Town of Indian Trail

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PLANNING AND DEVELOPMENT DEPARTMENT
Tree Advisory Board
August 18, 2015
06:30 P.M.

CALL MEETING TO ORDER – Chair Cowan called the meeting to order.

ROLL CALL

The following members of the governing body were present:

Board Members:	Patricia Cowan, Steve Long, Jan Brown, Alan Rosenberg, and Sidney Sandy.
Members Present but not Voting:	None.
Absent:	Larry Miller, Dr. Shamir Ally and Cathi Higgins.
Staff Members:	Rox Burhans-Planning Director, Kevin Icard-Senior Planner, Gretchen Coperine-Senior Planner, Lindze Small-Planner/GIS Technician, and Pam Good- Board Secretary

SWEARING IN OF NEW MEMBERS

Sidney Sandy was sworn in as a regular member of the board as he moved into the vacant seat that Kelly D'Onofrio vacated at her term's end. Jan Brown was sworn in and reappointed to a regular seat as board member. Cathi Higgins was absent and will be sworn in at the next meeting.

ELECTION OF CHAIR AND VICE-CHAIR

A motion was made by Member Long to nominate Patti Cowan to be reappointed as Chair and Alan Rosenberg to be reappointed as Vice-Chair. The motion was seconded by Member Brown. The vote to approve both was unanimous.

APPROVAL OF MINUTES- July 21, 2015

Motion to approve the minutes as written was made by Member Rosenberg, seconded by Member Sandy. Vote to approve was unanimous.

DISCUSSION ITEMS

a. Waste Pro Alternative Landscape Plan

This is a request for an Alternative Landscape Plan developed in compliance with Unified Development Ordinance (UDO) Sections 810.090 and 880.040, which state alternative plans may be submitted to the Tree Board for review and recommendation. The Tree Board issues a recommendation to the Planning Director who ultimately makes the final approval or disapproval decision.

Staff Kevin Icard gave the presentation and began with the background as well as historical context of the site for the board's understanding.

The applicant had requested to meet with the Board to discuss potential options for mitigating off-site, or providing a payment-in-lieu at the meeting.

The Waste Pro facility is located on Valley Parkway which is a private road that has properties that are located in both the Town and in unincorporated Union County. The uses in the area are typical of the Light Industrial zoning classification, which include: a brick and material yard, a utility contractor, material processing plant, and miscellaneous storage yards. The site is required to provide a 15-ft buffer along the Northeast portion of the property since the adjacent use is the Fire Station recently constructed.

The 8.6-acre subject property is a wooded site containing approximately 94-Heritage Trees. The UDO defines a Heritage Tree as any tree with a min. caliper of 12-inches measured at 4.5-ft above grade. The proposed development will require removal of approximately 75-Heritage Trees. Because of the intensity of the adjacent uses there is no other buffer requirement, other than the 15-ft buffer listed above, and the typical perimeter landscaping requirement on the other sides of the property. Since the site is over 8 acres in size the majority of mitigated trees can be replanted in the buffer/perimeter landscaping. UDO Section 830.040E specifies that for any Heritage Tree that is removed, it shall be replaced with a min. of 3 to 5 replacement trees based on the size of the removed tree. Approximately 139 trees of the required 233 trees can be replanted onsite.

Tree Canopy Retention: The UDO requires that commercial sites retain or plant a min. of 10% of their site area as tree canopy. The UDO requires a minimum of approximately 37,461 sq. ft. of tree canopy to be retained for this subject property. As reflected in Attachment 1, the plan proposes an approx. 36,349 sq. ft. of tree retention area; however, in the area where the trees are retained, additional trees will be planted to bring the site into compliance. At full maturity the tree canopy will equal approximately 173,900 sq. ft. which includes: parking lot coverage, buffers and planting adjacent to the building. The plan places a priority on planting larger canopy trees, where appropriate, to help enlarge the tree canopy.

Site Layout: The site is relatively flat in design, therefore the majority of trees can be planted onsite without any additional constrains that other projects may have.

Staff Icard concluded his presentation.

Pat Quinn with Eagle Engineering at 2013 Van Buren Ave. Indian Trail was in the audience. The board invited Mr. Quinn, on behalf of Waste Pro, to come forward for any questions. Jennifer Herring at 185 Minor Ave. SW Concord, NC, Regional Manager of Waste Pro, was also in audience to answer questions.

Mr. Quinn introduced a Tree Assessment document that Waste Pro had recently conducted on the site. Each board member was handed a copy.

