

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, June 10, 2003 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Michael Nelson
Aldermen	Joal Hall Broun
	Mark Dorosin
	Jacquelyn Gist
	John Herrera
	Diana McDuffee
	Alex Zaffron
Interim Town Manager/	Michael B. Brough
Town Attorney	
Town Clerk	Sarah C. Williamson

ORANGE COUNTY HEALTH DEPARTMENT COMMUNITY ASSESSMENT

Maria Hitt, Healthy Carolinians Coordinator, stated that the Orange County Health Department and the Healthy Carolinians are organizing a community effort to prepare a county-wide community health assessment during 2003. She asked that the Town of Carrboro participate in this effort.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS: JUNE 3 AND 4, 2003

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO APPROVE THE JUNE 3 AND JUNE 4, 2003 MINUTES, WITH A CORRECTION TO THE JUNE 4TH MINUTES. VOTE: AFFIRMATIVE ALL

REQUEST TO APPROVE A BUDGET ORDINANCE

The purpose of this item was to increase the current year budget to acknowledge several expenditures that are needed to conduct day-to-day town services.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JOHN HERRERA TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING FY'2002-03 BUDGET ORDINANCE." VOTE: AFFIRMATIVE ALL

REQUEST TO TAKE OVER MAINTENANCE OF A PORTION OF BPW CLUB ROAD

The N.C. Department of Transportation currently maintains a 0.3 mile portion of BPW Club Road (SR 1967) within Carrboro's Town Limits. Town staff believe is in the best interest of residents for the Town to take over maintenance of this section of road, and NCDOT staff are agreeable to this. A resolution was presented for the Board's adoption requesting that NCDOT abandon this section of road.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman John Herrera.

A RESOLUTION REQUESTING THAT THE N.C. DEPARTMENT OF TRANSPORTATION
ABANDON A PORTION OF BPW CLUB ROAD AND ALLOW THE TOWN OF CARRBORO
TO TAKE OVER MAINTAINENCE
Resolution No. 176/2002-03

WHEREAS, the N.C. Department of Transportation currently maintains a 0.3 mile portion of BPW Club Road (SR 1967) within Carrboro's Town Limits; and

WHEREAS, the Town of Carrboro is currently maintaining a portion of BPW Club Road and is willing to maintain the section currently maintained by NCDOT; and

WHEREAS, NCDOT staff has expressed willingness for the Town of Carrboro to take over maintenance of the portion of BPW Club Road that is currently state-maintained.

NOW, THEREFORE, THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO RESOLVES:

Section 1. The Town of Carrboro requests that the 0.3 mile section of BPW Club Road that is currently maintained by the N.C. Department of Transportation be abandoned and removed from the State Highway System.

Section 2. Once this section BPW Club Road is abandoned and removed from the State Highway System, The Town of Carrboro will take over maintenance of this section of road.

Section 3. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 10th day of June, 2003:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, John Herrera, Diana McDuffee, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: None

A REQUEST TO APPROVE LOAN MODIFICATIONS FOR INSTALLMENT REFINANCINGS

To take advantage of lower interest rates that will result in significant savings on debt service payments made by the Town, the Board was requested to approve the Town's recommendation to modify three financing documents, two with BB&T and one with Bank of America and to authorize the Assistant Town Manager to execute these documents on behalf of the Town.

The following resolution was introduced by Alderman Alex Zaffron and duly seconded by Alderman John Herrera.

A RESOLUTION APPROVING MODIFICATIONS TO TOWN
INSTALLMENT FINANCINGS TO REDUCE THE INTEREST RATES

WHEREAS, the Town has previously entered into installment financing contracts, pursuant to Section 160A-20 of the General Statutes, with Bank of America ("BOA") and Branch Banking and Trust Company ("BB&T"). BOA has provided financing to the Town for the Century Center, while BB&T has provided financing for the Hillsborough Park and certain fiber optic projects; and

WHEREAS, there has been presented at this meeting information from the Finance Officer concerning proposals from BB&T and BOA to modify the existing contracts to reduce the interest rates to be paid by the Town.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO, as follows:

1. The Board approves the modifications described at this meeting.
2. All Town officers and employees are authorized and directed to execute appropriate modification agreements (however designated) to carry out the proposed modifications described to this meeting. Such agreements may be in such forms as BOA and BB&T may request and as the Finance Officer may approve. Each modification agreement in its final form, however, must provide for lower interest rates to the Town, and must not provide for any extension to the financing term or any additional collateral to be provided.
3. The Finance Officer is authorized and directed to hold executed copies of the modification agreements, and any other documents authorized or permitted by this resolution, in escrow on the Town's behalf until the conditions for the delivery of such documents have been completed to such officer's satisfaction, and thereupon to release the executed copies of such documents for delivery to the appropriate persons or organizations. Without limiting the generality of the foregoing, this authorization and direction is hereby specifically extended to authorize such officers to approve changes to any documents (including the modification agreements) or closing certifications previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such certificates from that expressed in the forms of such certificates as executed by such officers or otherwise conflict with the provisions of this resolution. Such officer's authorization of the release of any such document for delivery shall constitute conclusive evidence of such officer's approval of any such changes.
4. The Town shall not take or omit to take any action the taking or omission of which will cause its obligations under the original installment financing agreements, as modified, to be an "arbitrage bond," within the meaning of Section 148 of the "Code" (as defined below), or a "private activity bond" within the meaning of Code Section 141, or otherwise cause interest on such obligations to be includable in the gross income for federal income tax purposes of the owners of such obligations. Without limiting the generality of the foregoing, the Town will comply with any Code provisions that may require the Town to pay to the United States any part of the earnings derived from the investment of the original financing proceeds. For the purposes of this resolution, "Code" means the United States Internal Revenue Code of 1986, as amended through the respective dates of the initial execution and delivery of the modification agreements, including applicable Treasury regulations.
5. The Town designates its obligations under the Modification Agreements to be "qualified tax-exempt obligations" for the purposes of Code Section 265(b)(3).
6. All Town officers and employees are authorized and directed to take all such further action as they may consider necessary or desirable in connection with the furtherance of the purposes of this resolution. All such prior actions of Town officers and employees are ratified, approved and confirmed. All other resolutions, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 10th day of June, 2003:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, John Herrera, Diana McDuffee, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: None

RESOLUTION IN OPPOSITION CHANGES IN FCC OWNERSHIP RULES OF MASS MEDIA

The following resolution was introduced by Alderman John Herrera and duly seconded by Alderman Alex Zaffron.

A RESOLUTION OPPOSING CHANGES ON THE FCC OWNERSHIP RULES OF
MASS MEDIA AND CALLING FOR A NATIONAL HEARING ON THE IMPACT OF THE
PROPOSED RULES ON THE SPANISH SPEAKING MEDIA OWNERSHIP IN THE USA
Resolution No. 182/2002-03

WHEREAS, the Federal Communications Commission has proposed easing the ownership rules permitting entities to purchase a greater number of television and radio stations; and

WHEREAS, the Spanish-speaking television stations are already concentrated in a small number of holding companies, who therefore control the information and opinions to which this important part of our population is exposed, and reduce the diversity and choices in broadcast consumption to the Spanish-speaking population; and

WHEREAS, Latino/Hispanic immigrants comprise 12% of the population of Carrboro, and 13% of the national population; and

WHEREAS, insufficient avenues of public expression have been allowed by the Federal Communications Commission with respect to this measure, and the majority opinion expressed to the FCC, against the proposed regulations, was not taken into account.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO:

Section 1. The Board of Aldermen calls on the Chair of the Federal Communications Commission to hold a public hearing in North Carolina on the impact that the proposed rules will have on the ownership of Spanish language media in the USA.

Section 2. This resolution shall become effective upon adoption.

The foregoing resolution having been submitted to a vote, received the following vote and was duly adopted this 10th day of June, 2003:

Ayes: Joal Hall Broun, Mark Dorosin, Jacquelyn Gist, John Herrera, Diana McDuffee, Michael Nelson, Alex Zaffron

Noes: None

Absent or Excused: None

BOARD DIRECTS MANAGER TO PREPARE A FINAL BUDGET

The purpose of this agenda item was to complete budget discussions and to instruct the Town Manager to develop a final draft of the budget for adoption by the Board on June 24.

