning Board decides to change its recommendation, for the sake of the Town Board and for the sake of the record, the reasons for changing the recommendation should be clear. Ms. Wallace said that the problem she had with it was that she had all the information then, she studied it then, she thought about it long and hard then, and she would not be prepared to reconsider it now. It seemed to her that the Board could drag something out for a long time for no reason, and she didn't think that was a particularly better way to do things.

Mr. Farrelly commented that he was not encouraging it but just pointing out the simple fact that under the right conditions, the board could make another recommendation. However, as Mr. Hornik was explaining, there have to be specific reasons. Mr. Hornik added that he was not suggesting that they do or do not, but if the Board feels there is sufficient reason to do it, it can do it but should make sure its as clear as possible about why and what the basis is as to what new, additional, or clearer information it has now that's causing it to change the recommendation.

Mr. Oliver stated that as one of the two members who voted against approval of the application, he was not inclined to go back and have the recommendation changed. There were two objections he had to it. One is there's no affordable housing or attempt to communicate with the community in

any way to try to provide affordable housing, such as Waterstone has done. The developers had done nothing about it and had been arrogant about it, and he didn't think they wanted builders like that in Hillsborough. His second objection was that the applicant had given the Board no opportunity for the Board looking at specimen trees, to save any kind of thing like that. He felt it was going to turn into a clear-cut situation, and they didn't do the tree survey which is required. In comparison to Waterstone, Waterstone has set examples for every builder who comes in. If Ashton Hall is approved, they are being let off the hook and all of a sudden the examples are gone. Mr. Farrelly stated that as long as that point is articulated to the Town Board and they're reminded of that, they would still have an opportunity to incorporate that into their decision.

Mr. Boericke commented that there are townhomes in the plan. Mr. Campanella pointed out that one of the things that traditional neighborhood design offers that standard large-lot subdivisions don't is a range of housing types. He added that the townhomes might be expensive but surely less expensive than single family homes. The standard model of subdivision is inherently less worthy than the new urbanist model because one of the principles of new urbanism is building in a mix of housing types from townhomes to apartments above shops to the other end of large-lot single homes. Mr. Newton added that he was not inclined to reconsider the issue.

Mr. Farrelly suggested that the Board move on to the next item. He further mentioned that he had not received an e-mail Ms. Hauth might have sent earlier in the day. She said she would check on it. Mr. Hornik left the meeting.

ITEM #5B: Consideration of Riverbend Subdivision variations on 60-foot right-of-way

Ms. Hauth paraphrased what the Town Board had in their minutes. They received the Riverbend plan at the April meeting and with the Planning Board's recommendation that they consider annexation; the Town Board asked that the Planning Board take another look at it and really dig into the concept of what it should look like if it's annexed. The applicant had brought back four variations that take the street to a 60-foot right-of-way to provide some options. She explained that they were sketches and if sidewalks were not seen, it didn't mean sidewalks were off the table. They were just sketches to show how the development would change, whether it was still conceivable to get the 12 lots in if they went to the 60-foot right-of-way. How could they change the geometry of the streets? How would that impact the variance that had been granted? This would allow the Planning Board to look at the plan from the standpoint of the original proposal and the four options. If the project was going to be annexed, which one would be the recommended plan.

Ms. Ellis asked if the 60-feet of right-of-way would take care of the sidewalks, and Ms. Hauth answered that it would. Ms. Ellis asked if the sidewalks would be right next to the street, and Ms. Hauth referred the question to Jim Parker. Mr. Parker responded that the sidewalks would be on the house side of the ditch except when there's not a ditch, in which case it would be roughly the same distance from the road with no ditch but a grass shoulder.

Mr. Remington asked how the change would change the cross sections in the earlier plans. Mr. Parker said that they really would not change. He also said that the town was benefiting from the 50-foot example because the developer is giving another 10 feet on either side to make a total right-of-way of 70 feet. He said it was a matter of semantics. One is a 60-foot right-of-way. The other is a 50-foot right of way with 10-foot easements, but the two easements house the sidewalk, water meters, clean-outs, things that are town facilities.

