

MINUTES
JOINT PUBLIC HEARING
HILLSBOROUGH TOWN BOARD and PLANNING BOARD
Thursday, March 22, 2007
7:00 PM, Gordon Battle Courtroom, New Orange County Courthouse

BOARD OF COMMISSIONERS PRESENT: Mayor Tom Stevens, Commissioners Frances Dancy, Evelyn Lloyd, Mike Gering, L. Eric Hallman, and Brian Lowen.

PLANNING BOARD MEMBERS PRESENT: Chair Matthew Farrelly, Tom Campanella, Edna Ellis, Kathleen Faherty, Neil Jones, Paul Newton, Dave Remington, Toby Vandemark, and Barrie Wallace.

STAFF PRESENT: Town Manager Eric Peterson, Assistant Town Manager/Public Works Director Demetric Potts, Planning Director Margaret Hauth, Planner Stephanie Trueblood, and Town Attorney Bob Hornik.

ITEM #1: Call the public hearing to order.

Mayor Stevens called the Joint Public Hearing to order at 7:05 P.M.

ITEM #2: Annexation, Zoning, and Master Plan Application from American Asset Corporation for the development of the Collins property and redevelopment of the Daniel Boone Village and Partin properties. The annexation covers approximately 164 acres. The entire proposal covers 222.13 acres with access to South Churton Street between the NC Railroad and I-85. The zoning district requested is Entranceway Special Use. The Master Plan calls for up to 550,000 square feet of commercial retail space, 88.1 acres of 6 units per acre single-family residential, 18.2 acres of 24 units per acre multi-family, 27.6 acres of 12 units per acre residential, and 12.45 acres as recreational or open space. Additionally, the 27.6 acres listed above may be converted to office and institutional uses. (TMBL 4.40.A.4, 5, 26, 33, 33d)

Mayor Stevens explained the general process and format for the joint public hearing. He said they would hear from Planning Director Margaret Hauth, then from the developer, American Asset Corporation, and then take public comments. Mayor Stevens said no time limit would be placed on the speakers, but encouraged everyone to be brief and to the point so that others would have the opportunity to speak as well. He said if what you wanted to say had been said by a previous speaker, make a note that you concur but don't repeat the information. Mayor Stevens then turned the meeting over to the Chair of the Planning Board, Matthew Farrelly.

Ms. Hauth said tonight they would be considering a three-part application, which was an annexation, a development, and a redevelopment. She described what the process was for each of those three issues. Ms. Hauth said noted that some information had been placed at the various participants' places, and noted that the handout from the applicant was somewhat different than what was in the agenda materials. She said also provided was a blue sheet that contained revised comments from Orange County which were different from that received earlier in the week. Also

included, she said, was a cost analysis of County services that was prepared by the County as requested by the Town Board.

Ms. Hauth said because this was a quasi-judicial process, speakers would be sworn in and be asked to sign in. She said she had received earlier today a letter to the Town Board signed by 25 residents who expressed general interest in single-story townhomes or patio homes being built as a part of this development.

Commissioner Hallman said he believed they had agreed not to accept last minute additions to the application since the public would have had no opportunity to review it. Ms. Hauth said that would be only if the Board closed the public hearing tonight. Commissioner Hallman said the Board had expressed that it did not like receiving information at the last minute.

Ms. Hauth asked each speaker to swear in by stating “I swear to tell the truth and nothing but the truth,” and then to sign their names on the sign-in sheet.

Note: from this point forward, all speakers were sworn at the time they first spoke.

Joe Dye, speaking as the applicant, apologized for the lateness in submitted the additional materials, stating that they were attempting to respond to all questions and concerns. He provided a brief overview of the process thus far and the materials submitted. Using slides, Mr. Dye outlined some of the elements used to create their Master Plan, and added some comments derived from the workshop and their responses. He outlined the plans considered as well as traffic considerations.

Mr. Dye said they had engaged Chris Wachholz as a consultant, who was knowledgeable about moving buildings of historic significance and also reclaiming materials from buildings that could be reused in various forms and fashions in an environmentally responsible way. He said given the historic significance of the some of the structures on the site, it was appropriate to locate them elsewhere on the site or relocate them off-site so they were not destroyed.