The Board gave the Manager the following directions:

ITEM	AMOUNT TO BE ADDED TO FINAL BUDGET	AMOUNT TO BE DELETED FROM FINAL BUDGET	NOTES
Cybrary	\$25,295		Option 3
Transit (holiday service, MLK Day, Good Friday, December 26 th)	\$1,220		
Transit (change to Saturday C Route)	0		Free Option
Transit (service to CHHS)	0		No action, information on cost requested
Boardroom chairs	0		
Boardroom upgrades (cabling)	0		Postponed
Condemnation on Rand Road	0		Postponed
Board Professional Development	\$2,000		
Health Insurance for Board of Aldermen	\$6,000		Negotiate with Wellpath on percentage of Board members required to sign up for coverage
Sidewalk on Bolin Forest Drive	0		Postponed until 6/17/03
Delete a police investigations vehicle		\$7,874	
Delete Planning Pickup Truck		\$4,588	
Cut Special Events Coordinator to Half-Time		\$15,032	

CONTINUATION OF PUBLIC HEARING: WINMORE VILLAGE MIXED USE CONDITIONAL USE DISTRICT REZONING AND VILLAGE MIXED USE ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT

The public hearing on the Winmore rezoning and conditional use permit application held on May 27, 2003 was continued to allow time for additional public comment and consideration. Follow-up information in response to Board questions on June 3rd is provided for review. An ordinance that changes the zoning of the Winmore Property from R-20 to Village Mixed Use conditional use and a conditional use permit worksheet on the Winmore conditional use development are also provided.

Marty Roupe gave a report on the changes and information requested by the Board on June 4th.

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JACQUELYN GIST TO ADOPT THE ORDINANCE ENTITLED, "AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY 65.85 ACRES OF LAND KNOWN AS THE T.E. HOGAN HEIRS PROPERTY FROM R-20 TO VMU CU." VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (NELSON)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN THAT THE APPLICATION IS COMPLETE. VOTE: AFFIRMATIVE FIVE, NEGATIVE ONE (NELSON)

MOTION WAS MADE BY MARK DOROSIN AND SECONDED BY JACQUELYN GIST THAT THE APPLICATION COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (NELSON)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOHN HERRERA THAT IF THE APPLICATION IS GRANTED, THE PERMIT SHALL BE ISSUED SUBJECT TO THE FOLLOWING CONDITIONS:

- 1 The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 1-64 of the Land Use Ordinance.
- 2 If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
3. That the development is approved as presented, per Section 15-176.2(a)(1) and 15-176.2(b) of the Carrboro Land Use Ordinance.
4. That the proposed civic use is hereby permissible on the 'proposed future civic use' lot as a part of this development, but any project proposed to be constructed on the 'proposed future civic use' lot shall be subject to a separate CUP review and approval process. Further, that the following use categories shall be permissible on the civic use lot: 5.200, 5.300, 6.110, 6.121, 6.140, 13.000, 15.100, 15.800, 22.200, 22.300, as well as meeting halls and schools.
5. That arrangements be made to assure the continued affordability of 48 units within the development. Specifically, the 24 units proposed in the affordable apartment complex and the 24 units that may be proposed at a late date on the 'co-op' lot (lot #99) shall be restricted in a manner that is consistent with the language found in Section 15-182.4 of the Carrboro Land Use Ordinance. The restrictions must be reviewed and approved by the Town Attorney, and must be in place prior to final plat approval.
6. That 24 apartment units (Use. 1.331) are permissible on the "co-op" lot (Lot #99) as part of this development, but that any project proposed to be constructed on the "co-op" lot will be subject to a separate CUP review and approval process.
7. That no additions or interior renovations designed to increase the heated square footage of the size-limited units can be approved/completed within the first year following the issuance of the Certificate of Occupancy per Section 15-188(e) of the Carrboro Land Use Ordinance. This statement must also be included on the recorded final plat and reference the applicable 'size-limited unit' lots.
8. That 'Homeowner's Association (HOA) Documents' (for both the residential and commercial portions of the project) be reviewed and approved by the Town Attorney prior to final plat approval, and that the

HOA documents include the language found in a letter from Winmore Land Management dated February 18, 2003.