Mr. Campanella asked why the Board was looking at the issue. He felt that the scheme he was

looking at would have eliminated removing the tree which was a contentious issue. Ms. Hauth advised that she was not saying that the applicant was willing to build any of the options. The Town Board asked that the Planning Board re-look at the plans that were submitted by the applicant that show variations of what the plan might look like if it was annexed and went from a 50-foot right-of-way to a 60-foot right-of-way because if it's in town, it will be a 60-foot right-of-way; whereas, a 50-foot right-of-way is acceptable in the ETJ. The Town Board asked for the options but didn't want to make the choice between them. They asked the Planning Board to do that.

Ms. Vandemark asked if the town was planning on annexing. Ms. Ellis said the Board needed to know whether the Town Board was going to annex. Ms. Hauth responded that she did not think the Town Board knew yet whether they want to pursue annexation. The applicant does not necessarily want to be annexed.

Mr. Campanella asked the actual width of the pavement shown as it looked narrower than the original. Mr. Parker responded that it was 20 feet, and they had concentrated on alignments just to see what the lot configuration would be like and what the road configuration would be like. From an engineering standpoint, a safety standpoint, and a functional standpoint, the original was the best design, but the Town Board wanted to see if there were other designs that would prove to be better. Mr. Campanella concurred that it was the best of the designs presented. He felt they went from bad to worse to horrible. Mr. Oliver stated that Alternate No. 1 was a racetrack. Alternate No. 2 he was against because it said they didn't have to kill off the tree. Alternate No. 3 doesn't allow for the buses going in and out and doesn't reach the other location. Alternate No. 4 had a restricted path for fire trucks but that other people would travel every day, people would be driving on it.

Mr. Newton added that one Town Board member had wanted the Planning Board to look at options. He felt annexation was something worth looking into but as a general area and as another issue. The applicant is not interested in annexation, and Mr. Newton did not see any reason to force it on him. Additionally he felt that the plan previously approved was the best plan. Option No. 1 is a racetrack. Option No. 2 is what the residents of Tuscarora and Supbony Drive opposed the last time the applicant came before the Board. Option No. 3 has a dead end cul-de-sac which goes against the policies the board has been promoting as does Option No. 4. He said he didn't really see anything to discuss and that the Board's recommendation speaks for itself and stands as it is.

Ms. Wallace asked if the town wanted to annex the whole area, were the right-of-ways not the same as on Tuscarora. Ms. Hauth confirmed that Tuscarora has existing right-of-ways that are less than the new standard of 60 feet. Ms. Wallace continued to say that she would like the Riverbend subdivision to be consistent with the rest of the neighborhood and felt that was a higher priority than annexation of 10 houses.

Ms. Ellis stated that she was going to fight for annexation as hard as she could because the developers need to put their sidewalks in. They need to be annexed now. They are contiguous property, and she didn't feel the town was looking at annexing any more than just the one project. She is going to fight for a playground for the children and wants the Board from now on to be aware of sidewalks being put right beside a street and be very cautious of where they will be placed. Mr. Parker reiterated that the sidewalks were part of the plan.

Mr. Farrelly reminded everyone if they didn't like the options they should say so and move on without editorializing about issues that are beyond the issue being discussed. Mr. Oliver asked if there was a requirement for action on the item, and Ms. Hauth said that she would like to summarize

the Board's comments so she could put them in the agenda packets so the Town Board could see them. With the help of Board members, she summarized that what she was hearing was that the plan the Board had already sent forward is in the Board's minds superior because it was in continuity with the other neighborhoods in access to 70, consistent with Tuscarora in terms of street width, provides the second access point to 70 that the neighborhood expressed a desire for, provides a stop condition for traffic calming, and that the roadway right-of-way is not as high a priority as the other things, that the 50-foot right-of-way plus easements accomplishes the same goals as desired by the town.

MOTION: Mr. Newton made a motion to direct the Planning Director to relay the list of the Board's opinions to the Town Board as she had described.