Mr. Dye pointed out the historic elements of significance that came out of the archeological survey. Other elements discussed, he said, were green building techniques, affordable housing, and open space. Mr. Dye said they would be committed to a LEEDs certification for Tract A, and would use a “core and shell” program to assist with that. With respect to affordable housing and open space, he said they were committing to providing 20 units in the residential area and committing to dedicating 12.5 acres on Parcel E.

Mr. Dye said in the new Master Plan, they had taken many of the elements discussed and comments received and included them in the new Master Plan being presented this evening. He said that included further definitions of the parcels in the northern part of the Collins property, and specific definition of the number of units for each parcel. Mr. Dye said that Parcel H was dedicated as open space, and Parcel B, consisting of 6.5 acres, was to be made available to the Town to use as it saw fit, adding that the HYAA fields were located in the northern part of that land area.

Mr. Dye said the number of units in the new Master Plan had been reduced from 1,300 to 1,100, with no square footage change to the non-residential portion. He said Parcel A would still consist of 550,000 square feet. To provide a relationship with those numbers, Mr. Dye said the Collins property had some allocation presented to it separate from the allocation recommended in the Strategic Growth Plan, one of which was about 150,000 square feet of commercial space. So looking at the Collins property in particular, he said, what they were requesting was a development right of another 150,000 square feet plus what currently existed, for an equivalent of about 300,000 square feet. He said that would be taking 150,000 square feet against the capacity as identified in the Strategic Growth Plan, or 6% of the remaining capacity.

Mr. Dye said Parcel A represented about 29% of the total development area in the Master Plan. Looking at the residential property as a whole, he said that represented about 114.5 acres with about 1,100 units. Mr. Dye said the residential mix was about 61% of the project area, commercial was about 29%, and the public and open space was about 10%. He said those allocations were not a perfect match to the Strategic Growth Plan but were close.

Mr. Dye said other staff present tonight were Cara Lacey and Brian Purdy, Planners with the John R. McAdams Company and assisted in the development of the design guidelines, and Earl Lewellyn, a Traffic Engineer with the John R. McAdams Company, whose team had prepared the traffic analysis for this property.

Mayor Stevens asked Mr. Dye to restate the allocation of units. Mr. Dye responded that he had understood that when the Town Board had gone through its allocation study, it applied some level of allocation to the Collins property as a placeholder separate from the end results of that Strategic Growth Plan. He said that Plan had an allocation of 1,900 residential units, and 1.56 million square feet of commercial space. So, Mr. Dye said, when you take the placeholder allocation already assigned to this property and subtract it from what they were proposing, that was the differential they were proposing.

Commissioner Gering said he was curious about some of the statements in the Design Guidelines that deferred definitions of things like transitional buffers and trail specifications to the Special Use Permit rather than being specified. He asked why. Mr. Dye replied that the trails for example would be defined as going in the 50-foot easement, but the specific location would be designed at the time. He said there was no fixed point within the 50 feet, noting that topography and other issues would have to be defined at that site specific level.

Commissioner Gering said so the location may vary, but what would determine that on other properties. Cara Lacey, with the John R McAdams Company, stated that at the Master Plan level it was not a requirement, so they prefer to have those defined at the Special Use Permit (SUP) level when each use was clearly defined. Commissioner Gering stated he did not understand that the uses had not yet been defined, noting that was the whole point of A – G in the material. Ms. Lacey said the commercial and residential uses had been defined, but what they did not know was whether there would be a house directly adjacent to a commercial structure. She said if that turned out to be the case, a buffer would be installed.

Mayor Stevens said as a follow-up, he asked the Town Attorney when you have a general plan and then get to the SUP level, did that mean it would get negotiated and had only to meet the

requirements of the Board. Town Attorney Bob Hornik said the Board could begin the discussion about the Master Plan and setting some expectations or general parameters such as what you might want to see buffered and the presumptive types of buffers with certain uses. Mr. Hornik said it was correct that the SUP level was when you got the details and where the developer would be specific about each parcel or use. He said it was appropriate to discuss buffers now, but in a non-specific way since they would likely be modified later after specific uses were more closely defined.