9. That all cross-sections shown on the construction plans shall show utility line locations for all proposed utilities, that all proposed roads and bridges shall comply with Town of Carrboro and/or NC DOT TND road and bridge standards, and that full compliance shall be demonstrated on the construction plans for the project, except where specific deviations to those standards are permitted by the granting of this CUP for Olmsted Drive, which represents a hybrid of Town standards and NCDOT standards.
10. That the applicant realign the proposed sidewalk on the construction plans so that it will fall completely within the existing NCDOT right-of-way, and that the 'end-point' for the sidewalk construction shall be where it ties in with the existing sidewalk on the south side of Camden Lane. Further, that the applicant agrees to construct intersection improvements at the Homestead Road/High School Road intersection shown in Exhibit A???, subject to approval by NCDOT 9and acquisition by NCDOT of any necessary additional right-of-way), or reasonable, alternative intersection improvements as required by NCDOT. The Homestead/High School Road intersection improvements must be completed prior to the issuance of a Certificate of Occupancy for the 117th primary residential dwelling unit.
11. That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval.
12. That the Board of Aldermen chooses the parkway design presented on Sheet 3a of the plans, and that the parkway design, including the 12-foot wide pedestrian/bicycle path be included on the construction plans.
13. That a 'speed-table' or other traffic calming feature from the Town's Residential Traffic Management Plan be added to the plans at the construction plan stage, on Winmore Avenue, immediately to the west of the Bolin Creek bridge crossing.
14. That the Board of Aldermen chooses the originally proposed alignment of Kiley Street and Atterbury Street, allowing an offset between the intersections where they intersect with Winmore Avenue.
15. That all sight triangle easements be free of street trees and other obstructions and be shown as such on the construction plans.
16. That the construction plans and final plat for the project include a 'private' label for the proposed 8-foot pedestrian way easements between Lots 4 and 5 and Lots 8 and 9.
17. That the construction plans for the project shall include design configurations for the two proposed bus stop locations and that the developer shall build the bus stops during road construction for the project. Further, the Board finds acceptable the use of the future bus stop locations as on-street parking areas until such time as Chapel Hill Transit provides service to the development.
18. That the applicant provide a diagonal parking plan for Lot H on the construction plans, consistent with the on-way traffic flow pattern presented for Burroughs Lane.
19. That the applicant must receive approval of a minor modification to the CUP before making use of the proposed 'overflow parking area' identified on the project plans, and that the applicant must obtain formal permission from Duke Power to make such use of the area before obtaining modification approval.
20. That the 'multi-use field' note be removed from the proposed 'overflow parking' area on the construction plans.

21. That the Homeowner's Association documents for the project shall include language specifically providing that on residential lots the required number of off-street parking spaces, including spaces in enclosed or partially enclosed garages will be maintained for use as parking spaces.
22. That, if NCDOT deems it necessary, the proposed 17 willow oak trees alongside Homestead Road not be included on the construction plans.
23. That the applicant modify the lighting plan to the satisfaction of the Public Works Department with regard to the developer and homeowner's association being responsible for the additional costs associated with the placement of decorative lights around the main roundabout traffic circle prior to construction plan approval.
24. That the developer provide a written statement from the electrical utility stating that electric service can be provided to all locations shown on the construction plans prior to the approval of the construction plans.
25. That the applicant further explore the possibility of including a 'linear stormwater infiltrator system' in the project, and that the stormwater feature may be included on the construction plans if the Town Engineer and Town's Environmental Planner are satisfied with evidence presented by the applicant with regard to the workability and potential success of such a system on the site. If the feature is approved, then the applicant shall be allowed to modify the other stormwater features on the site at the construction plan level, so long as the Town Engineer confirms that the final stormwater-related aspects of the plan do comply with the requirements of the Carrboro Land Use Ordinance.
26. That if the 'linear stormwater infiltrator system' is approved, then the applicant shall include notations on the construction plans for the project establishing that the Winmore Homeowner's Association will be responsible for the maintenance of the feature, even though it is contained within a Town of Carrboro Public Access Easement.
27. That the applicant reconfigure the proposed locations of stormwater pipes wherever possible, so that pipes are contained within the public right-of-way, or that the applicant include stormwater easements on the construction plans and on the final plat on any lots that still contain any portion of the public stormwater piping system.
28. That the applicant provide to the Carrboro Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as-builts for the project. Digital as-builts should be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files should include all layers or tables containing storm drainage features. Storm drainage features should be clearly delineated in a data table. The data should be tied to horizontal controls.
29. That an application for a "No Impact Certification or Conditional Letter of Map Revision (CLOMR) may be submitted to FEMA by the developer for the Bolin Creek crossing prior to the construction plans being approved. No construction governed by the issuance of a CLOMR or No Impact Certification may take place until certifications are issued.
30. That if a Letter of Map Revision (LOMR) must be obtained from FEMA, that such letter must be obtained prior to final plat approval.
31. That a 404 National Wetlands Permit from the US Army Corp of Engineers and a 401 Water Quality Certification from NCDENR's Division of Water Quality be obtained by the developer prior to the constructions plans being approved.

