

A regular meeting of the Carrboro Board of Aldermen was held on Tuesday, May 22, 2007 at 7:30 p.m. in the Town Hall Board Room.

Present and presiding:

Mayor	Mark Chilton
Aldermen	Joal Hall Broun
	Dan Coleman
	Jacquelyn Gist
	John Herrera
	Randee Haven-O'Donnell
	Alex Zaffron
Town Manager	Steven E. Stewart
Town Attorney	Michael B. Brough
Town Clerk	Sarah C. Williamson

PROCLAMATION ISSUED

Mayor Chilton read a proclamation proclaiming May 27th as Rachel Carson Day in the Town of Carrboro.

PUBLIC HEARING ON THE MANAGER'S RECOMMENDED BUDGET FOR FY 2007-08

The Board, prior to adopting the FY2007-08 budget ordinance, is required by GS 159-15 (b) to schedule a public hearing. The public hearing was designed to receive community input on the Manager's recommended budget for fiscal year 2007-08.

Sharmin Mirman, the Mayor's Assistant/Deputy Town Clerk, spoke in favor of a health care stipend for part-time permanent employees of the town.

Tilden Ward spoke in favor of waiving the rental fees for the Really Really Free Market.

Parks Harper read a letter on behalf of a friend of hers speaking in favor of waiving the rental fees for use of the Town Commons for the Really Really Free Market. She also spoke in favor of health insurance for part-time town employees.

Stephanie Phillipie spoke in favor of providing insurance for all town employees.

Jackie Helvey spoke in favor of health insurance for all town employees, spoke in favor of waiving the rental fees for the Really Really Free Market, and spoke against putting the Arts Committee support position in the Recreation and Parks Department.

Vincie Darrow spoke in support of the fee waiver for the Really Really Free Market and suggested that the town encourage use of the Town Commons.

Dave Deming spoke in favor the fee waiver for the Really Really Free Market.

Devon Clark spoke in support of keeping taxes down and encouraged a no tax increase budget.

Maggi Grace thanked the Board for the free bus service and new sidewalks and spoke in support of the Mayor's Assistant remaining as staff support for the Arts Committee.

James Roberson stated that New York City had gotten the idea of a Really Really Free Market from Carrboro, spoke in favor of waiving the rental fee for the Market, and stated that he would not want to see the fee waiver for the market pitted against providing health insurance for part-time employees.

Mayor Chilton stated that the Board would discuss the input received on the budget at the June 5th Board meeting.

PUBLIC HEARING ON A LAND USE ORDINANCE TEXT AMENDMENT PERTAINING TO OPEN SPACE/LIVABILITY REQUIREMENTS

The Town has received a request to amend the text of the Land Use Ordinance to revise the requirements regarding open space for all residential developments in the downtown. Draft ordinances regarding this request have been prepared. It was necessary for the Board of Aldermen to receive public comment before acting on this item.

Kendal Brown, one of the town's planners, made the presentation.

Alderman Gist asked that recommendation from the Economic Sustainability Commission be rewritten to include who was present at the meeting and the vote taken. She stated that all advisory board recommendations should be submitted in this same format.

Jack Haggerty, speaking on behalf of the applicant, stated that the main differences in the applicant's proposal and staff proposal are: the requirement for land area, and the staff proposal has land area requirements and amenity requirements for commercial development. The applicant's proposal only deals with residential development in the downtown and is in direct ancestor of the work of the B-1(f) Committee. He stated that he feels the staff proposal will increase development costs that could result in less development. For commercial-only developments, more land would have to be set aside, resulting in less intense use of the lot and a consequent reduction in the lot's potential to generate income.

Sammy Slade asked that public spaces be provided for and suggested that there be a 1/3 to 1/4 mile walking range in the downtown for public green spaces.