SECOND: Mr. Boericke.

VOTE: Unanimously approved.

Mr. Boericke asked if the Planning Board should be taking a more serious look at water issues and the design of interconnection and things like that. Mr. Farrelly suggested that the topic could be included following Item #6. The Town Board also had been saying that they needed to take the issue more seriously and that would be consistent with their comments. Ms. Ellis added that she did not think it should go to the Town Board until the minutes could go with it. Mr. Farrelly responded that the subject had been talked about at the Town Board workshop, and there is a long delay in getting the minutes, and to move things along, Ms. Hauth communicates the essentials of the Board. Ms. Hauth concurred and said that it takes three weeks to prepare the minutes. Whoever prepares the minutes, it's going to take that amount of time. She added that she would be bringing a proposal to shuffle the board meeting process because it's not working. With the boards wanting more and more detail, closer to verbatim minutes, it's not possible to do them quickly. Ms. Ellis asked if a particular portion of the minutes could be sent on to the Town Board. Ms. Hauth reiterated that the minutes were not available until three weeks after. She stated she was considering a shift to the schedule so that the Planning Board would meet immediately after the Town Board, so that then there would be almost three weeks between the Planning Board's meeting and the Town Board's meeting, and there would be draft minutes and they could get more information. She was considering proposing that the Planning Board's meetings would become the quarterly public hearings rather than having additional meetings. It would slow the process down, but there would be a chance for minutes to be prepared before things move along.

ITEM #6: Status report presentation on the Churton Street Corridor study

Action requested: Discussion

Mr. Remington showed the Board a slide presentation on how the Churton Street Corridor plan was developing and some of the ideas being discussed. He invited feedback and questions from the board members. He showed that the area involved was the whole area between 85 and the tracks, not just the area fronting Churton Street, and goes from I-40 to the 86/57 bypass. A vision statement had been developed which says they want it to be very nice and represent Hillsborough as being a unique and attractive place. The plan deals with signage, public parking, and having the downtown be the center and focus of things. In a district concept, different portions of Churton Street would have their own themes. The Riverwalk also would be tied in. The mission of the plan is to enhance the appearance and viability of the corridor, protect historic and cultural diversity, promote environmental stewardship, encourage and support an active lifestyle, in other words have the whole corridor be walkable.

Mr. Remington said that the process had started approximately a year ago and initially there was some public participation culminating in an opportunity for people to evaluate different kinds of

signage, streetscapes, and so on. Much of the analysis of the corridor was done in the summer and fall then starting to formulate the plan with goals and objectives and working into the implementation phase of the plan including some design guidelines which the Committee is beginning to look at. There would be some standards and guidelines that people doing development would have to meet. The main issues in the plan are roadway and streetscape improvements, signs both public and private sector requirements, looking at landscaping parks and open space, and corridor revitalization.

Mr. Oliver inquired about the parks and whether the Committee was looking to find park space as part of the corridor. Mr. Remington said there was some discussion as to where there might be some spots to be thinking about recreational facilities and so on. Parks and open space has not been a big piece of the plan, but there is recognition being given to how the Riverwalk ties in to it and where there might be good spots for some things.

Mr. Remington showed the roadway and streetscape improvements having to do with traffic flow, pedestrian and bicycle travel, and being attractive. They want to decrease traffic congestion, minimize the amount of stop and go traffic, increase safety for motorists, pedestrians, and bicyclists. At the same time it is desired to maintain traffic flow, to have traffic calming features so people can see businesses and find what they are looking for, and have an attractive streetscape that will be a magnet to attract people. The main idea is where possible to have planted medians, a boulevard treatment. That would not affect changes within the downtown historic district area, but pretty much every place else where feasible, they want to have a boulevard approach. It is desired to minimize and reduce the number of curb cuts in most places, minimize the number of traffic signals and left turns, try to have bike lanes and sidewalks continuous on both sides of the street throughout the corridor. For pedestrian safety, the idea is to have contrasting pavers for crosswalks, improved landscaping at the street edges, and replace overhead utilities with underground, decorative lightpoles, and so on.