32. That the applicant must obtain all necessary temporary construction easements and permanent easements related to the project before construction plan approval, and that all easements shall be labeled appropriately on the construction plans and, for permanent easements, on the final plat.
33. That the 30-foot Town of Carrboro Public Access Easement be extended the entire length of the existing driveway so as to provide a possible public access point to the greenway so as to provide a possible public access point to the greenway from Homestead Road, and that this extension be shown on the final plat for the project.
34. That the applicant must receive approval of a detailed striping plan for the proposed pedestrian/bicycle trail prior to construction plan approval, and that the cross-section and striping plan must be shown on the construction plans. Additionally, the construction plans must show separation devices where roads and trails come together at bridge crossings to ensure pedestrian and bicycle safety.
35. That the Winmore Homeowner's Association documents shall stipulate that the playfields included in the development shall be cared for or otherwise maintained without the use of chemical fertilizers or pesticides.
36. That when building permit plans for each storefront and townhouse use building are submitted, the plans shall be forwarded to the Carrboro Appearance Commission for review prior to the issuance of the building permit.
37. That prior to construction plans approval, the applicant shall submit to the Town staff copies of contractual agreements with third-party builders for the construction of the 24-unit affordable housing apartment building and the construction of the 24-unit cooperative housing area identified on the plans as Lot 99, as well as a complete conditional use permit application for the 24-unit cooperative housing area on Lot 99. The contractual agreements shall include language referencing an anticipated review and construction schedule, and shall state that upon receiving the land, the third-party builders agree to construct the affordable housing within a specified timeframe. The contractual agreements shall be reviewed and approved by the Town Attorney.
38. That the applicant shall offer 7 townhome units to Orange Community Housing and Land Trust at a price consistent with the language found in Section 15-182.4 of the Carrboro Land Use Ordinance.
39. That the final plat for the project include an offer of dedication to the Town of Carrboro for the land along and near Bolin Creek totaling approximately 27 acres as shown on Exhibit B??. Also, prior to final plat approval, the applicant shall submit for review and approval by the Town Attorney and encroachment agreement or easement document that provides to the Winmore Homeowner's Association a right of access to and maintenance responsibilities for all recreation facilities and stormwater features located within the open space. The encroachment agreement or easement document must be recorded with the final plat for the project.

VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (NELSON)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN THAT THE FOLLOWING CONDITIONS BE ADDED:

- 1 That the design of the stormwater wetland be modified to soften the edges and give it more of an appearance of a natural wetland.
- 2 That the developers consider changing some of the specific plants scheduled for the wetland unit.

- 3 That fully shielded lighting fixtures be installed along public streets, rather than cobra heads, to reduce light pollution and that the lights be similar in look and function to the lights being used along the private streets within the development. And, that the applicant modify the lighting plan to the satisfaction of the Public Works Department with regard to the developer and homeowner's association being responsible for the additional costs associated with the placement of full cut-off decorative lights around the main roundabout traffic circle prior to construction plan approval.

VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (NELSON)

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY JOAL HALL BROUN TO GRANT THE PERMIT PERSUANT TO THE ABOVE CONDITIONS. VOTE: AFFIRMATIVE SIX, NEGATIVE ONE (NELSON)

PACIFICA ARCHITECTURALLY INTEGRATED SUBDIVISION CONDITIONAL USE PERMIT

The Board of Aldermen continued the hearing that began on June 3rd, 2003 regarding the Pacifica Conditional Use Permit proposal. This project is a major subdivision on the property located at the eastern terminus of Hanna Street. The subdivision includes town homes, apartments and single-family detached residences. The development contains a total of 46 dwelling units.