Mr. Quinn explained that a surveyor recently had been on the site to examine and tag trees to divide into categories of size and four conditions. Mr. Quinn assessed, for the board, how many trees fall into the bottom two categories of low quality condition. He summarized that 10 trees were in poor condition and 3 trees that are dead. If removing these trees from the count, would only need to mitigate 49 trees according to the report presented. The letter of intent from Waste Pro was to ask for options. Mr. Quinn further explained, with the report's calculations, the applicant would be mitigating 139 trees, more than the required 133 trees.

Board Questions:
Member Rosenberg asked with the recalculations and if Gum trees were considered. Mr. Quinn replied that he'd only examined sizes of trees.

Member Long asked for a definition of a v-crotch on a tree. Staff explained that it is the conjunction of two limbs evenly extending from the trunk, causing a weakness in the structure.

Staff Icard explained that all the information was based on current requirements.
Member Rosenberg asked Staff Icard to explain the mitigation of the offsite of 84 trees. Staff Icard explained that locations such as schools and parks would be considered. Staff Burhans stated that offsite numbers are a portion of the total. There is a specific fund ("Tree Fund") in which money is deposited and used to fund properties that are public sites for plantings.

Member Rosenberg asked what trees are being planted on the site. Mr. Quinn answered that it was largely deciduous, Red Ash and Oak, medium and small.
Member Long asked how many Indian Hawthorne trees were on the property. Staff answered that the total was 41 trees of that species.

The board was opened for discussion:
Member Rosenberg feels the number of plantings is adequate; Waste Pro should not be required to plant any additional trees.
Member Sandy stated the applicant should be given the benefit of the doubt since the ordinance is being modified anyway.
Member Long mentioned that he doesn't like the Indian Hawthorne trees.
Staff Icard answered that it is possible to substitute that species and that Staff can touch base with Urban Forester Bill Smith to see if we should go that direction.
Member Rosenberg made a motion to ask that the plan be submitted with no additional mitigation needed.
Member Sandy seconded the motion. The vote was unanimous.

b. Matt Construction Alternative Buffer Plan

This is a request for an Alternative Buffer Plan developed in compliance with Unified Development Ordinance (UDO) Sections 810.090 and 880.040, which state alternative plans may be submitted to the Tree Board for review and recommendation. The Tree Board issues a recommendation to the Planning Director who ultimately makes the final approval or disapproval decision.

Staff Kevin Icard presented the Matt Construction case. He stated that he'd contacted the applicant, but the applicant was not present at the meeting.

Staff Icard gave the location overview and pointed out that the property next to it is single family residence. A 50 foot buffer as required next to the single family residence on this property is not possible. The applicant is requesting a 25 foot buffer and will provide fencing adjacent to the single family residence to provide additional buffering. This change will meet all requirements of UDO under 810.100 but is still required to go before BOA.

Board Questions:
Chair Cowan also asked about the Special Use Permit and whether Staff sent notifications out to neighbors. Staff Icard stated that letters went out last Friday. He also stated that the applicant still has a 50 foot buffer on the rear of the property. Chair Cowan asked when this case will be presented to the Board of Adjustment. Staff Icard answered that it will be presented at the August 27th meeting.

Member Sandy asked if the Board of Adjustment should decide first. Staff Icard answered that doing the actions in this order would help the process. Also, the 25 foot buffer meets screening requirement as well.

Member Rosenberg asked if any Staff has talked to the single family residents? Staff Icard answered that Staff had reached out to them.
Member Brown asked if anyone has objected. Staff answered that no one had objected.
The applicant had stated that they are willing to meet requirements that the board requires.

Director Burhans stated that he will not issue any final decision until the Special Use Permit process moves forward.

Member Rosenberg asked for verification that there was a 25 foot buffer on one side of the property and 10 foot on the other. Staff answered in the affirmative and the dwelling(s) will be torn down.

Member Brown mentioned that landscaping will be an improvement from what is presently on the property.

Member Rosenberg asked what kind of buffer would be in the front of the property. Staff Icard answered that it would have typical parking lot screening requirement.

Member Long made a motion to move forward with approval. Member Rosenberg seconded the motion. Four members were in favor of the motion and one member, Mr. Sandy opposed.

ADJOURN
Member Brown made the motion to adjourn. Member Rosenberg seconded the motion. The vote was unanimous.

Chairman: Patricia S. Camaro

Date: 10-20-2015

Secretary: Pamela L Board