

APEX ENVIRONMENTAL ADVISORY BOARD

MEETING MINUTES

Meeting Date:
September 17, 2020
6:00 p.m.



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

ENVIRONMENTAL ADVISORY BOARD MEMBERS:

Hal Langenbach, Chair
Katie Schaaf, Vice Chair
Tim Carley
Laura Duggan
John Garrison

Michael Rusher
Marilee Szczerbala
Jessica Wilkerson
Ted Williams

The remote Environmental Advisory Board (EAB) meeting was called to order by Chair Hal Langenbach at 6:03 p.m. Members present were Chair Hal Langenbach, Vice-Chair Katie Schaaf, and Board members Tim Carley, Laura Duggan, John Garrison, Mike Rusher, and Jessica Wilkerson. Board members Marilee Szczerbala and Ted Williams were absent.

Councilmember Brett Gantt was in attendance and Town staff members present were Current Planning Manager Amanda Bunce, Environmental Engineering Manager Jessica Bolin, Sustainability Analyst Valeria Mera, and non-voting staff secretary Sustainability Program Coordinator Megan Pendell. Members of the public were invited in listen-only mode and four were present.

Chair Langenbach asked the Board if there were any comments on the meeting minutes from August 20, 2020. A motion was made by Board member Carley to approve the minutes, seconded by Chair Langenbach and the motion passed unanimously.

Chair Langenbach opened the floor for announcements and brought up the subject of board member terms. Chair Langenbach inquired about the process for renewing terms and replacing board members with terms ending in December 2020. Staff member Pendell clarified that Vice Chair Schaaf and Board Members Carley and Duggan have terms ending this December. Councilmember Gantt informed the Board that there is a form on the Town website to express interest in committees. When there is an opening on a committee, the Mayor and Town Council review the list of interested citizens and then the Mayor makes a recommendation of who to appoint, which the Council can approve or not approve.

The second announcement made by Chair Langenbach was the intention of meeting with developers and making headway on the final checklist of zoning conditions. Chair Langenbach then made a third announcement, thanking the Citizens Climate Lobby for presenting during the August meeting and stating that they were interesting and well-prepared.

Chair Langenbach asked if any board members had other announcements. Upon hearing none, the Board moved on to the discussion of the rezoning checklist. Chair Langenbach stated that he was unsure of what kind of input from Town staff has been received and would love feedback on the environmental benefits of checklist recommendations. Staff member Bolin noted that there are other Stormwater staff she would like to discuss the checklist with and will have concrete feedback to discuss at the next

meeting. Board member Carley said some items on the list are relatively easy and some are quite expensive, and he expressed concerns about affordable housing.

Vice Chair Schaaf stated how expectations would be different for developers of different project sizes, so requirements to get a stamp of approval is different for each. Chair Langenbach then started a discussion about the process of how a developer gains EAB approval. He stated that the Board needs to be consistent and treat all developers fairly, and asked for suggestions on how to recommend zoning conditions. Staff member Bunce reminded the Board that is not a recommending body and the way in which to recommend zoning conditions will be figured out as the Board gets familiar with the process. She also commented that a couple items on the checklist need refining in order to make them more enforceable. In making suggestions, she added, the Board would need to propose specific numbers. Board member Wilkerson suggested that the Board does not get bogged down in details on the checklist yet and stated she assumed that Planning will work with the Board to ensure suggestions are worded carefully and in an enforceable way. Board member Duggan clarified that since each development is different, the checklist will remain broad and when it's time to give suggestions, the Board will then tailor suggestions to be more prescriptive for each site. Board member Carley asked what the Board should do if developers don't want to follow through with any of the suggestions, to which Vice Chair Schaaf reminded everyone that the Board was created to push developers to be better and push them further rather than enforce. Chair Langenbach reiterated that the process has to evaluate applicants fairly, to which staff member Bunce added that the Board does not need to be concerned with being "fair," because the issue of fairness will rest with the Planning Board and Town Council.

Chair Langenbach asked for clarification on what Town Council wants from the Board in regards to rezoning checklist recommendations. Councilmember Gantt stated that the Town Council will review rezoning applications holistically and balance what the Board suggests with what the applicant did or did not implement and why. Planning staff will help with the process of creating the site-specific recommendations based on what the Board suggests.

Board member Wilkerson asked what kind of information the Board will receive about the proposed development site before meeting with developers. Staff member Bunce clarified that because meeting with the Board is part of the pre-application stage, the Board will receive an aerial image of the property, details on the zoning district, and miscellaneous other information the developer may have at that point. Staff will begin creating a basic, one-page form for the applicants to complete before meeting with the Board, which would include the checklist as an attachment so that the Board can be prepared to offer more specific suggestions at the meeting.

Board member Wilkerson asked about the benefits of meeting with the Board so early in the application process. Staff member Bunce said that the intent is to give applicants as much information as possible and provide the recommendations up front so that the applicant can then decide whether to pursue the project further. Chair Langenbach asked staff member Pendell to circulate the list so that the necessary Town staff can review it and staff member Pendell agreed to this. The Board revised what should be removed or edited on the list so far.

Given that the rezoning checklist will have to be reviewed by staff and then reviewed by the Board in order to meet with developers, the Board discussed when meeting with developers might start. Board member Carley motioned to table the list as is, have it reviewed by staff and committees (TreeCAP, etc.) during the next few weeks, and meet with developers starting in November. The motion was seconded by Chair Langenbach, and passed unanimously.

Chair Langenbach opened the floor to discuss the *Overview of 5G Health Concerns* report. Board member Wilkerson suggested revising sources, as some of have been debunked. Board member Carley made a motion to take no action on the report and the motion was denied. Board member Garrison

made a motion that 5G should be monitored but no action should be taken at this time. Board member Garrison made the motion which was seconded by Board member Carley, and passed unanimously. Board member Wilkerson asked what was being done with the report itself and staff member Pendell replied that the report was created for internal purposes only and will not be published. Board member Rusher stated that the public could view the report upon request since it is now on public record.

After opening the floor for last questions and comments, Chair Langenbach moved to open discussion. No further discussion occurred.

Board member Carley made a motion to adjourn the meeting at 7:26 p.m. and the motion was seconded by Board member Garrison. The motion was approved unanimously and the meeting was adjourned at 7:26 p.m.



Megan Pendell, non-voting staff secretary

ATTEST:



Hal Langenbach, Chair