

A regular meeting of the Carrboro Board of Aldermen was held on September 9, 1986 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

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| Mayor | James V. Porto, Jr. |
| Aldermen | Randy Marshall |
| | Tom Gurganus |
| | Hilliard Caldwell |
| | John Boone |
| | Judith Wegner |
| | Zona Norwood |
| Town Manager | Robert W. Morgan |
| Town Clerk | Sarah C. Williamson |
| Town Attorney | Michael B. Brough |

APPROVAL OF MINUTES OF PREVIOUS MEETING

MOTION WAS MADE BY HILLIARD CALDWELL AND SECONDED BY JOHN BOONE THAT THE MINUTES OF SEPTEMBER 2, 1986 BE APPROVED. VOTE: AFFIRMATIVE ALL

REQUEST TO SET PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/
FENWAY PARK II

Pika Developers have applied for a conditional use permit that would allow the construction of 10 townhouse units on Highway 54 next to Harris Distributors to be known as Fenway Park II. The land is identified as part of the Ralph Pendergraph property, Tax Map 114, Lot 17C.

The administration recommended that a public hearing be set for September 23, 1986 to consider this request.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY ZONA NORWOOD THAT THE PUBLIC HEARING BE SET FOR SEPTEMBER 23, 1986. VOTE: AFFIRMATIVE ALL

CONTINUATION OF PUBLIC HEARING/MISCELLANEOUS LAND USE
ORDINANCE AMENDMENTS

This matter was before the Board of Aldermen by way of continuance of a public hearing held on July 8, 1986, at which the Board was requested to decide whether to amend the Carrboro Land Use Ordinance to make miscellaneous changes having to do with open space, recreational facilities, cluster, crossing of buffers, bed and breakfast uses and related matters.

Jerry Davenport, the town's planner, explained Sections 2, 3, 4 and 9 of the proposed ordinance dealing with open space and recreational facilities.

Mayor Porto opened the floor for comments on these sections of the proposed ordinance.

(None one choose to speak.)

Mr. Davenport explained Sections 6, 7 and 8 of the proposed ordinance dealing with stream crossings.

Andy Dobelsteim, Chair of the Planning Board, presented the Planning Board's recommendations on the proposed ordinance. Mr. Dobelsteim stated that the Planning Board was concerned with Sections 9, 10 and 12 as recommended by the staff.

Frances Shetley, Chair of the Transportation Advisory Board,

stated that the T.A.B. had considered the proposed ordinance but had requested additional information from the staff before making its recommendations.

Everett Billingsley, Executive Director of OWASA, presented the following comments on the proposed ordinance:

1. Clustered and architecturally integrated developments are appropriate in the watershed if they are undertaken in accordance with the statement of page 4 and page 5 of the ordinance if constructed in the least environmentally sensitive areas.
2. Additional standards must be developed to assure clustering occurs in an environmentally acceptable manner.
3. Road crossings of buffer areas can result in direct channeling of non-point source pollutants into watercourses flowing into University Lake. Therefore, road crossings should be minimized to the extent reasonable.
4. It is recommended that under Section 15-186(d) and Section 15-187(d), consideration be given to changing the provision concerning applicability of required open space to "roads not reachable because it would require a crossing of the designated buffer" from Category 2 to Category 4 or 5.
5. "Designated" buffers for water quality protection purposes must be distinguished from designated noise and privacy buffers.

Mr. Billingsley requested that this public hearing be continued to provide additional time to review the revised proposed ordinance amendments and presentation of a formal position statement from the OWASA Board of Directors.

Miles Crenshaw, a former member of the Water Quality Task Force, stated that he resented the assumption that the Water Quality Task Force was in favor of stream crossings.

Steve Rose, the former chair of the Water Quality Task Force, questioned the staff's comment that more linear feet of impervious surface would be more detrimental than a stream crossing. Mr. Rose suggested that a standard be included in the ordinance to designate the placement of units on lots. Mr. Rose stated that he disagreed with OWASA and the Chapel Hill that water and sewer lines not be extended in the watershed.

Virginia Cunningham, President of the League of Women Voters, urged the Board to make sure that the proposed amendments were thoroughly assessed and made available to the public.

Randy Danziger stated that he supported the notion of giving more time to consider comments from the Transportation Advisory Board and OWASA. Mr. Danziger spoke in favor of the Planning Board's recommendation to delete Section 6(1) and add the word "subcollector" to Section 6(2).

John Sowder, a resident of the watershed, stated that in order to subdivide his land to construct a pond, he is being required to reserve right-of-way for the construction of a future thoroughfare. Mr. Sowder stated that he was publicly withdrawing his application for subdivision because of this requirement. Mr. Sowder requested that a moratorium be placed on construction of this road and requested that Section 6(1) be deleted from the proposed ordinance.

