

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, March 22, 1994 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Eleanor Kinnaird
Aldermen	Michael Nelson
	Randy Marshall
	Hank Anderson
	Frances Shetley
	Jacquelyn Gist
	Jay Bryan
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 JAY BRYAN AND SECONDED BY RANDY MARSHALL THAT THE MINUTES OF MARCH 15, 1994 BE APPROVED. VOTE: AFFIRMATIVE ALL

DEVELOPMENT OF YAGGY PROPERTY LOCATED OFF MAPLE AVENUE

Phil Zook, a resident of Maple Avenue, speaking on behalf of the residents of Maple Avenue, voiced concern about the proposed development of the Yaggy property located at the end of Maple Avenue. Specifically, the concerns are about the use of Maple Avenue as the main access street to proposed site, the creation of a 20-foot right-of-way service alley to be located on the western boundary of the property, that a 30-foot buffer be provided along the property lines which abut the Maple Avenue neighborhood, and the possibility of construction of multi-family housing in a single-family neighborhood.

Dick Bircher, a Maple Avenue resident, presented a letter from Duncan Yaggy to Martha Arnold, a resident of Maple Avenue, stating that he would prefer making the road that now serves the health clinic the sole access to his proposed development if the town so approves.

The Board requested that the town staff report back to it concerning the issues raised by Mr. Zook prior to submission of a development plan. The Board also requested that Phil Zook, Dick Bircher and Martha Arnold be provided a copy of the staff report.

GUN BUY BACK PROGRAM

Fred Myer with the Gun Back program, asked the Board if it wished to participate with the Town of Chapel Hill in the Gun Buy Back program.

It was the consensus of the Board that the Gun Control Study Committee consider this matter.

REQUEST TO SET PUBLIC HEARING/STREET CLOSING REQUEST/1994 EARTH DAY

Weaver Street Market has requested the closing of Weaver Street from the Main Street intersection to the North Greensboro Street intersection from 10:00 a.m. to 6:00 p.m. on Saturday, April 23, 1994 (rain date: April 30th) to accommodate 1994 Earth Day activities. It was requested that a public hearing to consider this street closing request be set for April 12, 1994.

Chris Peterson, Public Works Director, stated that it would be difficult to change the traffic signals to accommodate the Earth Day activities because the computerized traffic signalization system is not yet on line.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY HANK ANDERSON THAT A PUBLIC HEARING BE SET FOR APRIL 12, 1994. VOTE: AFFIRMATIVE ALL

PUBLIC HEARING/CONDITIONAL USE PERMIT REQUEST/LAKE HOGAN FARMS SUBDIVISION

Brad Young has applied for a conditional use permit which would allow for the development of 420 single-family detached dwelling units in seven phases on 310 acres. The Board of Aldermen must hold a public hearing to receive public comments before rendering a decision on the conditional use permit application.

Keith Lankford, the town's Zoning Administrator, was sworn in. Mr. Lankford presented slides of the existing site and overheads showing the location of the site in relation to existing properties, the existing zoning of the site, the proposed water and sewer easements, the different types of lots being proposed, the phasing plan, the existing vegetation, the road configuration, the proposed open space and recreation complex, and notes of the dam repair construction. Mr. Lankford also presented the staff recommendations and answered the Board's questions concerning this project.

Roy Williford, the town's Planning Director, was sworn in. Mr. Williford stated that the number of trips per day range from 8 to 10 per unit or 4,000 for the entire development. Mr. Williford stated that the traffic would be split between the two entrances, and that there have not been any water quality parameters done for the creek.

Robin Lackey, Chair of the Planning Board, was sworn in. Ms. Lackey stated that the Planning Board voted unanimously to deny the conditional use permit because of their concerns about affordable housing, diverse housing types, a cohesive connector roads design, and greenways/bikepath along Bolin Creek. Ms. Lackey stated that since the vote taken by the Planning Board, Toy Cheek had changed his vote to support the plan as submitted.

