

APEX ENVIRONMENTAL ADVISORY BOARD MEETING MINUTES

Meeting Date:
December 16th, 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, Chair
Suzanne Mason, Vice Chair
Patrick Adams
John Garrison
Bill Jensen

Kim Pierson
Greg Reger
Mike Rusher
Marilee Szczerbala

Call to Order & Roll Call

The remote Environmental Advisory Board (EAB) meeting was called to order by Chair Katie Schaaf at 6:01p.m. Members present were Chair Schaaf, Vice Chair Suzanne Mason, and Board members John Garrison, Bill Jensen, Kim Pierson, Greg Reger, and Marilee Szczerbala. Board member Patrick Adams entered the meeting at 6:08p.m. Board member Michael Rusher was absent.

Councilmembers Brett Gantt and Cheryl Stallings were in attendance. Town staff members present were Planner II Shelly Mayo, Environmental Engineering Manager Jessica Bolin, Sustainability Specialist 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

Chair Schaaf asked the Board if there were any comments on the meeting minutes from November 18th, 2021, and commented that the minutes should reflect a more accurate Tree CAP December meeting update. Board member Szczerbala made a motion to approve the minutes, seconded by Board member Pierson and the motion passed unanimously.

Announcements

Staff member Pendell shared appreciation for the three Board members - Garrison, Rusher, and Szczerbala - whose terms are concluding at the end of the month. New Board member recommendations and voting will be determined at the January 11th Town Council meeting. Councilmember Gantt welcomed Councilmember Stallings, who will now serve as the Board's Primary Liaison in the new year. Councilmember Gantt will serve as the Alternate Liaison.

Committee Updates

The Tree Citizens Advisory Panel (CAP) last met on December 2nd and the Bee City Committee postponed their December meeting. A full report with feedback on the Suggested Environmental Zoning Conditions List from both Committees will be prepared for the February meeting.

Pre-Application Meeting: 6516 Roosondall Ct

Staff member Pendell admitted one representative, Pragathi Vanya, for the rezoning project, 6516 Roosondall Ct, into the remote meeting access.

Project representative Vanya explained that the purpose of the rezoning is to subdivide their private lot into three parcels so that two family members can build residential houses on those additional lots.

Staff member Mayo advised the Board that the subdivision proposed meets one of the state exemptions from the Town's UDO. Since the lot does not exceed 2 acres and is only being subdivided into 3 lots, the proposed subdivision is only required to meet minimum lot size and building setback requirements. It is not required to provide RCA, extend utilities, or provide other easements that would typically be required by the UDO.

Items and questions discussed with the Board include:

- **Buffers.** The stream determination by the Town has been conducted and approved; intermittent 50-foot buffers are on the two streams found on the property. Staff members and Mayo and Bolin confirmed that the new buffer call identified the streams as intermittent. Lots 2 and 3 are not affected by any buffers necessary for the streams.
- **Town Requirements.** The Town does not allow multiple accessory apartments or multiple primary dwelling units on a single property. Although this will technically be a family property, the existing property must be divided into three lots in order for each of the family members to build their own homes and meet Town requirements. Additionally, the UDO requires a minimum road frontage of 20 feet for each lot. This means the applicant must either purchase a strip of land from the Sutton Pointe HOA that lies between the subject property and the Holtridge Drive right of way (ROW) or change the proposed layout of the lots to create 2 flag lots with 20-foot road frontage along Roosondall Court.
- **Plans for Future Greenway.** Staff member Mayo confirmed there are plans for a greenway through the existing lot, but the applicant is not required to build it or to provide an easement since the subdivision is exempt under state law. Instead, the applicant will pay the regular single-family Parks and Recreational Fee when building permits are requested.
- **Wetland Delineations.** In response to a question from the Board, the applicant explained that there are no wetlands delineated by the Town's stream delineation. Board member Mason explained that wetland delineations are conducted upon request by the US Army Corps of Engineers and are not a part of the Town's stream delineation process. The applicant will need to request a delineation from the Army Corps of Engineers.
- **Resource Conversation Area (RCA).** Staff member Mayo clarified that the proposed subdivision would not be required to provide RCA because of the exempt status. Board member Mason asked if a subdivision could sell RCA that was previously platted. This question was asked because the small strip of land between the existing parcel and Holtridge Drive is labeled as RCA. Staff member Mayo explained that if a property provides more green space than what was required at the time of their development, the property owner can later sell a small portion of it for additional lot access, particularly if it would minimize impact on other areas. In this case, the adjacent property, Sutton Place, was platted prior to the RCA standard; therefore, RCA may not be required. She stated she would have to double check and update the applicant.
- **Easements.** Staff member Mayo confirmed there are no easements along Holt Ridge Road.

The Board discussed town specifications, and solar recommendations as per an informational flyer provided to developers from Board member Jensen. An item will be added to the January EAB meeting agenda for more in depth discussion regarding the flyer.

Summary of Recommendations:

- Prewire all homes for solar per town specifications.
- Consider the Apex EAB Standard Suggested Environmental Zoning Conditions.
- Increase riparian buffer widths from surface waters in environmentally sensitive areas.

Vice Chair Mason made a motion to approve the rezoning recommendations, seconded by Board member Pierson and the motion passed unanimously.