Mr. Remington added that Susan Suggs and Anne Morris have acted as consultants throughout the process. They are from the State Department of Community Assistance. They had provided drawings of some of the concepts. He showed that between 85 and 40 would be two travel lanes each direction plus turn lanes where needed and additional traffic lights in places. He showed an area approaching a roundabout. Mr. Oliver mentioned that it was interesting that they have a 50-foot tall McDonald's sign and Ms. Hauth said that that was one that was still there, and it had not been proposed to get rid of it. Mr. Remington added that the proposal was for commercial signage to be a maximum of five feet.

The next slide showed a view looking south from Orange Grove Road and what it would look like with a roundabout. It showed one travel lane each direction with turn lanes as needed. Mr. Remington reminded the members to keep in mind that the new place that 70A would intersect Churton Street would align with Orange Grove Road. The idea is that there would be roundabouts at both exit ramps on 85, at Mayo Street, and at Orange Grove Road. There would also be one at Corbin Street. At the stretch between 85 and the river, there would be right-in/right-out only. The view of the roundabouts is that they would serve as a traffic-calming device and also eliminate the stops associated with a left turn. It is a natural way to integrate right-in/right-out and improve traffic flow. He said that he had not seen any signs yet that DOT was opposed to the plan. Ms. Ellis commented that on 751 going out towards Duke there is a roundabout where traffic comes to a standstill. Mr. Remington responded that as people get used to the roundabouts, it's supposed to accommodate people feeding in and actually reduces accidents.

Mr. Oliver asked if anybody in North Carolina had been able to do this, convert a corridor to what was being looked at. Ms. Hauth responded that it was basically a matter of how badly does the town want it and how much do they stand by it. They are usually downtown and there have been corridor studies which have been presented at conferences before. Development is incremental and sometimes takes a long time. Mr. Remington stated that there were a lot of moves to get away from the typical four lanes and a suicide lane approach to the streets. He knew that it had been done in Asheville. If the traffic is under about 15,000 cars a day, it actually improves traffic flow because you don't have people trying to change lanes all the time and look for businesses and miss their turns. The design would incorporate adding a travel lane in each direction if and when the need should arise.

Mr. Remington showed slides looking south from near the Highway 70 intersection and parts of it could have a planted median and have sidewalks at least on one side of the street. Mr. Oliver asked why a roundabout would not be proposed at 57 and 86, and Mr. Remington said that the Committee had discussed that, and it had not been rejected. Mr. Oliver felt that could be one of the first victories for the plan as the land is there and no businesses would have to be moved.

Moving on to the signage issue, Mr. Remington stated that there were two components. One is a way-finding system, some sort of overall logo setup. Then there would be regulations for commercial signage. He showed some examples from another city of the signage--district signs, gateway signs, signs that show people where major things are like downtown government offices, and some pedestrian level signs which provide more detail on where places are. The idea is that the Town Board would try to have a consultant come up with sign designs with public input and then along with the package provide a certain number of the signs. The commercial signage would be phased in and people would have to comply--height limit five feet, one sign per entrance, and sort of limited to place names.

Mr. Oliver said he wondered about the inequity of something like an office plaza having one sign that's the same size as a gas station sign and how people got the right advertisement. Mr. Remington said that the Committee had talked about people being in a certain plaza and then there's a sign for the plaza and it's a matter of how businesses self-describe their location. Mr. Oliver then asked how Home Depot got an extra sign, and Ms. Hauth said they would have to take it down.

Mr. Remington said that one thing the committee had talked about was if there could be some money for matches for public/private partnership to share 50/50 on the cost of new signs that would be compliant if people switch over early. Somewhere in South Carolina or Virginia where they tried it and almost everybody complied right away and it worked really well. He felt some of the changes could be fairly quick, over the next year or two. Just changing the signs could be a big visual improvement.