Ms. Lacey said they were open to having that discussion this evening. Mr. Hornik said the Board had learned it was better to have that discussion early in the process so that everyone had their eyes open later on when there may be issues. He said for example, they may not want to have a gas station in pod B across from a house in pod G, so they had to begin thinking about a list of uses that may or may not be appropriate next to each other.

Mayor Stevens said it was his understanding that if the proposal said the buffers were to be determined at the SUP level, in order for the SUP to be approved the Board would have to agree to the proposed buffers and could be as flexible as it chose. Mr. Hornik said buffers would be a requirement at that time.

Mr. Dye said their intent was to not create a one size fits all approach. He said they were open to providing some general parameters and working with staff to provide that at a somewhat more specific level, but recognizing that more or less might be appropriate depending on how the site plan took shape.

Commissioner Gering said with respect to street cross-sections in the residential area, particularly the sidewalk width or planting strip and the landscaping in that strip, he saw no details about the width of the type of landscaping. Mr. Dye said similarly, they would further define that but again we're trying to avoid a one size fits all approach.

Ms. Lacey said in the Design Guidelines they had specified a minimum planting strip of 6 feet, with a minimum sidewalk of 5 feet or greater throughout the project.

Mayor Stevens asked would they focus on a grid pattern for streets wherever possible. Ms. Lacey said in the summary and introduction, it was stated that a grid pattern would generally be used, but wanted to have some possible flexibility to meandering streets.

Mr. Remington said regarding the grid pattern, he asked if in the Master Plan the red arrows indicated exact side street locations, and where they cul-de-sacs? Ms. Lacey said they were schematic at this point, and mainly showed potential access points into the parcels. Mr. Dye said the focus was more on connectivity as allowed by topography.

Commissioner Hallman said in terms of LEEDs certification, was that tied to the overall Master Plan or to individual SUPs. Mr. Hornik said that was an issue that could be addressed in the Master Plan, and more specifically addressed in the SUP process as more specific proposals were offered. He said you could set general conditions and expectations at the Master Plan stage. Commissioner Hallman said that was what he would like to do. He said regarding pedestrian access in pod A along the railroad, he was skeptical that they would be able to obtain that right-of-

way. But if they did, he asked, would they be willing to provide a pedestrian overpass over the railroad. Mr. Dye said without knowing what it entailed, they would be willing to provide some kind of easement or provide an opportunity to make sure there was a location to make that connection. He said in terms of providing it, he did not know what that would entail.

Mr. Farrelly said regarding the proposed 1,100 dwellings, what would that translate into in terms of the number of residents, and what was that as a percentage of the current population of Hillsborough. He commented that the proposed 20 dwelling units for affordable housing out of the 1,100 total was slightly less than 2%. Mr. Dye said regarding the number of residents, they had assumed at least 2 people per household. Regarding affordable housing, he said they had not been given any specific direction other than to include it, and had proposed 20 because it balanced with the other elements in the Plan.

Mr. Farrelly said it would be informative to know what percent of the current Hillsborough population would qualify for affordable housing, just so they would have some comparison as to what this development might provide in that context.

Commissioner Hallman said that he believed the figures were that 24% of Hillsborough's population was at or below the median income of \$25,000, making them eligible under the criteria for affordable housing. Mr. Farrelly said those statistics provide an important framework to allow the Town to assess access to affordable housing. He said it would give them perspective and allow them to move the dialogue regarding affordable housing forward.

Commissioner Hallman said he had recommended the developers have a discussion with Robert Dowling with Orange Community Housing and Land Trust, but did not believe that had happened. He said he would like to discuss the offer with Mr. Dowling, noting the 20 units were a start.

Ms. Wallace said she did not understand question and answer regarding the pedestrian path. Mr. Dye said the question was whether they would be willing to provide a pedestrian bridge over the interstate, and they could not answer that at this time. Ms. Wallace asked how it was safe to have the path on the tract. Mr. Dye said it would not be on the track, noting there was a 200-foot right-of-way along with a 50 foot buffer, so it would be appropriate to orient it on the inside of that area.