Pre-Application Meeting: Morris Tract PUD

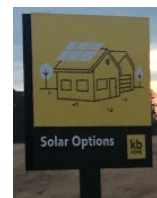
Staff member Pendell admitted two representatives for the rezoning project, Morris Tract PUD, into the remote meeting access. The project representatives for Morris Tract PUD were Brendie Vega and Rob Rudloff. The client and project engineers for this project could not attend. Applicant Vega explained that the property is west of Waldon Woods Drive and Waldon Creek, and across the street from Flats at 540. Morris Acres Road runs along the frontage, and the development team is planning for a single family and town home residential subdivision. The project will be applied as a planned unit development (PUD) conditional zoning in the month of February, and current design is preliminary. The development team has met with Staff members Bolin and Fortier to discuss stormwater consideration, the pre-app meeting with the Technical Review Committee (TRC) is scheduled for January 6th, the neighborhood meeting is scheduled for January 12th, and Board's Suggested Environmental Zoning Conditions list has been reviewed.

Items and questions discussed with the Board include:

- Buffers. Delineation for the stream on property was just received, and the applicant confirmed that it would not disturb the riparian buffer. The tree survey results have not yet been received, so the applicant is uncertain of vegetation location, yet anything located in the riparian buffer and wetland will be protected.
- Play Lawn Area. The parcel is owned by the Turnpike Authority and there is an intent to purchase that from the Department of Transportation (DOT). It is standard practice of the development team to add fencing, being that the play lawn is nearby the road. The design shown is preliminary, thus the play lawn plan may move locations, though it does have to meet certain grade requirement so it will be placed in a flat area.
- Stream Crossing. The applicant anticipates that there will be culverts, not bridges, which can be confirmed by the project engineer.
- Design. The 100-year pond is being enlarged, so the current design will change and the sidewalk will be extended.

Summary of Recommendations:

- Increase design storm for retention basins in flood-prone areas. Increase design storm pre- and post-attenuation requirement to the 100-year storm.
- Install signage near environmental sensitive areas in order to reduce pet waste near SCM drainage areas and eliminate fertilizer near SCM drainage areas.
- Increase biodiversity by planting pollinator-friendly flora and planting approved native flora.
- Provide diverse and abundant pollinator and bird food sources (e.g. nectar, pollen, and berries from blooming plants) that bloom in succession from spring to fall.
- Include landscaping that requires less irrigation and chemical use and plant warm season grasses for drought-resistance.
- Increase the number of native hardwood tree species planted to 3, preferably 4.
- Install pet waste stations in neighborhoods.
- Include solar conduit in building design for all buildings.
- Install a solar PV system of minimum 4 kilowatts on 20% of the pre-buyer constructed homes (spec homes).
- Post the "solar options" sign at the entry to this development during construction. The constructions should also be energy star rated. (See sign below)
- Increase width of vegetated buffer along the east side of the property from 20' to at least 60' Type A.
- Existing trees greater than 18" in diameter that are removed by site development shall be replaced by planting a 1.5" caliper native tree from the Town of Apex Design and



Development Manual either on-site or at an alternative location approved by Town Planning Staff, above and beyond standard Unified Development Ordinance (UDO) requirements.

Board member Garrison made a motion to approve the rezoning recommendations, seconded by Board member Szczerbala and the motion passed unanimously.

Presentation: Wake County Audubon

Staff member Pendell admitted two volunteers, Pam Diamond and Susan Davis, from Wake Audubon to present on the Lights Out Program. Wake Audubon is a chapter of Audubon North Carolina and of the National Audubon Society. Located in Wake County, North Carolina, the chapter has a membership of more than 1,600 and holds monthly meetings, field trips, bird walks and other activities. The volunteers explained that billions of birds navigate using the night sky for spring and fall migration, which is disrupted by artificial light that attracts and confuses birds, as well as cause habitat loss due to construction. Both artificial light and construction of new buildings contribute to the increasing number of birds that collide into window. The presentation ended with actions to mitigate bird migration disruption that individuals and the Town can implement.

Discussion: Dark Sky UDO Amendment

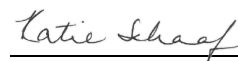
The EAB Dark Sky Workgroup reviewed the UDO as it currently stands, studied International Dark Sky Association recommendations, and pulled relevant and desired sections to implement. With guidance from Staff member Mayo, the Workgroup moved forward with proposing UDO amendment recommendations, understanding that the process of amending would take months due to Staff availability. Meanwhile, the Board can recommend the amendments to rezoning applicants at Board meetings. Vice Chair Mason spoke on how animals and insects are affected by certain light wavelengths, and Board member Pierson elaborated on how wavelengths are comparable to light fixtures specified in Kelvin temperatures. The Workgroup asked that Board members review the proposed UDO amendments, and Chair Schaaf finalized that a vote on Dark Sky UDO Amendments will take place at the January EAB meeting. Staff member Mayo recommended that the Board should anticipate at least six to nine months between when the recommendations are sent to Town staff for review and when the recommendations are presented to Town Council. Councilmember Gantt stated that a measurable impact will be made as a result of the tentative passing of these amendments, the lighting efforts already being implemented by the Town, and the educational role that the Board can provide to Town residents.

Open Discussion

Board members Garrison and Szczerbala expressed their appreciation for their time served on the Board, and Staff member Pendell will let them know the results of the Town Council vote on future Board members.

Adjourn

Board member Szczerbala made a motion to adjourn the meeting, seconded by Board member Pierson. The motion was approved unanimously and the meeting adjourned at 8:05p.m.



Katie Schaaf, Chair

ATTEST:



Megan Pendell, non-voting staff secretary