Mr. Oliver had a question about which comes first. Would a business owner want to change his sign knowing that the road was going to be widened and he would have to move or lose his sign. Mr. Remington said that it would probably be a long time before the money was available to do all the street changes. In the meantime, it is an issue--does the town require businesses to put signs outside where the road will be eventually or does it expect them to move the signs afterward? Mr. Oliver asked if the Committee had looked at the businesses currently on the corridor to see how many will have to physically move their building. Ms. Hauth said that had not been done.

It was the general feeling that most of them were pretty well set back. Ms. Hauth added that there is a 60 to 100-foot right-of-way in there that is not currently encroached upon, so it should fit, and it's all just a matter of time until things change. Mr. Remington pointed out that the one thing that was really apparent from the public input was that the monument-type signs are definitely preferred by people in terms of appearance and not the highly plasticized, internally lit signs.

Mr. Oliver asked if there was any safety study that compared the stand-up sign versus a monument sign, that if a car went off the road that it was safer to hit a monument sign than a sign that would fall over on top of the car because the town would have to have an ordinance and reasons why it wanted to do this. Mr. Campanella said they could point to the Shell sign that got blown over and that he would rather be sitting next to the lower sign. Ms. Hauth said she had not seen a study but would look for one. Mr. Campanella added that the tower signs were originally meant for high speed highways and the lower signs made more sense for visibility for the slower moving traffic along the corridor and should be a good argument for convincing business owners to comply. Mr. Remington agreed and was consistent with discussion that the Committee had had.

Mr. Remington turned to the topic of corridor revitalization and looked at what areas are likely to be up for redevelopment in the near future and what areas aren't. The design standards would come into play in this area. He reiterated that different areas along Churton Street would have defined districts that would have their own identities, their own gateway signs. He then showed a slide of areas which were established and unlikely to change, areas which were likely to redevelop at some point, and areas that are ready for redevelopment now.

Mr. Oliver and Mr. Campanella asked about the redirection of US 70 A and Ms. Hauth said that she was not sure it was in the TIP at all or in the long-range plan. The Town Board has not requested funding for it, but the county may have. It's in the Orange Grove Road Task Force Report. Her thought on it had been that the rail division may be willing to trade a private crossing for a public crossing. Mr. Campanella asked if it was all in one ownership, and Ms. Hauth confirmed that it was and was owned by part of the Boo Collins estate.

Mr. Remington showed a slide of what the districts would be. There were: the area between the interstates, Churton South down to the river, the historic district, and North Churton. The idea would be that the districts would establish a sense of place that property owners could take pride in being in a certain district. It could become an element in a way-finding system. Of the ideas that have been talked about for the different areas, Churton South has gotten some of the Committee members excited as it is really ripe for development. The idea is sort of high intensity, mixed use commercial emphasis closer to the tracks, and going back more of a residential focus, mixed use along with the area where there might be some opportunity for community recreation facilities. He said Anne Morris' term was a work-live-play district. In response to Ms. Vandemark's question, Ms. Hauth said that the property comes on and off the market regularly.

Regarding the gateways, Mr. Remington added that the main gateway signs would be near the 86 exit and then on the north and Highway 70 bypass intersection. The district gateways would be near the transition between the different areas to let people know they were moving from one section to another. Mr. Oliver asked why the community gateway was at 85 and not at 40, and Mr. Remington said he thought that was the way most people came in. Mr. Oliver responded that that was today but the future gate might be at 40 with all the development and Waterstone being there. Mr. Remington said that this was not a proposal but an idea.

Mr. Campanella informed the Board members that just before the corridor became a project, there was a design/planning competition that his students had worked on. One of the suggestions that came through in many of the student projects was that the gateway kind of thing works very well with roundabouts. It's a perfect moment where energy or people's attention is focused on the roundabout. It's sort of the old model of the courthouse town. Roundabouts are also a good opportunity for public art, something that could evoke some aspect of the town's history. He offered to provide those schemes from the competition. Ms. Hauth said that she thought some of it was on the website. Mr. Campanella said many of the proposals of the Committee were exactly the same as what his students came up with. Ms. Hauth said that the Committee built off of the competition. Mr. Remington said he thought it was a good idea to make sure the Committee went back to that information to see if there are any ideas that are available for them there. Mr. Campanella suggested looking at the top two entries.