James Carnahan, Chair of the Planning Board, discussed the Planning Board's recommendation and stated that the Planning Board believes the lack of structured public parking is an impediment to full utilization of downtown space for residential or commercial use as envisioned by Vision 2020. He also pointed out that open space requirements in addition to parking requirements impose quite a burden.

Tom Cors, Chair of the Environmental Advisory Board liked the applicant's proposal but feels more work is needed on the proposal

Bob Kirschner stated that he feels the staff's proposal is overly complicated. He also stated that he was confused about the proposal amendment to build single family or two-family homes in downtown when town wants higher density commercial growth in the downtown.

Gary Kraming requested that the Board keep the proposal as simple as possible and stated his desire to see affordable housing downtown.

Daniel Amoni, a resident of 502 S. Greensboro St., stated that he feels the character of the downtown will change with increased density and that he would like see more public open space.

Sherman Richardson with Main Street Partners spoke against the staff proposal stating that they do not want the Board to implement the requirements for all commercial development. The spoke about the cost already incurred in the East Main Street project and asked that additional requirements not be placed on them.

Mayor Chilton suggested that the Board focus on projects with a residential component.

Board members raised the following issues:

- Provide additional examples of calculations and graphics to illustrate the impact of the two ordinance options on development sites and regarding costs to developers. (In explaining the staff proposal, breakdown the calculations for the DLA and for the amenities.)
- Identify areas where green spaces could be preserved or provided
- Applicant's proposal: Identify on a map the ½ mile radius referred to in the applicant's proposal and where the open space would be
- For either proposal: If outdoor space and amenities are provided offsite, restrict locations to downtown zoning districts rather than within a particular radius
- Staff proposal: Allow proposed recreation area improvements to double-count as urban amenities only if they are publicly accessible.
- For either proposal: Green building features should not double-count as urban amenities:
- For either proposal: Implications of restricting DLA and amenities to ground level only; exclude balconies and rooftops:
- Staff proposal: Would like to see the 25% residential threshold raised and the base point raised
- Either proposal: Would it be possible to have no ground level outdoor area and/or amenities?
- Either proposal: Implications of removing residential s.f. from amenities and/or DLA calculations for affordable housing component.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOAL HALL BROUN TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

It was the consensus of the Board to continue discussing this matter at its June 5th meeting.

PUBLIC HEARING ON A REQUEST FROM CRICKET COMMUNICATIONS FOR A MINOR MODIFICATION TO THE CONDITIONAL USE PERMIT FOR THE CELLULAR TOWER AT 515 SOUTH GREENSBORO STREET

Cricket Communications has applied for a minor modification to the American Tower Telecommunications Conditional Use Permit located at 515 South Greensboro Street. The minor modification will consist of the installation of a new antenna array at a height of 170 feet and installation of new equipment at the base of the tower. The staff requested that the Board review, deliberate, and make a decision regarding the minor modification request.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY JACQUELYN GIST TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

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

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CUP FOR THE AMERICAN TOWER TELECOMMUNICATION TOWER LOCATED AT 515 SOUTH GREENSBORO STREET TO ALLOW THE INSTALLATION OF A NEW ANTENNA ARRAY AT A HEIGHT OF 170 FEET AND INSTALLATION OF NEW EQUIPMENT AT THE BASE OF THE TOWER
Resolution No. 190/2006-07

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for a telecommunications tower at 515 South Greensboro Street on November 10, 1992; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that additional users on a tower shall constitute a minor modification to the original Conditional Use Permit and that one of the conditions of the original CUP for this particular tower requires a public hearing for any modification to the tower; and

WHEREAS, the Board of Aldermen finds that the applicant has satisfied the requirements related to minor modifications for towers contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen:

Section 1. The Board hereby approves the minor modification to the American Tower conditional use permit located at 515 South Greensboro Street allowing Cricket Communication installation of a new antenna array at a height of 170 feet and installation of new equipment at the base of the tower.