Alex Zaffron, Chair of the Transportation Advisory Board, was sworn in. Mr. Zaffron stated that the TAB felt the site plans are not acceptable for the following reasons: (i) the site plan has only a western connector and a southern connector; (ii) the site plan does not have a northern connector that fits in with the Connector Roads Plan Concept; and (iii) that the developer attempt to reconfigure the connector to create a direct northern connection. If the revisions are made to the plans, then the developer should more accurately reflect the north-south connection desires that the town expressed in its north-south connector road plan. The TAB endorses the

interior layout of the plan and the circulation with the exception of the lack of a direct north-south connector.

Heidi Perry, a member of the Transportation Advisory Board, was sworn in. Ms. Perry stated that she had abstained from voting on the TAB recommendations because she felt that since the town has approved the zoning for such a large subdivision, this is a development worthy of approval. However, she shared the TAB's frustration that the developer had not considered a north-south connection.

Mayor Kinnaird read the Appearance Commission's recommendation which stated that the applicant bring to the Appearance Commission more detail concerning the sign/entry detail and the amenity/public areas. Also, consideration of a parking area for the clustering section and parking for the play fields.

Brad Young and Dan Jewell, of Young-Jewell & Associates, were sworn in. Mr. Young presented the road plan showing the north/south connector, explained why a east/west connector was not proposed, why the cluster homes were being located mostly in the current open land to avoid cutting trees, and explained that the larger lots will be located where most of the trees are located. Mr. Young stated that no individual driveways will be located directly on the main road, and that they will plant additional trees along Stonyhill Drive if the residents of Stonyhill request them. Mr. Young stated that they would like to use white street lights which will be less obtrusive. The homes will start at approximately \$150,000. Water and sewer will be extended to this development thereby providing other developers the opportunity to construct affordable housing on surrounding properties. The Hogans have requested that Hogan's Lake remain private because of their past negative experience in having the lake open to the public. Mr. Young stated that there was a golf course considered early on in the process and discussions were held with adjoining property owners to the north of the site, but consideration was dropped when those property owners decided to drop out of the process.

Ellen Kepley was sworn in. Ms. Kepley stated that she was speaking on behalf of Preston and Velna Hogan, Wayne and Patsy Hutchins, Julia and Craven Bass,

Mildred and Randy Williams, Fay and Robert Daniels and Ethel Hogan. Ms. Kepley stated and she and her family and all of the families named are all life-long residents of Homestead Road and are in complete support of the proposed project and feel it will enhance the surrounding area.

Erwin Gutzwiller, a resident of 1310 Tallyho Trail, was sworn in. Mr. Gutzwiller presented a petition from residents of the Fox Meadow Subdivision requesting that Tallyho Trail not be extended to Lake Hogan Farm because they feel this extension will create a number of traffic hazards and safety concerns for their children.

Sally Nussbaumer, a resident of 300 Stony Hill Road, was sworn in. Ms. Nussbaumer stated that it was her recollection that the developer had presented a plan at the time of the rezoning of the Hogan property which contained a golf course and retirement center.

Carol-Ann Greenslade, a resident of 417 Stony Hill Rd., was sworn in. Ms. Greenslade stated that she recalled that the developer had requested the rezoning of the Hogan property because of the proposed retirement community. Ms. Greenslade requested that the Board require screening between this development and the surrounding properties. Ms. Greenslade expressed concern

about the wetlands being filled in and the pond being drained, and requested that the large trees be cited and protected during construction. Ms. Greenslade also expressed concern about the run-off from this development.

Bob Hogan, the property owner, was sworn in. Mr. Hogan stated that in the past this property had a 2-acre buffer zone. Mr. Hogan stated that he had discussed with Young-Jewell & Associates providing as much open space as possible in the development. Mr. Hogan stated that the dairy business is not doing well but he plans to retain 150 acres as a farm. He stated that when Hogan's Lake was turned over to the public a few years ago, it was a disaster. Mr. Hogan stated that family and friends of the development will be able to use the pond and the bikepaths will be open to the public.