Finally, Mr. Remington showed slides of some of the landscaping, some before and after ideas. He asked for any further comments. Ms. Hauth stated that the Committee was planning to be at the May Last Fridays soliciting public comment. Mr. Remington added that the information would be available at Walkable Hillsborough Day as well. He invited the members to let him know directly or by e-mail of any ideas they had.

ITEM #7: Updates

Action requested: Discussion, direction to staff

Ms. Hauth said she wanted to go back over the list from January and see where they were at on projects and get some feedback on whether she needed to change anything.

She informed the members that the junk car ordinance would be in June at the special hearing. She added that she felt they could have the demolition by neglect, the noise, and the flood ordinance ready. The noise issue was two-pronged. One was the commercial noise impacting residential neighborhoods. The other was the comments from particularly west Hillsborough about dogs and things like that, residents on residents. She suggested going back and revisiting the text amendments about updating and changing some of the language for noise to address some of the commercial noise.

Some interest had been brought up in amending the flood ordinance to prohibiting development in the 100-year flood plain. It would be easy to do, but she would ask that they make some accommodation for recreation facilities in flood zones. Mr. Oliver suggested the New River Trail area in Virginia as a model noting that they have a special zone along the river where the only things that can be built are recreation facilities by the county or by some government facility. He suggested that the Board consider something similar that says only recreational facilities could be built in the flood plains. Ms. Hauth continued that maybe the issue should become a longer range project and be considered over the summer and see what kind of progress can be made.

Ms. Hauth stated that the Town Board had picked up the Upper Neuse Management Plan, and they have some budget estimates. She did not know whether they would survive the budget process to fund a detailed analysis of what the true impact would be to the town.

On development sites, Ms. Hauth advised that applicants were asked to do a tree survey in special use permits, but then there's no real expectation. There's nothing that says, "Show us where the trees are, and you have to preserve 50 percent of the trees on the site," or, "you get bonus points for doing this." There's no follow-up on that in terms of benefit or penalty for doing what has been

asked. Mr. Oliver suggested that there was a need to give them payback for spending the money, and if there was some way to reward the applicant for doing the tree survey, to compensate them for spending the money to do the tree survey. Mr. Campanella said it wasn't cheap and additionally identified things that may need to be saved.

Mr. Campanella also raised the point that it seems fundamentally problematic to be asking the developer to go to his consultant and get the expert opinion on whether a tree can be saved or not. In that case, you have almost a built-in problem that it's not in the consultant's interest at all to come to the conclusion that it could be saved. Perhaps in a case like that, the town hires a consultant, the developer pays for the study to be done so there is a little bit more neutrality to it. Ms. Vandemark commented that something similar had happened in the real estate process, and that if there was a change, the cost would have to be borne by the town if the town was going to be the one to pick the consultant.

Mr. Farrelly asked that if anyone wanted to add to the priorities or rearrange the priorities that they do so and the meeting keep moving on.

Mr. Oliver suggested that it was always an advantage to have someone available with the skills to do things the town needed like the tree consultation. He asked if the town had ever looked for someone willing to volunteer those types of skills on an as-needed basis. Ms. Hauth said that it had not been done to her knowledge. She said that it was easier to have someone on retainer who could be called and paid rather than having to wait until someone was available to do unpaid work. Mr. Farrelly offered that the item of tree preservation be modified to include landscaping in terms of how landscaping is done, trees are planted, and what's chosen to be in the buffer.

ITEM #8: Adjourn

MOTION: Mr. Boericke moved to adjourn the meeting.

SECOND: Mr. Remington.

VOTE: Unanimously approved.

Mr. Farrelly adjourned the meeting at 9:14 p.m.

Respectfully submitted,

Margaret Hauth, Secretary