Mr. Farrelly asked Mr. Dye to restate the historical significance and how it was defined, as well as what types of parameters were used. Mr. Dye said as he understood it, they used the various records located with the State Preservation Offices and its specific criteria, as well as other records related to existing buildings. He said that was really specific to the Collins property, and was separate from his remarks regarding the significant structures within the Daniel Boone Village. Mr. Dye said for example, the building that housing the Mexican restaurant had some historical significance and they would look to preserve it either by using it in a residential setting on another site or using it within the site as appropriate. He pointed out that the current owners would retain the rights to that particular structure, and they may choose to use it in some other way. Mr. Dye added that there were a couple of areas in the archeological survey that were also reviewed as part of that research, and nothing was found.

Commissioner Hallman suggested walking the land with local experts rather than visiting the Land records office in Raleigh. Ms. Wallace asked about the historic and cultural study. She asked whether the applicant had met with representatives from the Trading Path Association. She asked about the hatched area shown on the analysis map. Mr. Dye said it was representative of the boundaries on the property in question.

Ms. Faherty said as it now stood, there was no safe way to walk from this site to downtown. She asked whether they would consider improvements to downtown. Mr. Dye said that was the way it had been drawn, adding they could look at those opportunities staying within the boundaries of the property. He said new difficulties arose when you went off-site.

Mayor Stevens asked how much information they had on the rail crossings across Highway 70A, and asked if that was part of the traffic study. He asked had they researched making that a safe crossing for vehicles and pedestrians. Mr. Dye said their hope and desire was to preserve that connection. He said they had met with NC Railroad officials, and had been told their policy was to not allow it. But, he said, it depended on the railroad's type of ownership of the corridor. Mr. Dye said they could preserve the crossing if it were an easement situation, or if they had a fee simple ownership then they would have much more control on how it got crossed. He said they had engaged an attorney that specialized in that type of law to help them determine with some degree of finality how that could be done.

Mayor Stevens asked would they be willing to go to the extent that was legally allowed. Mr. Dye responded yes. Mayor Stevens asked if that determination would be rapidly forthcoming. Mr. Dye said he had asked to have the analysis done as quickly as possible so that a determination could be made.

Commissioner Hallman asked that specific County comments be addressed, particularly under C. Transportation, third bullet. He said the County had commented that the transportation analysis did not adequately address outside impacts, such as in the downtown, the historic district, and on I-40. He asked for more information on the traffic impact outside of the immediate area of the development. Earl Lewellyn, head of the Traffic Engineering Group with the John R. McAdams Company, said the first thing they had done was to meet with NCDOT and set the scope of the study. He said it was important to keep in mind was that with traffic studies, once you got away from a certain central node, traffic dispersed quickly. Commissioner Hallman said there were not a lot of places for it to disperse off of Churton Street. Mr. Lewellyn said he was speaking of once it got to I-85 or US 70.

Mr. Lewellyn said beyond that point, the trips generated by the land uses proposed here would be intercepted by other trips already on the network, similar to pass-by traffic. He said that meant you were attracting trips already on the network, which was why you did not go to extremes to include every land use proposed, because if you did you would be double-counting trips on the network. Mr. Lewellyn said NCDOT had agreed that this was the correct number of intersections to be looked at.

Commissioner Hallman asked for an estimate for additional trips south of I-85 and north of the river. Mr. Lewellyn said they could give them an estimate of those trips, but reiterated that once you got away from the development you go into not only the dispersal of traffic but trips generated

by existing traffic, so that the total number of trips they proposed to be generated were not actually realized. Commissioner Hallman what he was asking for was the level of service analysis outside the immediate area. He said he was mainly interested in the impact on Churton Street north and south of the project. Commissioner Hallman asked had they done the traffic impact analysis assuming that the rail crossing was not available to them as a point of ingress and egress. Mr. Lewellyn said they had submitted the analysis to the Town as if the crossing was there. He said they had also done a general analysis if the crossing was not there, but had not submitted it. Mr. Lewellyn said it would mean two southbound through lanes as well as two southbound left-turn lanes at Mayo Street at Churton, as well as an additional lane on Mayo Street to make the intersection work.