Vickie Porto, a resident of 107 Watters Road, was sworn in. She stated that safety is the issue with this project. If the developer accesses Watters Road, they need to do it safely, requested only 30 housing units be allowed, that the 23-space parking lot be deleted, requested a drainage pipe be placed along the north side of Watters Road with a gravel sidewalk over the pipe, that a sidewalk be required on the lower side of Hanna Street.

Jim Sadler was sworn in. He stated that he does not feel the project should be so dense, expects the project will produce much more traffic than they are indicating, feels Hanna Street is already diverse in its housing types and residents. He stated that the Carrboro Board of Aldermen has achieved a reputation as a progressive group of community leaders, but feels that there is nothing progressive about an overbuilt cul-de-sac housing development that stresses and overburdens its surrounding neighborhoods and environment.

Giles Blunden proposed that they not be required to designate a right-of-way for the connector road until it is actually determined what it will connect to, and to allow the overflow parking area on the south side of the road to be grass on a structural base and not paved. This will allow the developer to contribute \$50,000 toward the construction of the sidewalk on Hanna Street.

Alderman Herrera stated that he feels the sidewalk on Hanna Street is important and needs to be constructed

Alderman Gist expressed concern that Hanna Street will require major improvements if this development goes in, does not want the stub-out to the Adams Tract, feels 46 units is too many.

Alderman McDuffee asked the town staff to determine the feasibility of placing the gravel path along Watters Road, requested an updated cost of the sidewalk for Hanna Street, asked that the minutes be checked to see if a stub-out required for the Hanna Ridge conditional use permit,

Alderman Broun expressed concern about the traffic (vehicular and pedestrian) generated by this development and asked if a covenant could be imposed that would limit the number of cars that could be owned by residents of this development. She stated that Hanna Street needs improvements without the proposed development.

Mayor Nelson stated his desire to see the Hanna Street, does not want to see a stub out to the Adams tract, but would like to see the entrance road to Pacifica built to local street standards, and requested Board authorization to send a letter to Mrs. Adams attempting to get a commitment on her part to sell her property to the town.

It was the consensus of the Board to authorize the Mayor to send a letter to Mrs. Adams.

Alderman Dorosin asked the town staff to determine whether the developer's request not be required to designate the right-of-way for the connector road until it is actually determined what it will connect to, and to allow the overflow parking area on the south side of the road to be grass on a structural base and not paved is feasible. He also stated that he feels sidewalks are needed on both Watters Road and Hanna Street.

Alderman Zaffron asked the town staff to bring back a mechanism for both scenarios—whether to require the right-of-way with a stub-out reserved, asked the town staff to respond to Kimley, Horn and Associates' traffic analysis for Hanna Street and whether the staff concurs with that analysis, and that the developer respond to the idea of eliminating the secondary parking lot.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY JACQUELYN GIST TO CONTINUE THIS PUBLIC HEARING TO JUNE 24TH. VOTE: AFFIRMATIVE ALL

REQUEST FROM ARTS COMMITTEE

Mayor Nelson stated that the Arts Committee has requested authorization to purchase a piece of sculpture (sunflower) for \$900.00.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO AUTHORIZE THE ARTS COMMITTEE TO PURCHASE THE SCULPTURE. VOTE: AFFIRMATIVE ALL

POET LAURETE

Alderman Gist stated that the poet laureate's term has expired and her service needs to be recognized and the town needs to find a replacement.

LETTER TO HANGERS CLEANERS

Alderman Zaffron asked the Board for authorization to send a letter to Hangers Cleaners asking that they respond to questions from neighbors.

Mike Brough stated that there is a process to address this matter. The interpretation of the Zoning Administrator can be appealed to the Board of Adjustment.

CONFLICT OF INTEREST POLICY

Alderman Herrera asked for a copy of the town's conflict of interest policy and disclosure statement.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY ALEX ZAFFRON TO ADJOURN THE MEETING AT 11:35 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk