



UDO PLANNING BOARD SUBCOMMITTEE MINUTES  
Thursday, November 30, 2023, at 6:30pm  
Webinar Pittsboro, NC

**Attendance:** Subcommittee Members: Jon Spoon, Eric Andrews, Clyde Frazier, Mary Roodkowsky, and Tony Mayer.

**Ex-officio:** Mary Gillogly, Gail Friedman, John Graybeal, and Chuck Walker.

**Planning Staff:** Jason Sullivan, Chance Mullis, Angie Plummer, Kim Tyson, Hunter Glenn, Thanh Schado, and Dan Garrett.  
Commissioner Katie Kenlan.

**Public Attendance:** Leah Dyson and Jeannie Ambrose.

**I. CALL TO ORDER**

Chair Spoon called the meeting to order at 6:30pm.

**II. CHATHAM COUNTY APPEARANCE COMMISSION EX-OFFICIO MEMBER:**

Chair Spoon introduced Mr. Chuck Walker from the Chatham County Appearance Committee as a new Ex-Officio member. Motion made by Mr. Andrews, second by Mr. Frazier. The vote was 5-0, unanimous.

**III. APPROVAL OF MINUTES**

Consideration to approve the October 24, 2023, minutes. No corrections were required, the motion made by Ms. Roodkowsky to approve, second by Mr. Andrews the minutes were approved 5-0, unanimous.

**IV. UDO DRAFTS REVIEW**

- Chair Spoon stated the documents we will be reviewing are the Chapter 5 General Subdivision Standards and Chapter 6 Conservation & Open Space.

**Chapter 5 General Subdivision Standards:**

- Chair Spoon asked if any of the members had any big picture comments regarding this chapter. Chair Spoon stated in this section you will see area highlighted in blue and that is referring to a section that is to be written. In this section in order to understand parts of Chapter 5 we needed to understand parts of Chapter 7 which has not been written yet, and those are the road standards for the subdivisions. A couple sections needed to be understood better by having the other chapters available. Overall, in Chapter 5, if there are places where we could encourage connectivity of natural spaces and pedestrian routes between subdivisions of different developers to allow contiguous areas and the same for natural space. Mr. Andrews said regarding connectivity, it is crucial for stubbing for landlocked land with connectivity. If it is public or private ROW, connectivity is important for emergency vehicles, so we need to address this somehow in this section. Let us ensure we do not prevent people from having access.
- Ms. Friedman stated in the general provisions we recommend adding language supporting the preservation and creation of affordable housing to confirm its status as one of the key public purposes related to the UDO. AHAC is in the process of forwarding recommendations intended to expand the range of housing types to permit as many forms of affordable, denser dwelling units as practicable. This should include not only the most prevalent forms of attached or multi-unit housing (apartments, condos, townhouses, etc.) but also less common forms such as mobile homes, tiny homes, commercial conversions, shelters or transitional housing, village-scale infill, ADUs, and duplexes, triplexes, cottage

homes or other forms of so-called “missing middle” housing. Ideally, the affordable housing is not concentrated, but located in various places, within the limitations imposed by the availability or lack of public water and sewerage. Highway corridors or parts of Moncure eventually may be areas suitable for such housing.

In reviewing the subdivision design types apart from the residential use standards and land use map, it appears that only one of the subdivision designs - TH Townhouse - is intended to support higher-density, potentially more-affordable housing. And TH design would be permitted in only one zoning district, AC activity center, as well as in two of the compact community districts, CD-CR and CD-CMU. Is there a need to alter this design category system and associated standards to better accommodate a range of affordable housing types and siting, or is this able to be adequately accomplished through the use standards or other means, since many forms of affordable housing need not occupy full subdivisions? Chair Spoon said he did question if we would have flexibility in other models to see if we will allow mobile home parks or tiny home villages or similar developments.

- Ms. Roodkowsky asked is this the place to deal with ADUs and also the need for affordable housing. We need to ensure we are managing accessory dwellings. Is this the place for townhouses or multifamily dwellings for connectivity for electric cars? Chair Spoon said we will make note of that and review to address both of these points of discussion.
- Mr. Walker said affordable housing was not mentioned here and the open space requirements will restrict the county to have any ability to have affordable housing.
- Chair Spoon said we will review the chapter page by page and provide your comments or concerns.
- Ms. Friedman asked on pages 5-4 and 5-5 within the public purpose section to include a statement promoting the preservation and creation of affordable housing.
- Mr. Walker stated on page 5-5 number 7, does the county in fact have sewer? Mr. Sullivan stated there are numerous private wastewater systems that we do have the authority to regulate through zoning initially, and those private wastewater systems can serve other developments. Mr. Walker also asked about number 13 and why would we want to avoid overcrowding of the land? Chair Spoon said that would help maintain Chatham County rural character which was the top priority across every advisory board. We want to have density in the correct places, we do not want to see places get overcrowded and ruin the natural character we have here. Mr. Walker stated he looks at these chapters as a designer and when I see overcrowding of the land, I cannot tell my client what that means, we need to have a definition, so developers understand what we want and do not want. Chair Spoon stated it is noted and the developers will have to meet the regulations in the ordinance, these are just laying out the general ideas behind the rules we are putting forth.
- Mr. Andrews stated on page 5-6 section C.1., Conformity with Zoning Regulations, “subdivisions must conform”, do we want to use the word must? Can we allow some flexibility?
- Chair Spoon said on page 5-7, Exempt Subdivisions, section b., it is not clear if we are talking about public streets or private streets and would like some more clarification. Chair Spoon stated we also need more specificity in section g and the transferring of ownership with mobile home parks. Mr. Walker said he has questions about this as well and is there a time limit for this person who does not intend to do the transfer?
- Mr. Andrews said on page 5-8 section B. Recording of Unapproved Plats Prohibited, lots are not allowed to be created by metes and bounds? Mr. Sullivan stated we do not allow that now. Everything has to go through plat review process.

- Chair Spoon said on page 5-9 section A, Land Areas Unsuitable for Development, who makes that determination for a property to be unsuitable? Mr. Sullivan stated all the agencies that are involved in the permitting process.
- Chair Spoon asked for the table on page 5-9, could we add a footnote to provide cross reference to the abbreviations of the zoning districts? It would be helpful to understand this table. Mr. Mullis stated there will be hyperlinks that will take you to the zoning district as well.
- Chair Spoon page 5-12 section A. 2. a. “any new street,” is this a public or private street? More clarification is needed. Also in section 5.2.3 Minor Subdivision, A.2. creation of public improvements, does that refer to a mail kiosk, is that a public improvement? Should we have a list of items that are consisted a public improvement? Mr. Sullivan stated number 1 and 2 in this section needs to be removed.
- Mr. Frazier stated on page 5-12 section B.2., can there be subdivisions that do not need an HOA, and should we provide for that? Mr. Sullivan stated subdivisions will require an HOA because they will likely have stormwater controls and they have to have a HOA for the long-term maintenance. Also, riparian buffers will no longer be part of any lot and instead a common area so they will need to be part of the HOA as well.
- Chair Spoon said on page 5-13 section C, Availability of Review, when does the clock start for this, when the UDO is adopted or before that or after that? Mr. Walker asked what is the trigger once it is recorded? Mr. Sullivan confirmed once it was recorded.
- Mr. Mayer stated on page 5-13 in section 5.2.4. A, there are a lot of families that are not traditional, or blood related and is concerned that we are ignoring those people. Could we ask consultants about the standard for this in practice? Mr. Sullivan stated Ms. Tyson has a form that is given to an attorney to validate this.
- Chair Spoon said on page 5-13 section 5.2.5., Simple Plat Review, why was this particular number of 3 lots chose? Ms. Tyson said it reads close to our expedited subdivision. For an expedited subdivision, you have to have a minimum of 5 acres and a total of 3 lots. Mr. Sullivan said this is mandated by state statute.
- Chair Spoon stated on page 5-14 section B, Availability of Review, are we going to mandate disclosure during a sale process for this? Mr. Andrews stated there is not a land disclosure and he is currently on the Forms Committee and has an initiative before the state to start a land disclosure. Ms. Tyson said there is a form that the developer attorney fills out and has this documented, so we will know if this subdivision comes back in. Chair Spoon stated this is a way to prevent a string on minor subdivisions over the years to essentially create a major subdivision. Mr. Sullivan said that is correct, Ms. Phillips our minor subdivision administrator has some yearly customers.
- Chair Spoon asked on page 5-14 section 5.2.7., Recording of Non-Building Lots, is there a way to take a piece of property out of this status, or is it non buildable forever? Ms. Tyson said they just need to bring that parcel in for a minor subdivision process, receive their Environmental Health approvals and then it will become a buildable lot at that time. Mr. Andrews asked if we could add a section D to clarify that a non-buildable lot is the status at the time and does not mean that it is permanent, it could be changed in the future. Ms. Tyson said adding a section D would be a good idea.
- Chair Spoon asked on page 5-15 section 2, what does throat length refer to? Mr. Walker asked where do we get the maximum block lengths? Mr. Sullivan stated these are a carryover from our existing regulations and this is something that needs to be revisited. Mr. Frazier stated the definition of “block” does not fit with the subdivisions we have seen in this county. Chair Spoon said the vast majority of our subdivisions are not organized in blocks. Mr. Walker asked if the cul-de-sac measurement was at the

radius point or the back of the bubble? Chair Spoon stated there is a typo in the footnote, they probably meant specifies and not species.

- Mr. Mayer stated on page 5-16 section B.2., topographic conditions, which can be a lot of different things, this may need better defining.
- Chair Spoon said in section C, Block Layout for Solar Orientation, I am in favor of solar energy, but this seems to prescriptive and could be an enforcement issue and not practical on a large-scale basis. Mr. Frazier stated with the subdivisions that we look at it would make more sense to regulate the houses and the residential orientation rather than the block orientation. Chair Spoon stated this section gives us concern with the practicality and effectiveness it is trying to achieve.
- Mr. Frazier stated on page 5-16 section 5.3.3.B., Arrangement, not sure if we get anything from this. We deal with all types of irrational angles to accommodate the land. Chair Spoon said this section gets too much in our desires on paper and not in the reality of the actual built environment.
- Mr. Frazier stated on page 5-17 section E.2., Flag Lots, if there are 2 flag lots adjacent, they should have a common easement for access. Anytime you have more than 1, why not have a common easement. Mr. Andrews stated on E.1., since we mentioned NCDOT site easements on corner lots, we should mention them on the flag lots as well if the road dips or turns. NCDOT will likely be involved.
- Mr. Andrews stated on page 5-18 section 5.3.4.E., lots adjacent to rivers, why should the 3 acres be outside the floodplain if we are trying to protect the river. In this county this is tough to accommodate. Ms. Tyson said this reads a lot like our R-5 regulations. Mr. Sullivan said we should remove this from our subdivision regulations, but it can stay in our zoning regulations.
- Mr. Andrews stated on page 5-20 section 5, active and passive recreational needs, we need more clarification for this, we do not want to prohibit it but do not want it mandatory either. Mr. Walker asked who defines the scenic views? Is there a definition for steep slopes? Mr. Sullivan stated there is a definition for steep slopes in the sedimentation and erosion control ordinance.
- Mr. Walker stated on page 5-21 section 3.a&b, the table notation is incorrect, it should 6.1.4-1 in "a", and 6.1.3-1 in "b". Chair Spoon said on page 5-21 section D, Density Bonuses, would we ever allow an apartment complex in a conservation subdivision? Mr. Sullivan stated it would need to be notated in the zoning districts.
- Mr. Walker said on page 5-22 in section 2.a., "front yard setback to a minimum of five feet, when necessary," could we not just make that by right rather than case by case basis? Chair Spoon stated that seems a little dangerous and was that way for a reason, we want the setbacks larger than five feet if we can have it that way.
- Ms. Roodkowsky stated on page 5-22 section 4, Perimeter Buffer, "50-foot undisturbed buffer" what about the access to other development or schools, etc. What about those near a road or a school, this could contradict later as well with the upcoming language. Mr. Frazier stated in section b it states roads and utility easements are permitted, that might take care of that. Mr. Sullivan stated this was added to the conservation subdivision regulations about a year ago and we need to go back and finetune some of the changes and find some language that is not so absolute.
- Chair Spoon said on page 5-23 section G., does there need to be a number 4 that allows for invasive species control. Mr. Sullivan asked if we could add dying or deceased trees as well, this has come up before. Mr. Mayer said for the maintenance agreement and asked if there is a standard already in use and what is included in that? You would think invasive species should be included in a standard maintenance agreement. Mr. Sullivan stated we should have clear language in section G.3., that the maintenance agreement shall include certain things. Mr. Walker stated in section F, the definition of the

conservation area, what is the purpose of that? Chair Spoon said to protect the most critical areas and know how to protect them. You need to evaluate and identify this first and then build your concept plan around it.

- Chair Spoon asked under Agricultural Subdivisions, we will ever have a soils suitability map? Mr. Sullivan said there were a series of maps created with Plan Chatham which included high quality soil locations on farmland. There is also a regional group that identified high value farmland in the county.
- Mr. Frazier stated on page 5-24 section D, Agricultural Areas, 2.b. riparian buffer calculation, why does it not include the floodplain. Mr. Sullivan said the floodplain automatically becomes part of the buffer, if the floodplain extends beyond the buffer, then that automatically becomes part of buffer. Mr. Frazier said in the section where it talks about areas protected in the natural space, in the conservation subdivision it says riparian buffers and floodplains cannot be included. Mr. Sullivan stated we need to make sure that language is cleaned up between the two sections.
- Chair Spoon asked on page 5-24 and are we including silviculture in this model because timberland could change everything. At the bottom of the page, connectivity of agricultural areas, does connectivity mean no fences between lots and would this prevent a neighborhood where each housing has its own small fenced in farm, because that might be something people would want to do. Mr. Sullivan stated we need to work with the consultants on this because of the new zoning districts and how this will work with the agricultural zoning district. Chair Spoon said this section needs a lot more work and thought because it is not spelled out enough to have a workable model.
- Mr. Andrews said on page 5-25 section E, Density Bonuses, we are not incentivizing it enough with 10% bonus. Mr. Mullis asked if there was a percentage that would have more incentive. Mr. Andrews said it would need to be a discussion, but 50% would be much better and give the developer a better incentive for building a subdivision. Chair Spoon said this is a difficult area to make work and would like to study some of the jurisdictions that have made it work.
- Chair Spoon asked on page 5-26, are our buffer requirements going to prevent the land from being workable? Also, in section G, who is going to be the administrator for this, they will need to be an agricultural expert. Mr. Sullivan said this would need to be set up like the conservation subdivision guidelines now with the NHP, it would be someone who is qualified to make these calls. Chair Spoon said in section H, they just copied from the conservation subdivision, and this does not work here at all. The ownership also precludes any type of situation where a farming entity is farming and controlling a large agriculture land the rest of people are just living there. It is too imprecise to make this a workable model. Mr. Walker asked is there any indication who is the owner of the farm. Chair Spoon said this section needs a lot more work.
- Chair Spoon said on page 5-28 section F.2.a., this section is trying to make it look pretty, but in reality, not sure it will actually work, we need to have more flexibility. Mr. Frazier stated this will make the roads longer and might cause issues with the required length of cul-de-sacs.
- Mr. Mayer said on page 5-30 section B.2&3, the wording is loose and too vague, it needs tightening up. Chair Spoon said in section B.4., "pedestrian and bicycle pathways." Does this mean both or either or, we should clarify this language to be clear. Mr. Walker stated in section B.1. "residential units shall be within ¼ mile of a neighborhood gathering point." Does that mean each unit or the entire project and if you do not have one of these, do you need to build one?
- Chair Spoon said on page 5-31 section 7, there is not a specific number on park and ride spaces, should we include a ratio for the number of lots it is serving? Also, section C.1.c, Off-Site Lots, it seems that the compact residential neighborhoods will have a bunch of small parking lots distributed throughout the neighborhoods. Mr. Frazier stated in section D.2., what is a Contextual Guideline, and does it need to be approved or submitted? Mr. Mayer does not think this can be done before; it would

need to be done after the construction plans are completed. Chair Spoon said we need to make sure the sequences are right for this to be effective.

- Mr. Walker stated on page 5-32 the 400-foot block length is too short. Mr. Frazier said under the design Standards 2&3, it looks like the lots can be less than 24 feet wide and the driveways have to be 8 feet from the property line which then puts the driveway in the middle. Mr. Walker stated this will make for a very large townhome. This section needs to be looked at and thought through.
- Chair Spoon said on page 5-33, does outdoor living area include porches and yards? Mr. Walker stated it reads like every townhome will require a fenced yard in section D. This is too excessive, and the subcommittee would like it removed. Mr. Mayer noted that the 500 feet to parking spaces is written here again.
- Mr. Mayer said on page 5-34 under section b. this request is too micromanaging. Mr. Mayer also asked how people feel about section D with the parking areas for boats and RV's. Ms. Plummer said she would prefer not to regulate this, and it be a private matter for residents. Mr. Sullivan said this would be a good idea for communities in Chatham. Creating an area to store boats and RVs at a site. If we are allowing people to have them, then onsite storage for them should be included.
- Mr. Frazier stated on page 5-35 section D.1., "single collector for all heavy traffic between the development area and the existing system of streets and roads." Mr. Frazier feels this will limit the size of industrial subdivisions and is not sure if we want to do that. Also, section E.4, "a parcel size sufficient in area to allow future expansion." Why do they have to do it in stages? Chair Spoon stated that section D.2. is too prescriptive. Also, is section E.2., shared parking, will that create issues with industrial tenants?
- Chair Spoon said on page 5-36 section C, we need to define a clear line at what point when it is necessary to reserve a school site. Also, section 5.5.4 is too vague and needs to be tightened up. This also extends to section 5.5.5 as well.
- Mr. Andrews stated on page 3-37 is this where we want to add turn in lanes or bus stops for subdivisions? This was an issue for a couple subdivisions in the past, especially off of Hwy 15-501.

## **Chapter 6 Conservation & Open Space:**

- Chair Spoon asked if anyone would like to address any big picture items for Chapter 6. Chair Spoon said he believes we will have a severability clause for the UDO for state changes. For a lot of this, it seems we may need an arborist to be on staff at the County to enforce these specific environmental regulations. Also, we need to address invasive species management as well. Mr. Frazier stated he felt like this was the biggest departure from what we have done and believes this presents a lot of issues. We are trying to do something new, and it is problematic to do something new. Chair Spoon said doing new things is good, but we need to be fair and ensure we have an enforcement mechanism for all of this and not sure about staff and structure to do this currently.
- Chair Spoon said on page 6-4 section A.1., seems like this would apply to minor subdivisions and up to 15 lots is larger, but still not sure if it is required. Also, section A.6., 10 percent is a small and insignificant change to have to comply with this area and carried into section 8.B. Mr. Walker asked if 33 percent would be better.
- Chair Spoon stated on page 6-6 in the table under the major subdivision where the conservation subdivision is located, it is not clear why they added agricultural area in this part of it, we should strike that out. This will open the door for silviculture and tree management under the guise of conservation

subdivision. Mr. Frazier stated in the table where it says 6 to 15 lots, 10% of the area, but earlier where it talked about things that are exempt on page 6-5, single family houses in residential subdivisions is listed. Chair Spoon said it is his understanding that it is not applying to individual homes owners, this is applying to developers doing multiple lots at a time.

- Chair Spoon said on page 6-8 section C, Active Recreation Area, we need to define what active recreation is. Staff also agreed to change "recreation" versus passive or active. Chair Spoon stated under shared open space, "regional and community parks," if there is a potential to share these amongst multiple developments, could they be connected and contiguous rather than each development maintaining their own regional park? Is there any mechanism to have these parks shared? Mr. Frazier said the size of pocket parks as .5 acre is too big. There are a lot of pocket parks with nothing more than a park bench and some nice shrubs.
- Mr. Walker asked where did the 50% natural area number come from, because if we are trying to establish affordable housing, we are making it impossible with these kinds of requirements. Chair Spoon stated the 50% natural area is only referring to conservation subdivisions, agricultural subdivisions, and equestrian subdivisions, it would not apply to all the models, just those three.
- Chair Spoon said in the table on page 6-9, Active Recreation Area, how far away will these be from the residential homes, because a lot of these can create noise and light pollution and that could cause issues within the communities.
- Mr. Frazier stated at the top of page 6-10 which is part of Natural Area Requirements, section a., "development site does not contain existing Natural Area, then this requirement does not apply." Mr. Frazier said they developer could get rid of the natural area before they apply and then that requirement is not needed. Mr. Walker said on page 6-10 section 5., "critical root zone or dripline," we need to pick either or, not both. The dripline is always more expensive than the critical root zone. Mr. Frazier stated in section 7., Incentive for Riparian Access, the link provided is not a good link and what NCDOT requires is a 12' to 14' wide trail with a minimum of 10' except for restricted areas where it can go down to 8' wide, and at least 2' away from any shrubs or rocks, but recommended to be 4' away from any shrubs or rocks. This is way to big and we should set up some of our own standards and adopt them and not rely on the NCDOT standards which are not appropriate for this area. Mr. Frazier stated this reference is throughout the chapter and we should look at all of them.
- Chair Spoon said on page 6-11 section C.1., we need more clarification on the Active Recreation Areas. Mr. Walker said in section 3., the county is authorized to sell any dedicated land, why is that? Chair Spoon said it should be used for public recreation or conservation and not dedicated just to recreation. Chair Spoon said in section 4., payment in lieu, we need to make sure there is a fee schedule and cost per acre.
- Mr. Walker said on page 6-13 section E. 1.2.&3. has a problem with those three being excluded. Chair Spoon stated that is consistent with our conservation subdivision regulations and state regulations. Mr. Mayer stated he has an issue with number 6, high quality natural areas for this do exist in these areas. Not saying we should always allow it but could consider it. Mr. Walker asked if number 5 is consistent throughout the chapter and if not, we need to confirm that. Mr. Frazier stated in Areas Not Counted as Open Space, riparian buffers are not counted as open space, but on page 6-10 we encourage trails in the riparian buffer and give them a reduction in the total amount of open space requirement if they do. Chair Spoon stated this need to have more clarification.
- Mr. Mayer said on page 6-14 number 2, excluding ATV's, golf carts, and electric bikes, there could be some places in the county where that would not be a problem. Mr. Graybeal said in section B.2.a., is inadequate. The tree committee had much more detailed specifications for tree density, types of trees, and species diversification depending on lot size.

- Mr. Walker asked on page 6-15 if they will identify who is an environmental professional.
- Mr. Frazier stated on page 6-17 we are requiring an open space plan and then later on we are requiring a tree preservation plan. Are we requiring two new plans from the developers per subdivision? Chair Spoon asked if these two plans could be incorporated into one single plan that shows both aspects of it. Chair Spoon asked in section 2 on page 6-17, who makes these determination if things were to degrade, destroy, or adversely affect sensitive environmental or natural areas or areas with significant historic, cultural, or archaeological resources. Chair Spoon also said rather than allowing conservation easements to be sold or granted to the county we need then to be grantable to bona fide non-profit organizations and land trusts.
- Mr. Frazier said on page 6-18 section 6.2.3., Cemetery Buffer Standards, some cemeteries we have seen are located under thickets, no headstones or identifying markers. You would not know there was a cemetery there if it were not for the ground penetrating radar, and they would be improved by removing some of the vegetation and why do we need a buffer around things like that. Chair Spoon stated this section could benefit from a definition for what we are considering a cemetery. Mr. Mayer said in section B. Vegetation, vegetation must be maintained does not mean left alone but instead managed.
- Mr. Frazier said page 6-19 at the top of the page, the first instance of many where went to remove. The statement about invasive species removal, but not using any herbicides. This is unrealistic, herbicides will need to be used to get ride of invasive species.
- Chair Spoon asked on page 6-20 for Tree Protection, where are we with state law and the permissibility on this, I support it, we just need to be cognitive where the state law says we can and cannot regulate. Chair Spoon said under section B., Exceptions, number 2 and 3 are redundant. Mr. Walker said he does not understand section C because a lot of the time the landowners as part of their sale to the developers is to allow them to take down the trees and sell them.
- Chair Spoon asked if the 3- and 5-year timelines are going to apply retroactively or will that start new with the UDO adoption on page 6-22.
- Page 6-23 section B.2.a., Chair Spoon said it mentions large trees, do we need a definition of what a large tree is? Mr. Walker stated in section 2.b.1., for the percentages, does that mean percentages of the site, or percentages of the existing tree cover? It needs to be for the existing trees, not the site.
- Chair Spoon said on page 6-24 at the top of the page we are placing more responsibilities on the Zoning Administrator and their ability to evaluate and approve these plans. If we were to really enforce this, we would need an arborist on staff. Ms. Roodkowsky asked in the Tree Safe area, should we specify that they should not be invasive species?
- Chair Spoon stated on page 6-25 for Removal of Trees, what is going to be the enforcement mechanism for this? Also, section C, Penalty, "other penalties may also apply as provided by this UDO." What are these penalties and where would they be located? Mr. Frazier stated in section A.1., if you want to cut a tree you need the Zoning Administrator approval, do we really want that?
- Chair Spoon said on page 6-26 section 7., the term "hardship," is this too broad of a catchall, we need more detail. Mr. Frazier stated in the section, Lot Trees Required, we are requiring trees to be planted in the front yard, but some people may want to garden their front yard.
- Chair Spoon stated on page 6-28 section 3, "within 15 calendar days of receipt," that seems to be a quick turnaround, is that enough time?
- Mr. Walker stated on page 6-29 section 7, we should consider adding "or behind a drainage swell."



- Chair Spoon said on page 6-30 section A., Trails and Greenways, sometimes they do require compaction to make a good trail and we do not want that to be precluded because we do not want trails that will just erode away because it was not built correctly. Also, under Right to Appeal, the appropriate place to appeal would be to the Environmental Review Advisory Committee (ERAC) not the Planning Board. Staff agreed that ERAC would be better.
- Chair Spoon said on page 6-32 section C.2., it would be a good idea for us to create a list of approved organizations by the BOC with the option to amend to ensure it is a vetted list with experience and to make sure we are signing it over to a responsible party.
- Mr. Mayer stated on page 6-33 section 1.b., free flowing and devoid of debris, this does not seem feasible. Chair Spoon suggested free from unnatural debris.
- Mr. Walker stated we need to take out any mention of new planting out of the tree preservation ordinance.

V. NEXT MEETING & DISCUSSION TOPICS

Chair Spoon stated we will send correspondence for the next meeting and the chapter we will be covering.

VI. ADJOURNMENT

The UDO subcommittee was adjourned at 8:53pm.