Mr. Campanella said the Church Street Corridor study had determined that traffic circles would be an improvement at various points, especially at Orange Grove Road. He asked had they considered that. Mr. Lewellyn said they had, noting they had started with the assumption of roundabouts at I-85, Mayo Street, and Orange Grove Road. He said NCDOT had looked at the interchange and considered roundabouts, but NCDOT and he had concluded that roundabouts would not work for the traffic generated in the future.

Ms. Ellis asked why this information was not provided prior to the meeting. She said the Town Board had previously indicated it did not want handouts at the time of the meeting. Ms. Ellis asked about the private street where they did not have right-of-way. She said that had been noted as an alley before, and asked where they the same. Ms. Lacey said private streets typically did not have rights-of-way. Ms. Ellis asked if private streets were only for use by the residents. Ms. Lacey said yes. Ms. Ellis commented that the recreation area was provided across I-85, and that was not acceptable for children. Ms. Lacey said the revised Master Plan brought that recreation to the north in response to earlier comments. She said the handouts brought tonight were to show response to comments received after submittal of the plans. Ms. Lacey noted that recreation area had also been expanded from 4.5 areas to 6.5 acres.

Mr. Farrelly said in the new plan, given pod B & G, how do you envision children getting from pod G to pod D? Ms. Lacey said when those areas were site planned at the SUP level, those areas would have green spaces that were private to that area, and each of the pods would have access to a pedestrian greenway. Mr. Farrelly commented that it would be a long hike to get from pod G to pod D for small children, as much as a mile. Ms. Lacey said that was the area where the recreational fields were now located.

Mr. Farrelly said with respect to open space, he would like some elaboration on their vision for how that might be effectively used, noting it appeared to be isolated. Mr. Dye said that was why they had prepared a recreation plan for that property. He said there was potential for connection with other open space.

Commissioner Hallman asked if at this stage they were to identify a site for a school in pod G, then would that be enforced at the SUP stage. Mr. Hornik said the way the subdivision ordinance read it would mean that the school had two years to either acquire the property for school use, and if it was not used within the two years the property owner/developer could use the property as it saw fit. Commissioner Hallman asked if that could be done after the Master Plan approval. Mr. Hornik said he would have to check on that.

Mr. Remington said the Churton Street Corridor Plan called for live-work units in an either/or section. He asked if there was any chance for it being an “and” instead. Mr. Dye said that was hard to answer at this point, noting it might also be worked into the existing commercial area. Mr. Remington said he was more interested in the flexibility rather than it being dedicated.

Commissioner Lloyd asked she saw 1,100 houses that would be using Hillsborough’s water, and she did not know how much this development would help Hillsborough. She said it would help with tax revenue, but said she did not see many jobs being crated there. Commissioner Lloyd said compared to others they had reviewed, this plan was very vague. Mr. Dye said they had 550,000 square feet dedicated for retail use. He said their market feasibility study had shown that was very close to the limit that could be supported.

Ms. Vandemark said she had read market study, and had noticed that the type of commercial uses were large stores. She asked was she wrong in thinking it seemed to be mostly large stores rather than small independent stores. Mr. Dye said he numbers did not represent numbers of shops, but rather square footage. He said a large anchor store, such as a Wal-Mart or a Home Depot, would claim 100,000+ square feet, and they were aiming for 30,000 to 45,000 for anchor store space, which would be suitable for uses such as a grocery store. Ms. Vandemark said then this would not have the same look as Brier Creek. Mr. Dye said it would depend on what area you looked at. He said the area around Dick’s Sporting Goods to up close to the theater was more in line with what you would see here.

Ms. Wallace said she did not like to see the residential area against the interstate. She asked would they consider moving that component to a space that was more attractive and useful. Mr. Dye said they could consider that, but added there was a 100-foot setback from the edge of the right-of-way to the edge of the commercial pod, so it was a consideration distance. Ms. Wallace said she believed that area would be better used for commercial or office space.

Ms. Faherty asked if parcel D was for everyone’s use. Mr. Dye said yes. Ms. Faherty asked who would be responsible for it. Mr. Dye said it would be turned over to the Town.

Mr. Jones asked if they had had any additional dialogue with the existing tenants. Mr. Dye said they were willing to do that, but it was premature now without an approval from the Town of any plan. He said he had nothing to offer now that was concrete. Mr. Jones said there was still a lot of fear on the part of the existing residents.

