

NEW HOPE CREEK CORRIDOR ADVISORY COMMITTEE—MINUTES OF MEETING OF JULY 10, 2008

(Present: Fowler, Goebel, Healy, Kent, Edeburn, Welch, Harrison, Mike Waldroup, Pat Carstensen, Melissa Rooney, Cathy Abernathy)

- (1) Melissa Rooney presented a resolution on environmentally sustainable development, seeking our endorsement. She had presented the resolution to DOST last night. Rooney passed out a number of photos showing severe erosion from developments in Durham and said that citizens have to monitor erosion because county staff is not sufficient to adequately cover all sites. This version of the proposed resolution simplifies and generalizes the overall statement, and includes a separate document with specific policies and references to the literature. Harrison pointed out that there is no provision in Durham land regulation for requiring timely build-out of land cleared for construction. Healy mentioned the problem of trees that are supposed to be protected but whose roots are disturbed during construction or covered with mounds of debris, ultimately dying. Harrison suggested that proper placing of the tree save tape would protect such trees.

Healy mentioned that the suggested provision for not giving density transfer for unbuildable land would be a dramatic change in longstanding practice in Durham, and likely to raise considerable opposition from property owners, regardless of its merits. It was suggested that density credits be made conditional on other environmental aspects of development, particularly the treatment of land that is environmentally problematic, but not legally unbuildable. Waldroup said that there is a difference in how environmental constraints affect residential vs. commercial development. He said more attention should be paid to development forms in the urban/suburban areas, where development could be higher density and more transit friendly.

Rooney said that there need to be more ways to encourage use of the conservation subdivision part of the UDO, perhaps by tightening requirements on land that does NOT use this option. Edeburn said that the original language of the resolution that asks for the retention of all existing tree cover on development sites be changed, as it is logically impossible. He also asked for clarification of the relevance of the reference to federal laws—the resolution was changed to specifically mention their application to Jordan and Falls Lakes. It was noted that federal water law sets targets for ultimate results, and state/local rules create the mean for achieving the targets. Harrison said that Durham has a slope protection ordinance, but it is too weak. Carstensen said the current ordinance does not protect small steep-slope areas.

The committee unanimously passed the following resolution:

RESOLUTION FOR ENVIRONMENTALLY RESPONSIBLE DEVELOPMENT

The New Hope Creek Corridor Advisory Committee requests that the Joint City County Planning Commission, City Council, and Board of County Commissioners examine and revise the environmental protection provisions of the Comprehensive Plan and the Uniform Development Ordinance, in order to:

- increase preservation of natural open space;
- maximize retention of existing tree coverage
- expand stream buffer dimensions
- minimize land disturbance and removal of vegetation
- restrict clear-cutting and mass-grading
- strengthen sedimentation and erosion controls and their enforcement
- restrict further development in floodplain areas
- decrease development on steep slope land
- minimize stormwater runoff and associated pollutants from new development
- actively support the adopted Green House Gas plan
- comply with the Federal Clean Water Act's requirements for water quality in Falls Lake and Jordan Lake

The Committee is very willing to consider endorsing specific recommendations to implement the above general policies, as they are developed and come before public bodies. The Committee is also willing to send a representative to any advisory body that may be set up by local government to further refine the above statements.

- (2) Proposed 15-501 development. Healy reviewed the June meeting, at which a developer's representative sought the committee's general input on a possible development on an 8 acre site near the 15-501/new Mt. Moriah intersection (see minutes of June meeting). Harrison said that slopes in that area are one of the most biologically diverse areas in the whole county. The flat part of the site nearest 15-501 was probably scraped for fill when the highway was constructed. Waldroup said the proposed development is probably inconsistent with the 1999 NCDOT plan for a future automobile

bridge over 15-501, which would have an interchange on the north side. However, there is question as to whether future traffic volumes will be high enough to justify this investment. Harrison distributed a clipping from the Raleigh News-Observer (6-15-2002) that described a planning charette for the northeast corner of 15-501 and Mt. Moriah that created proposals for mixed use development (the site was subsequently occupied by Indigo Corners). Welch reminded us that the land immediately along 15-501 is zoned commercial and that fast food establishments could be built without zoning change. Waldroup said that the developer's original plan for this area would have platted it in 2 acre lots, but this was later changed to 5 acre lots.

(3) Turkey Farm Road bridge replacement. Healy said that a "field meeting" between two biologists selected by NHCCAC and several representatives from NCDOT and NCDWQ would take place on the bridge site on June 11. He said that he would ask questions about what kind of monitoring should be put in place during construction. [Update: The meeting did take place, and the biologists made a number of useful suggestions. These will be sent to NCDOT and NCDWQ next week. A public meeting will then be held at the New Hope Improvement Assn. building (Whitfield Rd.) on July 30. It was suggested that this information be posted on our website and that we send a notice to the ENAG list maintained by Wendy Jacobs.]