

**PLANNING & ZONING BOARD MEETING MINUTES
OCTOBER 13, 2014**

Attendees:

Susan Lomas, Board Member
Marion Rayburn, Board Member
Wade Fischer, Board Member
Chris Rader, Board Member

Absent:

Regina Dunay, Chairwoman

Staff:

Bea L. Meeks, City Clerk
Sam Sebaali, P.E.
Ellen Hardgrove, AICP
Andrew Hand, City Attorney
Sgt. John Freeburg

CALL TO ORDER

Co-Chairwoman Susan Lomas called the Planning & Zoning Board meeting to order at 6:30 p.m., followed by the Pledge of the Allegiance. City Clerk Meeks announced there is a quorum, and noted that Chairwoman Dunay is absent due to illness.

City Clerk Meeks asked to amend the agenda to swear in new board member Chris Rader. *Co-Chairwoman Lomas made the Motion to amend the Agenda per the City Clerk's request; Seconded by Board Member Rayburn. Unanimously approved 3/0.*

City Clerk Meeks swore in new Board member Chris Rader.

NEW BUSINESS

(a) Approval of Minutes:

- 1 May 12, 2014
- 2 June 9, 2014
- 3 July 14, 2014

RESULT: APPROVED [UNANIMOUS]

MOVER: Wade Fischer
SECONDER: Marion Rayburn
AYES: Board Members Lomas, Fischer, Rayburn, Rader

(b) Comprehensive Plan Amendment Transmittal of Scrivener's Error

Planner Hardgrove explained that the amendment addresses the "Cemex" property. She explained how the property has always been zoned commercial however, when the Comprehensive Plan was amended, the designation on the Future Land Use Map (FLUM) shows the property as residential. This is a transmittal to the State for review for an administrative housekeeping correction of a scrivener's Error.

Co-Chairwoman Lomas opened for comments, there were none. There were no questions or comments from the Board.

RESULT: APPROVED [UNANIMOUS] to move forward to City Council with the recommendation to transmit to the Department of Economic Opportunity (DEC) as presented to the Board.

MOVER: Wade Fischer
SECONDER: Susan Lomas
AYES: Board Members Lomas, Fischer, Rayburn, Rader

(c) Russell Home Site Plan ~ 510 Holden Ave

Engineer Sebaali said this project came to the Planning & Zoning Board before, as a request for variances, which were approved. He said the site plan was submitted has been reviewed, and it has been determined that the plan meets compliance with the City Code. Engineer Sebaali said he and Planner Hardgrove are recommending approval with conditions. Engineer Sebaali referred to his two October 8, 2014 memos. Engineer Sebaali said that one of his memos was addressing the removal of 12 trees.

Planner Hardgrove explained the premise of the variance, which was for a stabilized base to accommodate a 41-ton fire truck. Ellen said the condition of the approval is in case Orange County does not approve this portion of the plan, the applicant has to come back to the City (Condition #4). Planner Hardgrove explained the discussion with Jim Worthen regarding Variance #1. She said there was supposed to be coordination between Mr. Worthen and the applicants.

Ross Galbrieth, Engineer for the applicant, introduced himself and said he is available to answer questions.

Engineer Sebaali responded to Planning & Zoning Member Rader's questions regarding the impervious surface, and permission for drainage from the County into Cypress Grove Park. Board member Rader said if there is difficulty with this approval, he wants this Variance to come back to the Board.

Jim Worthen, 4655 Casa Grande, Edgewood. Mr. Worthen noted that he has met with David Richmond twice and thanked him for meeting with him and answering his questions. Mr. Worthen questioned the

drainage and said he is not aware of any swales. He said the water flow lines show the drainage to the west, he said the water should be flowing towards the stormwater system. Engineer Sebaali said they reviewed the drainage and there is swale. He said the drainage will be collecting roof drainage and some existing drainage. He said the calculations that were provided show that the swale is adequate for retaining the drainage. The roof drainage will be collected and conveyed to the retention pond. Regarding the grade plan, he said if you look at the topology lines, the flap of the building will be higher. He said there is somewhat of a slope on the north line. Mr. Worthen questioned the demolition plan because it did not show asbestos containment. City Clerk Meeks explained Orange County's permitting process regarding demolition, and asbestos abatement. Mr. Worthen said he didn't see any tree removal on the north property line. Mr. Worthen also questioned three power poles; two are being removed and one is not being removed. He wanted clarification as to why they could not run the power underground. **Dave Richmond, Board of Directors, Russell Home**, said he met with representatives from Duke Energy and they do not want to put the power underground. He confirmed that one pole will remain. Mr. Worthen questioned the dumpster and whether or not it is oriented properly for the dump truck to get in. Engineer Sebaali said this was addressed. Mr. Worthen questioned the existing generator, and the noise and fumes it puts out. He said they have residents right by the generator. In response to Co-Chairwoman Lomas, Mr. Worthen said the generator comes on once a week. He asked if there is a better location for the generator. **Dave Richmond** said the generator is being replaced with a new unit. He said it is more efficient and that it will run once a month to check itself. He said the new generator puts out the same amount of decible as a power lawnmower. He said the generator will run off of diesel, and will be in an enclosed cabinet. **Ross Galbreath** said a swale system has been added, and so has a roof gutter system. He also addressed the grading. Engineer Sebaali said that the proposed changes to the drainage will be an improvement. He said the applicant meets Code regarding the drainage. Mr. Galbreath said the fence and trees off the boundary stay in place. Mr. Richmond said the trees are between Russell Home's cypress fence and Mr. Worthen's chain link fence. Mr. Galbreath said they met with a Waste Management representative and they approved the dumpster plan.

RESULT: APPROVED [UNANIMOUS] the site plan, with conditions including two additions by the Planning & Zoning Board as follows:

CONDITIONS:
(Sebaali Memo #1)

1. Upon completion of the improvements, the Engineer of Record shall provide the City with an asbuilt record drawing of the completed project along with a letter certifying that the improvements were built in substantial compliance with the approved plans and permit documents.
2. The contractor is responsible for the notification, location and protection of all utilities that may exist within the project limits.
3. Per the construction site inspection requirements of the Orange County MS4 Permit FLS00001 [Part III(A)(9)(b)], the Contractor is to notify the City Engineer at SSebaali@feg-inc.us of their intended start of construction and construction duration. This notification should be provided a minimum of three (3) working days prior to commencement of construction.
4. Approval of these plans, if granted by the City of Edgewood, does not grant authority to enter, construct or otherwise alter the property of others, nor does it waive any permits that may be required by federal, state, regional, county, or other agencies that may have jurisdiction.
5. The applicant is responsible for all fees associated with the procurement of the site permits.

(P&Z Additional Conditions)

6. If Orange County does not approve the use of the existing retention, or not able to get St. Johns permit, then this has to come back to the City.
7. Provide bleeder draining pipe from the northwest swale and connect to the onsite drainage system.

(Sebaali Memo #2)

8. No other trees, other than those shown on the Landscape Plan to be removed, are to be removed or relocated without City approval. Any additional trees, which are found to be removed at final inspection, will be subject to replacement requirements as outline in the Tree Management and Protection requirements of the City Code, Chapter 130.
9. Tree protection shall be provided during and after construction as required by the Tree Management and Protection requirements of the City Code, Chapter 130.
10. Final approval and issuance of Certificate of Occupancy for the building will be subject to inspection of the landscape installation and tree replacement as provided in the City Code.

(Hardgrove Memo)

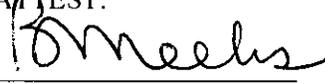
11. Development shall be consistent with Site Plan date stamped "Oct 03 2014 John Carson Kelly." Any change to the plan, including but not limited to use of pervious stabilized base for fire-truck turn-around, must be resubmitted for City of Edgewood staff review and may require re-approval by City of Edgewood Council.
12. No Parking Fire Lane signs shall be spaced a maximum of 25 feet apart in fire vehicle turn-around area [east, south and west edges].
13. Landscaping shall be consistent with FNGLA Site Plan dated 9/19/14.

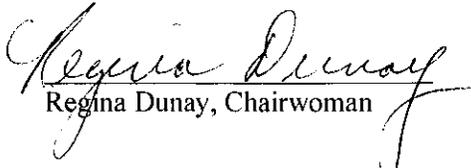
MOVER: Chris Rader
SECONDER: Wade Fischer
AYES: Board Members Lomas, Fischer, Rayburn, Rader

ADJOURNMENT:

With no further business or discussion, the Planning and Zoning Board meeting adjourned at 7:48 p.m.

ATTEST:


Bea L. Meeks, MMC, CPM
City Clerk


Regina Dunay, Chairwoman