Ms. Ellis said she had read in the newspaper that it might be a few years before this project was started. She asked if they were doing another project in another county. Mr. Dye said it wouldn’t have any bearing on this project. Ms. Ellis said if they were staring another project in another county would the town have to wait to get this one started. Mr. Dye said no.

Commissioner Gering asked had they had a chance to respond to the County comments. Mr. Dye said they needed additional time to respond to that courtesy review in detail, but they had made some initial response. Ms. Lacey said they had reviewed the original comments, but had received the County’s updated comments this evening so they had not had a chance to review those.

Commissioner Hallman, quoting from the Town Manager's comments in the fiscal analysis in terms of the wastewater treatment plant, said "These plant capacities create a clear limit or ceiling on how much development Hillsborough can reasonably and affordably accommodate. Therefore, this continues to place a premium on the importance of budgeting the Town's future water and sewer capacity as it relates to land use. It also communicates to perspective developers who were requesting annexation and water and sewer services that access to Hillsborough's utilities was a limited commodity that would ideally only be offered to projects that clearly provide financial and quality of life benefits to the Town and its citizens." Commissioner Hallman said as they move forward, he applauded what had been offered so far, but noted that contributions to the Town's infrastructure was part and parcel of these discussions.

Commissioner Lloyd said because there would be children living here, she needed to hear what life was going to be like for them in this development.

Bryant Warren, Chair of the Parks and Recreation Board, said he was glad to see the change on parcel D, and added that parcel H was a bad place for open space although that might be all it was good for. Mr. Warren said he appreciated the increase in the acreage for the HYAA fields, noting they had not received enough funds from the developers of Waterstone. He commented the developer for putting together a good plan, and said the only problem with it was that if it were south of I-40 or north of Highway 70 it would be a lot better. Mr. Warren said the impact would be significant, and they needed to keep in mind the magnitude, the open space, the rights-of-way, trails and parks.

Commissioner Hallman commented that the allocation received from the Waterstone developers for completion of the park was far short of what was needed, and ask that that be kept in mind.

Craig Benedict, Orange County Planning Director, commented that the blue sheets distributed this evening were an abridged version from that discussed at the joint board meeting Monday. He said the population increase from this development of 2,500 people would increase the Hillsborough population by 25%. He said school impact fees were not set at 100%, but rather at 60%, so this project would have an appreciable effect. Mr. Benedict went through some of the other impacts as noted on the blue sheet.

Mr. Benedict said they were suggesting that a school site be reserved as open space, that good planning for transportation take place including the future use of a rail line close to pod D or E, accommodation for future bus service, widen the scope of the traffic impact analysis from Highway 70 bypass all the way to I-40, retain the Collins field, ensure connectivity to Cate's Creek greenway, place some of the smaller commercial uses within the residential area to make the communities more pedestrian friendly, have the project meet the nitrogen control requirements as part of a committed element even though it was not required, to the degree possible cut and fill should be minimized, make the County a part of the affordable housing discussions to arrive at a percentage that was fair, and provide more specificity to ensure that transitional buffers were necessary.

Mr. Benedict said the County would like additional time to respond to the change in unit numbers and the reorientation of some of the tracts. He said the fiscal impact of multi-family and single-family units should be studied as well. Mr. Benedict said the impact to County services was

complex, and such services as library services, health services, and social services were affected. He said they wanted a little more time to prepare a cost of services study and analyze what part of the services were being supplemented by Hillsborough and what were still under County jurisdiction.

Rich Shaw, a resident Burnside Drive, thank American Asset for the changes made to project as the result of previous comments. He asked that they take advantage of the unique natural and cultural assets of the property, such as the HYAA fields, Daniel Boone Village, the mature forest, the rail line, and the road corridor across the site. Mr. Shaw asked that they consider incorporating a portion of these items into the overall site.

