

**MINUTES
PLANNING BOARD
TUESDAY, FEBRUARY 23, 2016
7:00 PM
HOOD ROOM, MATTHEWS TOWN HALL**

PRESENT: Chair Stephen Lee; Members Michael Ham, Barbara Dement, David Wieser, David Pratt, David Barley, Kress Query; Alternate Members Gregory Lee, Kerry Lamson; Student Voice Carly Newton; Town Attorneys Charlie Buckley, Craig Buie; Planner Mary Jo Gollnitz; Planning Director Kathi Ingrish

MEETING CALLED TO ORDER

Chair Steve Lee called the meeting to order at 7:00 PM and announced there was a full complement of Board members present.

APPROVAL OF MINUTES – January 26, 2016

David Pratt moved to approve the minutes of January 26, 2016 as presented. Barbara Dement seconded, and the motion passed unanimously.

ELECTION OF OFFICERS FOR 2016

Chair Lee opened the floor for nominations for the 2016 Chair position. Kress Query nominated Steve Lee, seconded by Barbara Dement. Nominations were closed and the vote was unanimous 9-0.

Chair Lee asked for nominations for the Vice-Chair position. Michael Ham nominated Barbara Dement. Kress Query seconded, and the vote was 9-0 unanimous.

ADMINISTRATIVE AMENDMENT – Fullwood Station, Various Revisions to Approved Zoning Conditional Notes, Site Plan, and Elevation Drawings

Chair Steve Lee stated the Board would first hear a staff report, then the applicant would present their requests. Once the information related to the various proposed changes was outlined, then the Board members would review before determining what action to take.

Planner Mary Jo Gollnitz explained that the Fullwood Station subdivision received zoning approval that included conditions, and the developer now has requested changes to some details in the rezoning package. An Administrative Amendment can be handled at three levels: staff, Planning Board, or Town Board of Commissioners. This one has been referred to Planning Board from staff.

Provident Land Services, the developer, requests:

- removal of the sidewalk between houses, from a new internal street to S Trade Street;
- a change of notes and site plan regarding removal of additional trees along the road frontage and installation of a berm with new landscaping materials;
- to revise the termination of the internal pedestrian trail, due to being unable to come to agreement with an adjacent property owner on continuing the trail out to Woody Creek Road;
- replacing previous house elevation illustrations due to a change in home builder company.

Along the S Trade Street road frontage, the zoning plans called for preservation of some existing trees to the greatest extent possible and the potential for a screen fence or berm. The developer now wishes to create an earthen berm along the road frontage to give better screening for the back yards of future new houses. This will require removal of all existing trees, a number of which have already been removed. The zoning notes said they would save as many trees as possible in this area. A small pocket of trees is left today on the north (church) end, and a couple pines on the southern (Chesney Glen) end. The site plan blow-up provided for this review shows the prior tree line, the road widening that has occurred, and where the applicant now wishes to clear. A streetview photo shows the trees on site after the road widening and prior to interior grading.

An aerial photo has been included in the package of information for this case that shows the location of the proposed sidewalk between two future houses. This was part of the rezoning approval, but the developer now does not wish to construct it. When staff and the developer were in early talks about the rezoning case, the location of this sidewalk was between Lots 5 and 6, and in the final zoning package it is between Lots 4 and 5. Ms Gollnitz illustrated how residents inside the new neighborhood would be able to use this sidewalk to reduce their walking distance when heading toward downtown. She noted there are multiple locations around the Town of Matthews where similar walking paths are constructed between homes.

The zoning conditions gave the developer six months to negotiate with the Ehlers, an adjacent property owner in Chesney Glen to continue the walking trail along the creek out to Woody Creek Road. If this walking path extension is not built first, to extend a new public access to the Town greenway system, it is likely there will be opposition to adding at a later time. Ms Gollnitz showed an aerial photo of the adjacent Ehlers' property and how it would allow connection from the new neighborhood to the greenway.

In a similar fashion, Ms Gollnitz explained that building the sidewalk between two homes not yet constructed, and adding landscaping to the walkway to separate it from the adjacent homes would be easier than trying to add it at a later time.

Ms Gollnitz stated the developer's proposed berm plan and a conceptual planting diagram showed no fencing except near the main entrance as part of an identification sign.

Ms Gollnitz explained the developer is now working with a new home builder, so the elevation illustrations approved with the rezoning will need to be updated. The developer has informed her the new home builder has not yet provided any elevations.

Chair Steve Lee asked about the percentage of tree save required on the site. Ms Gollnitz replied there was none required along the street front. The minimum tree save for the overall site is 8%, and the developer has indicated even after further tree removal they will still have 16%, primarily along the creek and at the back edges of the site adjacent to the Country Place neighborhood.

Vice-Chair Barbara Dement asked if the berm would cause any storm water runoff problems for S Trade Street. Ms Gollnitz replied that it should not with proper design and landscaping.

Mr Query asked what percentage of trees would be planted in the new berm. Mr Ham stated 102 trees were listed in the table on the planting diagram. Ms Gollnitz explained staff has not yet reviewed the conceptual landscape plan for its compliance to code. She continued that the photo illustration submitted by the developer is at Greylock subdivision entrance, and is similar to what is proposed here.

Mr Barley asked about any ordinance requirements for the entrance area. Ms Gollnitz replied there are some zoning plans and notes. She referred to the included Google street views from 2015, prior to interior grading activity. Mr Ham noted the extensive undergrowth and pines in that view.

Mr Lamson asked what amount of the proposed landscaping plan was deciduous trees that would lose their leaves in winter and would reduce their screening capability. Mr Ham added that installing shrubbery and lower growing species would be necessary to create a suitable lower level screen for the new homes. Mr Lamson suggested increasing the plant materials to improve screening capability.

Tom Waters and Kristin Dillard with Provident Development Services were present. Mr Waters began by stating their best laid plans and existing conditions on the site were very different, and that is what triggered the need to request these changes. He referred to a photo of another nearby landscaped berm as an example of what he intended to create at this location. He pointed to a photo showing the newly paved travel lane on S Trade Street with remaining trees saved at this time near the Chesney Glen southern end of his site. He stated that about 5 new homes would back up to S Trade Street on each side of the new subdivision entrance street. In another photo he pointed out the proximity of the remaining pine trees and overhead wires. Mr Waters stated there is no further existing tree growth to buffer these remaining pines, and that Duke Energy often asks that trees in similar situations be removed on other development sites.

Mr Waters continued by showing a photo indicating the view from future back patios of these homes toward MARA, to illustrate why they are asking to build the berm for view

and sound protection. Adding planting material to the berm would also create a sound buffer.

On the north side of the project near S Trade Street they had to bring in a lot of fill dirt so they couldn't save the trees there.

Mr Waters stated that the pathway between houses on Lots 4 and 5 had the same grade change, which would require at least 12 steps to go between homes and up to the street. All residents in the neighborhood can access S Trade Street along the streetside sidewalks and therefore wouldn't need to use the steps.

Mr Waters stated that the Ehlers asked all their Chesney Glen neighbors if they wanted a new connection to the public greenway access in their subdivision, and they expressed concern for their safety. He felt the pathway between houses on Lots 4 and 5 would be the same situation.

Mr Waters said the landscape plan they will submit is about twice the plant material they initially intended to install.

Mr Waters expressed his excitement that David Weekly would now be the home builder in this neighborhood. They have not yet determined what house plans or elevations will be offered in this subdivision.

Mr Ham said that trees are important, more than for their shade and aesthetics. They provide oxygen, wind breaks, storm water benefits, privacy, noise abatement, wildlife habitat, and stabilize home values. He was impressed with the proposed planting list, noting some trees listed are especially good for screening, while others may be brittle. He disagreed that the existing pines alone would be considered "danger" trees, since any trees that grow into or above overhead wires will pose similar threats. Mr Ham continued that he is not impressed with the existing erosion control fencing on site, especially at the Woody Creek end. He suggested a second line of fencing might help.

Mr Ham asked who will decide what landscape materials will be located along the side, since the list states "to be determined". Mr Waters said during the rezoning process he promised the neighbors in Chesney Glen he would design the plan with their input. Mr Ham asked about any planting to be done on individual lots, and Mr Waters stated the home builder would be responsible for that.

Mr Ham asked if the sidewalk between houses must meet ADA requirements, then how could it have steps. Mr Barley noted that as long as there is an alternate access that is handicap accessible, then this may be allowed.

Chair Steve Lee questioned whether there was opportunity to shift the location of the sidewalk connection to make it a more gradual rise. Mr Waters stated it was possible, but they wanted to wrap the berm around the back of the last lot along S Trade Street so

there would still be a grade issue. Mr Query asked what the actual elevation change would be. Mr Waters responded he thought it might be about ten feet but he was unsure.

Mr Query stated he didn't see how this Board could make a final decision on the Administrative Amendment request without elevation drawings, and suggested this Board needed to defer the action to the Town Board.

Ms Dement said like Mr Ham she had also been out to the site, and she was concerned the berm was already being constructed prior to approval. She mentioned the berm on Rea Road between Hwy 51 and Ballantyne Commons is a good example of a constructed and planted berm screen. She continued by mentioning the sidewalk connection between houses in Sardis Plantation as an absolute plus for her neighbors. She thought Town Board should seek public input on this. She asked that the landscaping plan from the home builder be brought to the Town as well.

Mr Lamson asked about the width and distance of the trail internal to the site. Mr Waters showed it on the site plan, pointing out the congregating area at the top of the trail. He said it would have a mulch surface and include a small foot bridge. Mr Lamson cautioned Mr Waters not to dead-end the trail, but to keep it a continuous forward-moving pathway.

Mr Lamson suggested there could maybe be a mulch trail between homes from the cul-de-sac to the Boy Scout hut property to the north, where they already have a walking connection out to S Trade Street. Mr Waters responded he felt that would be difficult, but they were working with the church on parking and the Scout hut driveway.

Mr Lamson asked about the cost to the HoA with or without the berm. Mr Waters replied that buyers in the anticipated price range here would expect high quality and good maintenance of the subdivision entrance area and interior trail. Mr Lamson asked if there were any places within the site where additional trees could be installed to replace what is requested to be removed. Mr Waters said they will install street trees along all internal streets and the home builder will landscape around houses.

Mr Ham asked if the retention ponds will be fenced. Mr Waters said one will be fenced, and both will have access easements for maintenance. He understood they will be taken over for long-term maintenance by the Town.

Mr Mike Ham suggested that maybe construction of the internal trail could be an Eagle Scout project.

Mr Waters said there was a perception that the berm has already been started. He said the new fill material along the road frontage is spoils from internal grading, and was placed there so it could be used for the berm later.

Mr Barley stated tree save criteria are different for various communities. He would like to see in the future a defined tree save area not a suggested tree save area. He asked about the slope of the berm. Mr Waters replied it was about 2.5 or 3 to 1.

Chair Lee opened the floor for discussion among Board members. He said they all recognized this had to wait to be acted on, so they could send it on to Town Board. Mr Query commented there were so many elements – too many to recap. Mr Ham agreed, saying Council will use this Board's minutes.

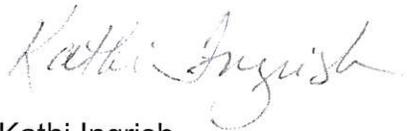
Chair Lee asked Student Voice Carly Newton to give her thoughts. Ms Newton stated having access to walking options is important, that it is the best thing in the world. People would prefer the pathway between homes to the sidewalk along a main road.

Ms Dement reiterated how she loved the walking path next to her home to Elizabeth Lane Elementary School. Steve Lee mentioned someone in his subdivision purchasing a house specifically because it was next to the greenway. Mr Ham added that it would be easy to add evergreen plantings there.

Mr Query motioned to defer this Administrative Amendment to Town Board. Mr Barley seconded, and the motion passed unanimously 7 to 0.

Ms Dement motioned to adjourn at 8:10 PM. Mr Weiser seconded, and it passed unanimously.

Respectfully submitted,



Kathi Ingrish
Planning Director