

**Annexation Regulation Review
Ad-Hoc Committee
March 22, 2019
MINUTES**

A meeting of the **Annexation Regulation Review Ad-Hoc Committee** was held on **March 22, 2019 in Council Chambers in City Hall** with the following members present: Chairperson, Deputy Mayor Fred Beaufait; Councilperson Dennis Reardon, Robert Kennedy, and Bob Patterson. Jim Berrigan was not present. Ex-officio members present were: City Manager Ann Marie Townshend, City Planner Tom West, Building Official Henry Baynum, BPW Assistant Manager Austin Calaman and Recording Secretary Alice Erickson.

1. **Call to order:** *Chairperson Fred Beaufait* called the meeting to order at **1:00pm**. Mr. Beaufait starting by making a statement on how the committee operates. This committee is holding regular meetings and the public is always welcome and appreciates their comments but there are some rules that can be imposed. The committee can limit public participation to allow the committee time to do its work. The public is welcome to listen, but they are not allowed to speak. This is usually done after there has been extensive public comments on a subject. Another option is to allow public comments during a committee meeting. This is not necessarily a time for the committee to engage in discussion with the public but will listen and factor any comments into their discussions. He requested the audience keep in mind that the committee may not take the time to engage with them because they have to move forward with the business at hand.
2. **Approval of minutes:** The minutes were not available for approval.
3. **Discussion and consideration of depth of buffers (wetlands, adjacent to State roads, setbacks at rear property lines, and restrictions of fences and berms)**

The committee discussed buffers in terms of wetlands, adjacent to state road and adjacent to existing developments.

Wetlands: The current buffer for wetlands is 25 feet. It was agreed to not make any changes.

Adjacent to State roads: *Mr. Beaufait* distributed information. The suggestion is to require a minimum buffer between the right of way of a State road and the rear property line of an individual plots parallel to the road. There would be a 15-foot easement within the buffer to provide for sidewalks or a bicycle pathway, as well as requiring appropriate screening of the development from the roadway.

The buffer must satisfy one of the following conditions:

1. For townhouses, if there are no specific plots defined, a 75-foot buffer would be required, measured from the rear state right of way line and the structure.
2. If individual plots are defined, the buffer would be 60-feet to the state right of way and the nearest property line.

Within the required buffer, the following are permitted to provide screening from the roadway:

1. A planting of trees and shrubs parallel to the roadway
2. A solid fence, at least 6-feet in height
3. A berm at least 4-feet in height above the natural ground line with trees and/or shrubs on top of the berm.

Mr. Beaufait stated he is comfortable requiring a 60' or 75' buffer, to include a 15-foot easement for sidewalks and/or bike paths, with screening as defined above.

Sumner Crosby, 10 Missouri Avenue, stated they need to clarify the berm and fence options. Where within the buffer could it be placed? *Mr. Beaufait* stated it would be up to the developer where the screening is placed. It could be anywhere within the 15-foot easement.

There was discussion about requiring more than just a fence. It would need to include trees and/or shrubs and the fence should not be right up against a sidewalk or bike path. *Ms. Townshend* stated they need to consider a minimum setback for the fence so it would be setback from the right of way.

There was discussion if there are any specifics about distance between trees or types of trees to be used. *Mr. Reardon* stated they don't want to be too specific. *Ms. Townshend* explained there are ways to address these questions in the ordinance.

Marta Namack, 128 New Road, would like them to include something about requiring the use of native plants.

Mr. West stated they need to change the language to make sure it is required to do one of the three options in the buffer.

Mr. Beaufait stated they will update the recommendation and bring it back to the next meeting.

Buffers adjacent to the existing development:

Dwellings within 50-feet of a structure within an existing residential development shall provide a minimum 30-foot buffer meeting one of the following standards and maintained by a designated entity:

- 1) A planting strip within the required 30-foot buffer, consisting of a mix of canopy trees, understory greens and understory trees and shrubs, per 100-feet of width to provide a functional screen between the development, or
- 2) A landscaped rolling berm at least four feet in height within the required 30-foot buffer, or
- 3) A solid fence or wall, a minimum of 6-feet in height and designed with durable materials, texture and colors compatible with adjacent residential developments, within the 30-foot buffer.

Mr. Sumner questioned what the purpose of the buffer is. *Mr. Beaufait* stated it is to provide some open space or separate between one development and another or to a State road. *Ms. Townshend* stated it may be very valuable to state the purpose of the buffer within the ordinance. *Mr. West* explained the purpose of this buffer is for the screening of a development from another property.

Tim Ritzer, 11 Harborview Road, requested the description of buffers adjacent to existing subdivisions be restated, in order to fully understand. *Mr. Beaufait* reread the description as above.

Mr. Ritzer requested clarification between a buffer and a setback. Are they interchangeable? *Ms. Townshend* stated they are frequently used in multiple ways and that is why they need to define the purpose. They are different but can be used similarly.

Mr. West stated he is not sure if it is defined in City Code or not. Buffers are usually used in relation to developments and are used as open space. *Ms. Townshend* clarified a setback is defined by the code and is a set distance from a property line. A buffer would not allow any buildings, but a setback could permit a shed. She agrees the term buffer is used in many ways and they may need to define it further.

Mr. Ritzert stated this buffer would only apply to State roads. What about city roads? How would this apply to land in the city. *Mr. Beaufait* clarified this would only apply to the annexation zone and therefore, would only apply to the State roads Kings Highway, New Road, Savannah Road and Gills Neck Road.

4. **Discussion of Cluster Options:** Not addressed and would be on the next meeting agenda.
5. **Set meeting date for additional meeting in April:** The next meeting was scheduled on **April 8 at 2:30pm**.
6. **Closing comments**
7. **Adjournment:** The meeting adjourned at 3:28pm

Minutes submitted by,

Alice Erickson
Recording Secretary