Dan Okin, a Carrboro property owner, stated that water quality will directly result from development pressure surrounding the watershed. Mr. Okin urged the Board to adopt regulations to control development in the watershed. Mr.

Okin stated that he thought extension of sewer in the watershed will increase development and that it will take a joint effort on the part of all jurisdictions to plan development in the watershed.

Margaret Holton, a Carrboro property owner, presented a statement in opposition to stream crossings and questioned the wisdom of extending water and sewer in the watershed. Ms. Holton urged the Board to strengthen regulations for the watershed.

Mr. Davenport explained Sections 5, 10, 11 and 12 of the proposed ordinance.

Steve Rose stated that the proposed amendments do not satisfy site control.

Robert Greenberg, a resident of the watershed, stated that the proposed amendments support greater development in the watershed. Dr. Greenberg urged the board to amend the ordinance to decrease development in the watershed in order to protect the quality of water.

Libby Luddington, a member of the Planning Board, requested that action on the proposed amendments be delayed until a study is made on the effects of development on the watershed.

Barry Jacobs, Chair of the Orange County Planning Board, stated that it will take a joint effort on the part of all jurisdictions involved to protect the watershed.

MOTION WAS MADE BY TOM GURGANUS AND SECONDED BY ZONA NORWOOD THAT FURTHER DISCUSSION OF SECTIONS 6,7,8 BE TABLED. VOTE: AFFIRMATIVE TWO, NEGATIVE 5 (MARSHALL, CALDWELL, PORTO, BOONE, WEGNER)

MOTION WAS MADE BY JUDITH WEGNER AND SECONDED BY RANDY MARSHALL THAT THE STAFF PREPARE A REVISED DRAFT OF THE ORDINANCE WHICH INCLUDES CHANGES IN THE FOLLOWING PROVISIONS: (1) THAT SUB-SECTION 6(1) BE DELETED; (2) THAT SUB-SECTIONS 6(2) AND 6(2)(A) BE AMENDED PURSUANT TO THE PLANNING BOARD'S RECOMMENDATIONS; (3) THAT SUBSECTION 6(4) BE REVISED CONSISTENT WITH THE PLANNING BOARD'S RECOMMENDATIONS. (4) THAT SUB-SECTIONS 11(D) AND 12(D) INCLUDE A CROSS REFERENCE TO THE DEFINITIONAL SECTION; (5) THAT THE STAFF REVIEW LANGUAGE IN THE FINAL PARAGRAPHS OF SECTIONS 11 AND 12 TO DISCUSS FURTHER WITH OWASA THE INCLUSION OF MANDATORY LANGUAGE CONCERNING CONTROLS ON SITING OF DEVELOPMENTS. (6) THAT THE STAFF WORK WITH OWASA AND THE PLANNING BOARD TO CONSIDER WHETHER THERE IS NEED FOR EXPANDING THE AMOUNT OF OPEN SPACE REQUIRED TO 25% OR MORE CONSISTENT WITH OWASA'S RECOMMENDATIONS. (7) THAT THE STAFF EXPLORE WITH OWASA AND THE PLANNING BOARD SOME PROVISION OF ROAD LOCATION PURSUANT TO OWASA'S PROPOSAL. THAT THIS PUBLIC HEARING BE CONTINUED ON OCTOBER 7, 1986. VOTE: AFFIRMATIVE FIVE, NEGATIVE TWO (GURGANUS, NORWOOD)

EXTENSION OF BOND PROJECT/HILLSBOROUGH ROAD

Mr. Morgan stated that the town has received notification from the N.C. Department of Transportation that the town's request to extend the Hillsborough Road project to Parkview Avenue will probably not be approved by the Board of Transportation without significant funding participation by the Town of Carrboro. Mr. Morgan stated that the estimated cost for this extension is \$200,000 with the town's contribution being approximately \$70,000 based on former percentage calculations.

It was the consensus of the Board to have the Town Manager notify the N.C. Department of Transportation that the town wishes to proceed with the extension of this project.

BUDGET AMENDMENT/UMTA GRANTS AND PLANNING WORK PROGRAM FUNDS

Roy Williford, Planning Director, stated that the town has received notification of approval of an amendment to an Urban Mass Transportation Administration grant which will provide funding for the purchase of computer equipment and construction of improvements to bus shelters. An additional UMTA grant will provide for additional bus shelters as well as transportation planning funds. The town is also receiving \$14,787 in PL funds as part of the regional Planning Work Program.

Mr. Williford stated that the administration recommended approval of a budget amendment to allow for proper accounting of funds from these two sources.

MOTION WAS MADE BY JOHN BOONE AND SECONDED BY HILLIARD CALDWELL THAT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'86-87 BUDGET ORDINANCE" BE ADOPTED. VOTE: AFFIRMATIVE ALL

There being no further business, the meeting was adjourned.

Sarah C. Williamson
Town Clerk

J.P. [Signature]
Mayor