

APEX ENVIRONMENTAL ADVISORY BOARD MEETING MINUTES

Meeting Date:
July 21, 2022
6:00p.m.



Hybrid Meeting
Apex Town Hall Room 3A
Microsoft Teams

ENVIRONMENTAL ADVISORY BOARD MEMBERS:

Katie Schaaf, Chair
Suzanne Mason, Vice Chair
Patrick Adams
Adam Efird
John Garrison

Bill Jensen
Jason Maynard
Kim Pierson
Greg Reger

Call to Order & Roll Call

The hybrid Environmental Advisory Board (EAB) meeting was called to order by Chair Katie Schaaf at 6:00p.m. Members physically present included Chair Schaaf and Board members Patrick Adams, John Garrison, Bill Jensen, and Greg Reger. Members present remotely were Vice Chair Suzanne Mason and Board member Jason Maynard. Board members Adam Efird and Kim Pierson were absent.

Councilmember Cheryl Stallings was in attendance. Town staff members present were Planner II Shelly Mayo, Environmental Engineering Manager Jessica Bolin, and Senior Stormwater Engineer Robert Patterson. Non-voting staff secretary Sustainability Coordinator Megan Pendell was present remotely. 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 June 16, 2022. Board member Garrison made a motion to approve the Minutes, seconded by Board member Reger, and the motion passed unanimously.

Announcements

Staff member Mayo stated that Board members, in their roles as an Apex resident, may express their concerns regarding whether a rezoning proposal should be approved by directly emailing Town Council and/or Planning Board with their concerns, and copying Staff member Mayo on the email to ensure that Planning Staff can work with the applicants in addressing any comments.

Staff member Bolin introduced Robert Patterson, the Town's new Senior Stormwater Engineer. Staff member Bolin announced that starting in August, the EAB will be meeting totally in person in order to stay consistent with all other Town Advisory Board meetings. If there are any concerns about this plan, Board members should email her directly to share feedback.

Committee Updates

The Tree Citizens Advisory Panel (CAP) and the Bee City Committee are both working on providing official recommendations on the Board's Suggested Environmental Zoning Conditions list. In addition to this effort, Bee City is working with a local Girls Scout Troop to provide signage for the Pollinator Garden and create an educational video for the Town website.

UDO Amendment Workgroup Updates

An updated checklist version of the Board's Suggested Zoning Conditions List is being reviewed. The list has been divided into residential and commercial, and the intention is for the applicant to go through the all options on the checklist to discern which conditions could apply to their project. This updated version of the checklist will be shared with Tree CAP and Bee City Committee for them to review at their next meetings.

Pre-Application Meeting: The Townes at the Station

The project representatives for The Townes at the Station, Patrick Kiernan and Kyler Zadell, attended the meeting in person. The project is an 85- to 90-unit townhome subdivision in southwest Apex. The product type and zoning conditions were assigned based on surrounding properties, which includes Beaver Creek. There are several wetlands and one stream on site; the southern portion of the site is adjacent to the Beaver Creek Conservation Easement and will be conserved.

Items and questions discussed with the Board include:

- Solar. Little research has been done by the project team to determine feasibility of installing solar on the roofs of the townhomes, so the applicant is unable to commit providing anything beyond the solar conduits at this time. Board member Jensen emphasized the importance of developer's doing their part to curb climate change.
- Pet Waste Stations. The Board requested for the project to provide a minimum of four pet waste stations.
- Resource Conservation Area (RCA). Two acres of RCA on the property will be comprised of the pre-existing conservation easements, the stream buffer and wetland areas, and land that will be preserved west of Richardson Road.
- Grading. The property is currently forested, with the exception of what has been cleared for the sewer easements, and will be mass graded to accommodate a townhome project.
- Land Use Plan. This project aligns with the Land Use Plan, which is zoned for Medium-Density Residential.

Summary of Recommendations:

- For stormwater management, post-development peak runoff shall not exceed pre-development peak runoff for the 1-year, 10-year, and 25-year 24-hour storm events.
- Signage shall be provided in HOA areas surrounding SCMs, regarding the need to eliminate and reduce fertilizer and pet waste near SCMs.
- Developer shall install pollinator-friendly and native flora within SCM planting areas.
- At least 75% of the plant species used in the landscape design shall be native species.
- Perimeter buffers, SCMs, and other HOA maintained areas may be planted with clover or warm season grasses for drought resistance.
- In order to reduce water consumption and promote pollinator friendly habitat and bio-diversity, Homeowner Association covenants shall permit clover lawns throughout the neighborhood.
- A minimum of four pet waste stations shall be installed in HOA common area.
- All homes shall include solar conduit in the building design to facilitate future rooftop solar installations.
- Any outdoor lighting within HOA maintained areas shall utilize full cutoff fixtures that have a lighting temperature of 3000K.
- There are 29 townhomes in this development with backside roofs that face south. I am recommending that the developer/builder install 29 solar PV systems of a minimum 4.2 kilowatts. This requested size will require 12 solar panels of 350-watt capacity each and these panels are common today at a reasonable price. A 4.2-kilowatt system is on the small side of present solar PV systems, so the developer may increase the size should this prove economically preferable. There are also four townhomes with south facing roofs located on the front of the townhomes. In addition, there are 52 townhomes with east-west facing rooftops that could be used for solar PV systems. The east-west facing rooftops provide for 85% of the efficiency of a south facing rooftop, so adding solar PV systems to these rooftops is a viable option. The 29 recommended solar PV installations may be installed on any rooftop that the developer finds preferable. Considering the desirable configuration of all rooftops, it is hoped that the developer/builder will expand the number of solar PV systems beyond the requested 29 systems. There are solar installers in the local area that have "developer programs" that can make the installation of solar PV systems financially worthwhile to the developer/builder while providing an asset to the future homeowner. If these systems are installed in groups, the cost of the systems should be minimized, further making the installations profitable for all involved.
- SCM and infrastructure shall not be placed in the stream buffer area, with the exception of Apex utility and greenway easements.
- Donate to a local non-profit organization with a mission to tree canopy preservation and planting.

Board member Garrison made a motion to approve the rezoning recommendations, seconded by Board member Reger. Board member Adams recused himself, and the motion passed unanimously.

Pre-Application Meeting: Elevate Apex

The project representatives for Elevate Apex, Craig Taylor and Joe Faulkner, attended the meeting in person. The applicants represent Signature Property Group, a locally owned company out of Greensboro. The property is located off of US Highway 64 and is designated for High Density Housing/Commercial Use, which aligns with the applicant's project. The applicant's proposed use is 360 units of multi-family units with a commercial outparcel. The apartment community will have full amenities and have density of 9.6 units per acre. The land itself is partly cleared, contains wetlands, and has planted pine and timber in anticipation of future timbering operations.

Items and questions discussed with the Board include:

- Stormwater Retention. Applicant will commit to the 25-year storm and discuss the potential of committing to a 100-year storm with project engineers.
- Solar. Applicant would like to learn more about solar and discuss the feasibility with Project Owner. It is possible that a solar array could be a net-positive for this project given that the company builds for long-term ownership. Board member Jensen clarified the recommendation to add solar to the amenity areas.
- Road Systems. Vice Chair Mason noticed two road crossings of the same stream that fragments the riparian habitat; she asked if the applicant had considered a redesign of the property so that the stream is not intersected twice. The first crossing has an existing pipe in that location, and was chosen to avoid getting closer to the wetland or further into the buffer. The second crossing was added in order to create more than one entrance out of the development. This project is scheduled to meet with the Technical Review Committee (TRC) next week, at which Town Staff would have informed them that the Town's ordinance requires three points of connection for anything over 300 units so that Emergency Services can safely access the property if needed. All residential properties abide by this standard, which means that Public Safety concerns addressed by this ordinance overrules the concern over a stream being intersected multiple road crossings. However, the possibility of utilizing a private driveway on the back of the property as an entrance will be considered by the Project's new Transportation Engineer.
- Pet Waste stations. The Board requested for the project to provide a minimum of one pet waste station per building.
- RCA. The RCA will be located around the existing pond and in the stream and wetland areas on site. The goal is to leave as much existing vegetation as possible, especially along the perimeters. Vice Chair Mason recommended that as much of the RCA possible is placed on the Southwest side in order to connect to the existing RCA on the adjacent property; this is a personal recommendation, not an official EAB recommendation.
- Commercial Outparcel. The plan for the outparcel is still being explored to determine the best use.
- Existing Pond. Board member Jensen stated that the existing pond should be left alone but if it must be rebuilt, he suggested that the depth is lowered. A dam expert will be consulted on the project with this in mind, though the applicant anticipates that the pond will remain as is.