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 22nd day of May 2007:

Ayes: Joal Hall Broun, Mark Chilton, Dan Coleman, Jacquelyn Gist, John Herrera, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: None

PUBLIC HEARING ON A REQUEST FROM SPRINT-NEXTEL CORPORATION FOR A MINOR MODIFICATION TO THE CONDITIONAL USE PERMIT FOR THE CELLULAR TOWER AT 515 SOUTH GREENSBORO STREET

Sprint- NEXTEL Corporation has applied for a minor modification to the American Tower Telecommunications Conditional Use Permit located at 515 South Greensboro Street. The minor modification will consist of the installation of additional antennas on the existing array at the height of 141 feet and installation of equipment in the existing building at the base of the tower. The staff requested that the Board review, deliberate, and make a decision regarding the minor modification request.

MOTION WAS MADE BY JOAL HALL BROUN AND SECONDED BY RANDEE HAVEN-O'DONNELL TO CLOSE THE PUBLIC HEARING. VOTE: AFFIRMATIVE ALL

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

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CUP FOR THE AMERICAN TOWER TELECOMMUNICATION TOWER LOCATED AT 515 SOUTH GREENSBORO STREET TO ALLOW THE INSTALLATION OF ADDITIONAL ANNTENNAS ON THE EXISTING ARRAY AT THE HEIGHT OF 141 FEET AND INSTALLATION OF ADDITIONAL EQUIPMENT IN THE BUILDING AT THE BASE OF THE TOWER
Resolution No. 191/2006-07

WHEREAS, the Carrboro Board of Aldermen approved a Conditional Use Permit for a telecommunications tower at 515 South Greensboro Street on November 10th, 1992; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that additional users on a tower shall constitute a minor modification to the original Conditional Use Permit and that one of the conditions of the original CUP for this particular tower requires a public hearing for any modification to the tower; and

WHEREAS, the Board of Aldermen finds that the applicant has satisfied the requirements related to minor modifications for towers contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen:

Section 1. The Board hereby approves the minor modification to the American Tower conditional use permit located at 515 South Greensboro Street allowing Sprint-NEXTEL Corporation installation of additional antennas on the existing array at the height of 141 feet and installation of additional equipment in the existing building at the base of the tower.

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 22nd day of May 2007:

Ayes: Joal Hall Broun, Mark Chilton, Dan Coleman, Jacquelyn Gist, John Herrera, Randee Haven-O'Donnell, Alex Zaffron

Noes: None

Absent or Excused: None

WELL ON MLK PARK PROPERTY

Alderman Coleman stated that the Carrboro Community Garden Coalition representatives have checked the well on the MLK Park property and they would like to install a solar pump in the well to pump water into a cistern for irrigation. The well is scheduled to be capped by the Parrish Brothers. He stated that he had asked Mr. Parrish about the estimated cost of capping the well at a later date. He asked the Board to consider not capping the well.

Mr. Stewart stated that the agreement with the Parrish Brothers provides for capping the well and taking care of the septic tank. The Parrish Brothers are capping the well and filling in the septic tank in exchange for the house on the property.

[The Board took no action in regard to this matter, but encouraged the Carrboro Community Garden Coalition to use rain barrels to collect water for irrigation.]

IMMIGRATION REFORM

Alderman Herrera asked that Mayor Chilton resend the town's resolution regarding comprehensive immigration reform to the Congressional delegation encouraging adoption of the proposed legislation.

MOTION WAS MADE BY DAN COLEMAN AND SECONDED BY JOHN HERRERA THAT THE MAYOR RESEND THE TOWN'S RESOLUTIONS TO THE CONGRESSIONAL DELEGATION ENCOURAGING ADOPTION OF PROPOSED LEGISLATION. VOTE: AFFIRMATIVE ALL

MOTION WAS MADE BY JACQUELYN GIST AND SECONDED BY RANDEE HAVEN-O'DONNELL TO ADJOURN THE MEETING AT 10:30 P.M... VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk