

**TOWN OF SWANSBORO
PLANNING BOARD
SPECIAL MEETING MINUTES
APRIL 19, 2021**

Call to Order

The meeting was called to order at 5:30 pm. Board members in attendance were Michael Favata, Christina Ramsey, Scott Chadwick, Jeff Conaway, and Brad Buckley. The board had 1 vacancy and Ed McHale was on a leave of absence and was excused.

It was noted that member, Brad Buckley attended via ZOOM, an electronic platform put into place to allow virtual meetings due to the COVID-19 pandemic that had recently taken a huge toll on the United States and other parts of the world requiring social distancing and limited public appearances.

Business

Tree Preservation and Replacement

Planner, Jennifer Ansell reviewed that at the last special meeting, the Board asked for more information on the replacement standards for trees when a property was clear-cut. The below UDO references were provided.

§ 152.538 TREE PRESERVATION AND REPLACEMENT.

(B) Standards for preservation or replacement.

(1) *Minimum standards.* For the purpose of achieving the objectives outlined in § 152.525, all new commercial or residential developments shall provide for the preservation or replacement of regulated trees using the following minimum standards:

(a) The total number of regulated trees to be retained should be at least 15 trees per acre (less impervious surface area (ex. parking, building)).

(b) If there are less than 15 regulated trees per acre on the site, then the difference shall be replaced with new or existing smaller trees, to a total of 15 trees per acre equaling at least three caliper inches per tree planted or retained.

(c) If there are no regulated trees on the site, then at least 15 new or existing trees per acre (less impervious surface area) equaling at least three caliper inches per tree shall be planted or retained.

(d) In the event a developer clear-cuts a lot or tract and has failed to provide a site plan to the office of Planning and Code Enforcement, the developer shall be required to plant 23 trees per acre (less impervious surface area), each with a minimum caliper of three inches.

(e) Regulated trees that are retained may be used to fulfill some of the planting requirements of street yard, parking facilities, or buffering, provided they are not damaged by construction activities or the intended use of the property.

§ 152.016 DEFINITIONS OF BASIC TERMS.

PROTECTED TREE. A tree measuring 18 inches at circumference-at-breast height.

In response to inquiries from the Board Mrs. Ansell clarified the following:

- › Term “clear-cut” was not defined in the UDO but interprets that term to mean all vegetation removed
- › The Town generally finds out about a clear-cut situation after it already occurs because there is not permit required
- › When a clear-cut situation occurs, there is a bond required which is not released until the Planner inspects the replanted trees and it is determined that the Town is satisfied

After discussion, the Board requested to see other municipalities ordinances related to the topic at the next meeting then decide about any changes to the ordinance.

Land Use Plan Implementation-Building Design

Mrs. Ansell reviewed that the Land Use Plan Program of Work contained two recommendations related to building design standards: “Text amendment related to the overall appearance of commercial, industrial and mixed-use development” and “Text amendment related to tying square foot to the use of higher quality materials, additional stormwater control measures”. Adopted in 2013, the Building Design and Compatibility section of the Unified Development Ordinance (UDO) contains architectural requirements for the new construction of non-residential and mixed-use development, and for expansions or alterations to existing buildings when they exceed 50% of the current building value.

In response to inquiries from the Board, Mrs. Ansell clarified the following:

- › When value is impacted by a storm, a private appraisal must be obtained
- › Illumination on properties is regulated by Section 152.500 of the UDO
- › Buildings that need maintenance and/or upkeep could be addressed through the nuisance ordinance for some items, but it is limited, and appearance is subjective
- › Incentives that could be offered to entice businesses to improve appearance would include direction on grants available and/or possible waiver of permit fee, however taxes could not be waived.

On an inquiry from Mrs. Ramsey if an inventory could be completed of the businesses in Swansboro along the gateway that were unsightly could be done by staff, Mrs. Ansell advised that identifying vacant properties could be achieved but in determining a property as “unsightly” would be more difficult because that is subjective.

On a motion by Mrs. Ramsey, seconded by Mr. Favata, with unanimous approval, staff was directed to inventory buildings along Highway 24 that were not being maintained.

Adjournment

On a motion by Mr. Conaway, seconded by Mr. Buckley, the meeting adjourned at 6:18 pm.