Holly Reid, a resident of Burnside Drive and a member of the Walkable Hillsborough Coalition, said she appreciated questions and comments from Board members directed towards American Asset, noting they were good questions. She echoed the comments made by Commissioner Hallman regarding the quality of life they wanted for Hillsborough. Ms. Reid read an excerpt from the "Ten Keys to Walkable Communities" by Dan Burden and provided details on each key. She asked the developer to consider linkages from this development to other parts of Town, so that people would not be forced to get in their cars to get there.

Dianna Garrett said she had not heard any information about the impact to Highway 70A, noting the number of accidents in the area and her concern about safety. She commented on the impact to wildlife, and the possibility of displacement of that wildlife.

Earl Tye, President of HYAA, stated they had been managing a baseball program for almost 40 years. He said they had 780 participants in the spring, summer and fall baseball programs, with 47 teams locally sponsored. Mr. Tye said they appreciated the revisions that had been shared tonight, but he wanted to be transparent about their interests in this project. He said they were very hopeful that as the project moved forward that they could work towards what was truly a baseball complex that would accommodate the needs of HYAA. Mr. Tye said they were excited and hopeful, and willing and anxious to be involved.

Steve Piscatelli, a member of the Board of HYAA, echoed Mr. Tye's comments. He said while they appreciated the revisions, they had been hoping for more. Mr. Piscatelli said they saw this as a real opportunity to develop a true baseball complex, and asked that pod D be made a little larger to accommodate that. He said currently HYAA maintained the fields, but had been hesitate to spend much money on it because they did not know what the future would hold.

Jay Zaragoza stated that he owned a 5-acre tract with the sole access being across the railroad with a recorded easement, but the railroad would not let him cross it which effectively made the parcel landlocked. He said he believed it was irresponsible to show this connection because there was a good chance no access would be granted. Mr. Zaragoza said if the project was less dense, the crossing wouldn't be needed. He noted he was involved in the cell tower on the southern portion of the property, and said the applicant should be required to commit to keeping the tower.

Miriam McDivett, a resident of the campground, said she had lived there for 16 years. She said she could hardly believe the publicity, adding it hurt to be labeled as "poor" and as "squatters." Ms. McDivett said all the residents had been degraded. She said she had received a certified letter

indicating the campground would be closing on May 1, and because many of the trailers could not be moved they were doomed.

Theresa Justice, a resident of the Partin mobile home park, said she could not move her mobile home, and asked what they were supposed to do. She asked who would compensate them for their homes. Ms. Justice asked if the mobile home park residents would get first rights to the affordable housing as well as help with moving expenses.

Jennifer Miller said she had emailed her comments to the Board, adding she agreed with the Orange County Planning Director's comments as well as previous speakers.

Ms. McDivett, daughter of Miriam McDivett, commented that the developers had likely never lived somewhere like Hillsborough. She said she did not have a fancy house and was not wealthy, but she was not poor, either. Ms. McDivett said she had spent her entire life here and hated to see it change from a truly historical town.

Mayor Stevens thanked all those who had spoken tonight. He said many of those present were being directly impacted either through their homes or businesses. Mayor Stevens suggested that the Board members be polled to get a list of questions or needed items in order to generate a list for the applicants.

Commissioner Hallman commented he would like to go through the new material first. Commissioner Lloyd agreed.

Mr. Remington remarked that there were things they know at the present time that would enable them to generate a preliminary list. Mr. Farrelly agreed that was reasonable.

Mr. Campanella, speaking to HYAA, asked what kind of facility they would like to have if they had a choice. Mr. Tye said they actually had a drawing of a proposed complex, and would be happy to share that with the Boards.

Commissioner Hallman suggested everyone compile their questions in the next day or so and forward them to the applicant. Mr. Hornik suggested the lists go to Planning staff for compilation.

Ms. Wallace asked should they restate what's been said. Mr. Hornik said if it was important and they wanted to make sure it was answered, then put it on the list. Mr. Dye commented he would welcome the lists within the next few days.

ITEM #3: Discussion of whether to formally close or continue the public hearing and next steps.

MOTION: Commissioner Hallman moved to hold the hearing open until April 19, 2007. The motion was seconded by Commissioner Lowen. The vote was unanimous.

ITEM #4. Adjourn.

The joint public hearing was adjourned at 9:21 p.m.

Respectfully submitted,

Margaret Hauth, Secretary