

# APEX ENVIRONMENTAL ADVISORY BOARD

## MEETING MINUTES

Meeting Date:  
March 18, 2021  
6:00 p.m.



Remote Meeting  
Details located on the Town website:  
<https://www.apexnc.org/calendar.aspx>

### **ENVIRONMENTAL ADVISORY BOARD MEMBERS:**

Katie Schaaf, Vice Chair  
John Garrison  
Michael Rusher

Marilee Szczerbala  
Ted Williams  
Suzanne Mason

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### Call to Order & Roll Call

The remote Environmental Advisory Board (EAB) meeting was called to order by Vice Chair Katie Schaaf at 6:01p.m. Members present were Vice Chair Schaaf, and Board members John Garrison, Suzanne Mason, Mike Rusher, and Marilee Szczerbala. Board member Ted Williams was absent. Former Chair Hal Langenbach resigned on March 8, 2021. Vice Chair Schaaf stated that she had admired his leadership.

Councilmember Brett Gantt was in attendance and Town staff members present were Planner II Shelly Mayo, Environmental Engineering Manager Jessica Bolin, Sustainability Analyst Valeria Mera, and non-voting staff secretary Sustainability Coordinator Megan Pendell. Members of the public had access to the meeting through the Town of Apex YouTube livestream page.

### Approval of Minutes

Vice Chair Schaaf asked the Board if there were any comments on the meeting minutes from February 18, 2021. A motion was made by Board member Garrison to approve the minutes, seconded by Board member Szczerbala and the motion passed unanimously.

### Announcements

Staff member Mayo announced that the updated Design and Development Manual was approved by the Planning Board, as well as Town Council. She expressed her appreciation of feedback from the Board on the final list.

Staff member Mayo also announced that the Abbey Springs rezoning, which had a meeting with the Board in December 2020, will be presented before the Town Council in the next week on March 23, 2021. The developers incorporated a number of conditions suggested by the Board and Planning Staff worked to translate recommendations into enforceable zoning conditions. Additionally, the Williams Property rezoning, which had its meeting with the Board in February 2021, submitted their plans for staff review this month and included the conditions suggested by the Board.

Staff member Pendell announced that the Board can expect to have a full nine-member Board starting at the April EAB meeting. Additionally, the appointment of a new Chair and Vice Chair is scheduled for approval at the Town Council meeting on April 13, 2021. Vice Chair Schaaf has agreed to step into the role of Chair, leaving the Vice Chair role vacant. Board members interested in the Vice Chair role should contact Staff member Pendell by March 30<sup>th</sup>.

Staff member Pendell will continue to send comment letters from the Technical Review Committee (TRC) to the Board ahead of Pre-Application meetings and with more advanced notice. Planning staff will continue to encourage applicants to consider suggested environmental zoning conditions in advance before meeting with the Board. Staff clarified that even though suggestions on the TRC comment letter may overlap with Board recommendations, the Board should reiterate conditions of high priority. Suggestions from the TRC comment letter are not automatically regarded as EAB suggestions.

#### Committee Updates

The Tree Citizens Advisory Panel (CAP) last met on March 4<sup>th</sup>. Tree CAP planted six trees at Clairmont Park in honor of the Town's sixth year as a designated Tree City. The Committee will convene at Clairmont on National Arbor Day, April 30<sup>th</sup>, to recognize the tree planting. The Committee also discussed a potential new Tree Planting Grant Program under consideration. Board member Mason, who was present at the Tree CAP meeting, commented that the potential Grant Program is geared towards individual homeowners instead of Homeowners Associations (HOAs).

The Bee City Committee last met on March 17<sup>th</sup>. The Committee discussed the layout and design of the future pollinator garden at Apex Nature Park and plans to meet at the Park on March 24<sup>th</sup>. The Committee set a goal to complete the garden by pollinator week in June. The Committee is also working to create a Neighborhood Yard Recognition Program. Lastly, the Committee elected their first Chair and discussed potential involvement in the 2021 Peak Fest event.

#### Pre-Application Meeting: Kelly Woods

Staff member Pendell admitted three representatives for the rezoning project, Kelly Woods, into the remote meeting. Representatives of Kelly Woods included applicant Stephen Freeman, Adam Ashbaugh, and Emily Rothrock. Project attendee Freeman explained that the development is planned for a single-family home lot divided into two phases with a pedestrian link between them given the presence of wetlands in that area. Items and questions discussed with the Board include:

- The development is planned for medium-density residential zoning classification, consistent with the Town's Comprehensive Land Use Plan. The goal is to submit the rezoning at the beginning of April.
- The site is currently planned for 42 units, with the potential of 44, not to exceed 45 units.
- On the lots larger than 105 feet by 52 feet, homes will have the same character and design but include a larger yard. Homeowners would have room to plant shade trees in outer areas of the yard surrounding the fences.
- An HOA would govern and maintain the properties, including the exterior maintenance of yards and homes.
- In terms of design, developers should be able to incorporate native and pollinator-friendly plants.
- In regards to preserving tree canopies, developers will preserve and protect trees when feasible and avoid unnecessary disturbance. Due to a sewer easement and existing gravel driveway with a culvert that already impacts the buffer, there is an opportunity to convert the gravel path into a pedestrian walkway. In utilizing the existing trail for a pedestrian connection through the buffer area, the developers will preserve tree canopy to the greatest extent possible.
- The Board expressed support for pet waste stations to be installed at the beginning and end of the future pedestrian crossings.
- The developers stated the need for more information before committing to low-impact development practices, but will consider it moving forward. Grading is likely in order to build a stormwater control measure (SCM).