Chris Hogan, a resident of 117 Redbud Lane and a partner in the proposed development, was sworn in. Mr. Hogan stated that the developers have met with the Board for some time now concerning this project. In addition, he stated that he feels that the surrounding property owners do not want a bunch of houses on this property. That this proposed development is not the only development causing traffic problems, and that additional schools are currently under construction or plans for construction are underway. Mr. Hogan stated that they were making the bikepaths public, but that the lake would remain private.

Carolyn Miller, a resident of 400 Stony Hill Rd., was sworn in. Ms. Miller stated that when the public hearing on the rezoning of this property was held Dan Jewell stated that the upzoning was needed in order to build cluster housing interspersed with ample open space. She stated that she feels that the proposed development does not contain enough open space. She requested a 100-foot buffer between the proposed development and the northern and eastern boundaries of the Stony Hill Subdivision. Ms. Miller requested that the private road be placed no closer than 35 to 50 feet from the property line and requested that the lighting be similar to that in the Highlands. Ms. Miller stated that she was not suggesting that the town deny the conditional use permit, but that the developer make the changes that she had suggested.

Trip Overholt, a resident of 101 E. Main street, was sworn in. Mr. Overholt stated that he feels retirees will move to this proposed development. He suggested that the developer consider construction of condos, and expressed concern about the closeness of the homes to the power lines. Mr. Overholt suggested that if the lake is drained, that the animal life be protected.

John Hartley, a resident of 408 Stony Hill Road, was sworn in. Mr. Hartley stated that he was very saddened by the loss of the Hogan Farm. He stated that he was very upset that the golf course was dropped from consideration and feels that Bolin Creek should become a greenway accessible to the entire community to be extended throughout the floodplain.

Richard Ellington, a resident of 109 Bruton Drive, was sworn in. Mr. Ellington stated that he would prefer that no development take place, but he knew that was only a dream. He suggested that the Board change the procedures to allow presentation of development plans at the time of the rezoning. He stated that he feels this is a reasonable plan and that the developer has exhibited his best effort.

Jef, a resident of 300 Stony Hill Road, was sworn in. He requested low-intensity lighting to protect the migratory birds and that the lake be drained when it will be least disruptive to the animal life. He questioned whether the developer owns the right-of-way along Highway 86 where the deceleration lane will be constructed.

Randy Danziger, a resident of Dairyland Road, was sworn in. He expressed concern over the increased traffic on Homestead Road because of this development and stated that he would like to have seen the developer's proposed plan at the time of the rezoning.

Lighting Brown, a resident of Chapel Hill, was sworn in. He stated that he was speaking on behalf of the Stonyhill Subdivision. Mr. Brown stated that the traffic will increase by 4,000 trips per day on insufficient roads, and requested additional screening be provided between the proposed development and the Stonyhill Subdivision. Speaking personally, Mr. Brown expressed concern over the impact of the proposed development on Bolin Creek. He stated that he feels the impact of 25-, 50- and 100-year floods on the flooding of the existing lake should be studied.

Roy Williford stated that the dam of Hogan's Lake will be raised and the weir will be improved to accommodate additional run-off.

Dan Jewell explained the improvements to the lake and stated that it is hoped that the lake could be drained in September and remain dry for about two months. Mr. Jewell stated that any fish in the lake will be moved to University Lake.

Lynn Jaffe, a resident of 408 Stony Hill Road, was sworn in. She stated that she feels raising the dam by two feet will not be enough to accommodate the increased run-off, and that the development does not benefit the surrounding neighborhoods. She expressed concern about the noise generated by construction of houses for such a long period of time, and urged the Board to take the recommendation of the Planning Board. In addition, Ms. Jaffe urged the Board to amend the ordinance to reflect the Year 2000 Task Force recommendations.

Gloria Faly, a resident of 1002 Tallyho Trail, was sworn in. Ms. Faly stated that she feels the schools cannot accommodate a development of this size, and that the roads cannot accommodate the increased traffic. In addition, that Tallyho Trail cannot support additional traffic.