Summary of Recommendations:

- Existing pond will be retained and protected.
- Install a minimum of 10 pet waste stations.
- Native flora will be incorporated into landscape plan.
- A minimum 25-kilowatt (kW) solar PV system for the generation of electricity to offset the electric consumption of the common area and pool. A 25-kW solar PV system will consist of approximately 66 solar panels.
- Five percent (5%) of the parking spaces have EV charging stations installed.
- For stormwater management, post-development peak runoff shall not exceed pre-development peak runoff for the 25-year and 100-year 24-hour storm events.
- SCM and infrastructure shall not be placed in the stream buffer area, with the exception of Apex utility and greenway easements.

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

Pre-Application Meeting: Humie Olive Place

The project representative for Humie Olive Place, Peter Crossnen, attended the meeting in person. The project is part of an existing subdivision and all infrastructure has been installed. There is a stream buffer on the property that has been re-delineated and no longer exists as a buffer, which opens up the property for additional development. The original rezoning of the parcel was limited to a density of 4.5 units per acres because of the stream buffer, which allowed up to 9 units on the 2-acre site. Now that the stream buffer has been removed, the potential for more development exists if the rezoning gets approved. The current duplex subdivision has 8 units, and the rezoning today is to propose an increase in density to 6 units per acre, which is under the limit of 7 units per acre allowed by the Land Use Plan. Further, the subdivision was originally exempt from stormwater because it was underneath 1-acre disturbance threshold. Adding more units to the subdivision with this rezoning would require that an SCM be designed that treats the runoff from the total impervious surface of the entire site.

Items and questions discussed with the Board include:

- Solar. The developer client is not opposed to adding solar, however, they have already started the design and order of materials for the townhomes. The request being made by the client is that the existing units not be subject to solar, and they offered to put solar on one of the buildings. The Board updated the recommendations to include discrete conditions for solar PV systems and solar conduits.
- RCA. Adding the two new duplex lots would remove the stream buffer and part of the RCA. The area that will be preserved, which is now an open field, will need to be planted in order to meet the RCA requirements. The plantings must meet specific requirements calculated by Planning Staff, and must also be kept alive. RCA is intended to mimic natural landscape, so native plantings are highly encouraged.

Summary of Recommendations:

- Pet waste station shall be installed in the development.
- Install a solar PV system on one duplex building for a total of two systems.
- Install a minimum 4-kilowatt (kW) solar PV system on each of three duplex buildings for a total of six systems. The remainder of duplex buildings that do not have solar PV systems installed shall include solar conduit in the building design to facilitate future rooftop solar installations.
- Plant native-only flora in the planned RCA area.
- Add information signage or other marking at the boundary of the RCA indicating that the area beyond the sign is RCA and is not to be disturbed.

Board member Reger made a motion to approve the rezoning recommendations, seconded by Board member Jensen and the motion passed unanimously. The applicant recommended that the Board stay consistent with solar requirements across rezonings. Board members Garrison and Jensen are tasked with finding an answer to what solar requirements can be consistently requested based on utility ownership and legal implications of leasing versus owning a building with solar.

EAB Swag Order Review for FY22-23

Staff member Pendell presented a final cost breakdown of the activities, prizes, and giveaway items that were presented at the June 2023 meeting, which resulted in a total cost of \$4,670 for swag orders. This total cost reflects printing but not tax or shipping costs. Chair Schaaf requested that \$500 of the budget be leftover for future projects that the Board may pursue and wiggle room for unexpected associated order costs, and Staff member Pendell will calculate a new cost breakdown by reducing the number of items ordered.

Open Discussion

Board member Maynard asked how buffer zones for different streams are allotted. Staff member Bolin clarified that it depends on the type of stream: intermittent streams (which flow part of the year) require a 50-foot buffer on either side of the stream, and perennial streams (which flow year-round) require a 100-foot buffer on either side.

Councilmember Stallings expressed her appreciation for the Board member Jensen's willingness to educate developers with solar, given the interest in helping with solar expressed by the applicants at this meeting. The sooner the bridge to construct solar is built, the better.


Adjourn

Board member Jensen made a motion to adjourn the meeting, seconded by Board member Garrison. The motion was approved unanimously and the meeting adjourned at 7:34p.m.



Katie Schaaf, Chair

ATTEST:



Megan Pendell, non-voting staff secretary