- The Board requested that streetlights focus downward instead of up into the sky. Although there has been no discussion with Duke Energy yet, the developers are willing to commit to lights that focus downward and avoid using acorn lights.

Board member Szczerbala made a motion to accept zoning recommendations, seconded by Board member Rusher. The motion was approved unanimously.

**Summary of Recommendations:**

- Preserve tree canopy within all buffers and perimeter boundaries with the exception of pedestrian amenities and town utilities, and as appropriate with required construction.
- Deciduous shade trees will be located on the south side of structures where practical.
- Planting on site will include native selections and habitat supportive species specific to pollinators.
- Planting will focus on selections with seasonal succession to support native wildlife.
- Areas outside of new construction will be preserved as practical with the intent to maintain native habitat/systems.
- Plants selected will limit required irrigation including but not limited to warm season turf grass where appropriate.
- Trees used on site will be selected to specifically increase the native species diversity of hardwood trees.
- Installation of signage near environmentally sensitive areas to address pet waste and chemical use as appropriate.
- Use LID techniques based on NC DEQ standards techniques where attainable based on soil conditions.
- Add pet waste stations along pedestrian walkway at both access points at minimum.
- Outdoor lighting shall be shielded in a way that focuses lighting to the ground.

Pre-Application: Apex C-Store

Staff member Pendell admitted one representative for the rezoning project, Apex C-Store, into the remote meeting. The representative of Apex C-Store included applicant Brian Upton. Project attendee Upton explained that the development is located off of Old US 1 Highway and New Hill Olive Chapel Road and is planned for a small convenience store of approximately 4,600 square feet with 10 fueling stations and 5 fuel pumps. Project attendee Upton reviewed the four proposed zoning conditions provided by the developer. Items discussed with the Board include:

- The main goal is to build a store that is operational, though the ultimate use is yet to be determined. The possibility of moving the driveway further from the intersection has been discussed.
- The SCM would be constructed as large as possible to avoid reconstruction if there were to be additional development on the property in the future. It would be sized for ultimate build-out.
- The Board recommended preserving old, native trees that exist near the buffer, especially the large trees along the southern property line. Ability for the developer to accomplish this depends ultimately depends on the placement of the driveway. Project attendee Upton clarified that the street and perimeter buffers along the north and west side of the property would collectively meet the resource conservation area (RCA) requirement of 25%. Some of this area may have to be replanted due to clearing by adjacent neighbor and successive erosion.
- Project attendee Upton explained that solar PV installation depends on the budget, but that the developers will attempt to add a provision so that solar can be installed at a later date if not installed during development.
- The Board suggested reducing the color temperature of the LED installation to reduce glare of outdoor lighting.

Board member Rusher made a motion to accept zoning recommendations, seconded by Board member Garrison. The motion was approved unanimously.

**Summary of Recommendations:**

- Increase design storm pre- and post-attenuation requirement to the 25-year storm.
- Plant deciduous shade trees on southern side of buildings.
- Include solar conduit in building design.
- Outdoor lighting shall be shielded in a way that focuses lighting to the ground.
- Lighting with a color temperature of 3000K or less shall be used for outside installations. If a color temperature of 3000K is unavailable, 3500K is acceptable.
- Preserve native trees within the buffer, including the large existing trees along the southern property line.

Open Discussion

Board member Mason shared that she recently saw a post on Facebook promoting Dark Sky initiatives and asked if the Board could promote being a “good light neighbor” via educational outreach such as mailed flyers. Board member Garrison agreed stating this is within EAB purview and suggested including more educational materials on dark sky on the Town website. Vice Chair Schaaf stated it would be great in this second year of the Board to begin meeting education duties. Staff member Pendell will add an item for Board education initiatives on the April EAB meeting Agenda.

Board member Mason asked about the intention of recommending warm season turf grass on the Kelly Woods pre-application, with concerns that “turf” may be aggressive if a neighbor desired a more natural yard. Board member Mason will consider suggesting a revision for this item on the Suggested Environmental Zoning Conditions list after discussing the benefits of drought-resistant grass. Furthermore, the board agreed that the Suggested Environmental Zoning Conditions list should be considered a living document and open to revisions at any time.

Staff member Pendell announced the option to begin hosting EAB meetings in person. Board members should email her with their preferences.

Board member Garrison suggested that Board members rotate leadership on pre-application meetings, in an effort to support the workload of the future Chair role.

Adjourn

Board member Szczerbala made a motion to adjourn the meeting at 7:23p.m. and the motion was seconded by Board member Rusher. The motion was approved unanimously and the meeting adjourned at 7:23p.m.

  
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Megan Pendell, non-voting staff secretary

ATTEST:

  
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Katie Schaaf, Chair