Alex Zaffron, a resident of 100 Old Pittsboro Road, was sworn in. He stated that this development is another example of exclusive rather than affordable housing for the community.

Tom Bainbridge, a resident of 8520 Lake Hogan Farm, was sworn in. He stated that Hogan's Lake and the cows on the Hogan Farm are nice but it's not paradise. He stated that what he feels makes community is the diversity and that he feels this development will bring a diversity of people. Mr. Bainbridge stated that he strongly supports the proposed development.

Bryan Jones, a resident of 8112 Old Highway 86, was sworn in. He stated that he owns Harmony Farms. He stated that he feels the plans look viable and feels the development should be approved. He stated that if the Board wants affordable housing, the open space, tennis courts and bikepaths should be deleted from the plan to cut down on the developer's costs.

Edwin Leek, a resident of Rogers Road, was sworn in. Mr. Leek stated that he lives behind the proposed development and is concerned about where the wildlife will go when this property is developed. He stated that they are having problems with their wells and expressed concern about the increased traffic from this development.

Allen Finkel, a resident of Stony Hill, was sworn in. Mr. Finkel spoke against the proposed development.

Rob Hogan, a member of the Lake Hogan Farm family, was sworn in. He spoke in favor of the proposed development and stated that the Hogans are vested residents of the community and want the best use of their property.

The Board requested the following information from the town staff:

- a. The average daily traffic counts applicable to this development with an indication of the traffic split between entrances;

- b. A map of the surrounding zones, including the zoned densities;
- c. A map of the Bolin Creek Corridor along the Hogan property including Hogan Lake showing the floodplain within this development;
- d. An analysis of the affect of this development on the school system, including information on the cost benefit of this development on the schools;
- e. That the Appearance Commission and Transportation Advisory Board be given an opportunity to review this plan again prior to April 19th;
- f. A report on the possibility of requiring a 100-foot buffer;
- g. A report on the options for lighting, including information from the National Heritage program concerning the affect of lights on wildlife; and
- h. A report on why Chris Hogan Lane is named and why it is being paved since it is considered a driveway.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE PUBLIC HEARING BE CONTINUED TO APRIL 19, 1994. VOTE: AFFIRMATIVE ALL

JOINT PLANNING PUBLIC HEARING DATES FOR 1994

The administration recommended that the Board of Aldermen set April 14, 1994 and October 13, 1994 as the official Joint Planning Public Hearing dates for 1994.

MOTION WAS MADE BY HANK ANDERSON AND SECONDED BY FRANCES SHETLEY THAT APRIL 14 AND OCTOBER 13, 1994 BE SET AS THE OFFICIAL JOINT PLANNING PUBLIC HEARING DATES FOR 1994. VOTE: AFFIRMATIVE ALL

CANCELLATION OF APRIL 5TH BOARD MEETING

The administration recommended that the Board cancel its meeting scheduled for April 5, 1994.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY MICHAEL NELSON THAT THE APRIL 5, 1994 MEETING OF THE BOARD OF ALDERMEN BE CANCELED. VOTE: AFFIRMATIVE ALL

INTERLOCAL COMMITTEE ON WATER AND SEWER SERVICE AREA BOUNDARIES

Mayor Kinnaird stated that the town had received a proposal to establish an interlocal committee to propose water and sewer service area boundaries. The committee would consist of two representatives of the County Commissioners, the Hillsborough Board of Commissioners, Carrboro Board of Aldermen, Chapel Hill Town Council, and OWASA Board of Directors.

It was the consensus of the Board to ask the Agenda Planning Committee to schedule a discussion of this matter.

MOTION WAS MADE BY RANDY MARSHALL AND SECONDED BY JAY BRYAN THAT THE MEETING BE ADJOURNED AT 11:00 P.M. VOTE: AFFIRMATIVE ALL



Mayor

Town Clerk