

**City of Durham**  
**Planning Commission**  
**June 6, 2017**

---

- 1-2. CALL TO ORDER AND ROLL CALL.** Vice Chair Bailey called the meeting to order at 7:32pm at Durham City Hall.  
*Commissioners Present:* Krista Bailey, Pat Saab, Laurie Volm, Jeffrey Anderson, Julie Atwood, and Emily Baker.  
*Commissioners Absent:* Brian Goddard  
*Staff Present:* City Administrator Linda Tate and Administrative Assistant Lynn Schroder  
*Park Committee Members Present:* Bill Kaltenthaler and Gary Paul  
*Public Present:* Susan Hawthorne, Mary Schultz, and Ron Nyman
- 3. MINUTES OF THE May 2, 2017 COMMISSION MEETINGS.** Commissioner Saab moved to amend the minutes to correct the name of the Chair who closed the meeting. Commissioner Volm moved to approve the May 2, 2017 meeting minutes with the change noted. Commissioner Atwood seconded the motion. The amended minutes were approved 6-0. **MO 0606.1-17**
- 4. PUBLIC FORUM – none.**
- 5. TREE REMOVAL APPLICATION 409-17 – 8096 SW Woody End.** The applicant was not present. Vice Chair Bailey tabled consideration of the application until the applicant can be present.
- 6. TREE REMOVAL APPLICATION 417-17 and 418-17 – 7730 Chaucer Court.** Mary Schultz requested approval to remove two tall pines in her back yard. She stated that the trees are approximately 150 feet tall and hang over the fire lane behind her property. She stated that she would like to remove the trees to improve light in her backyard and to plant more attractive dogwood trees. She believes the trees are as tall as they will get. She stated that the needles that drop from the trees get caught in her gutters.

Commissioner Atwood visited the property. She stated that the trees proposed to be removed are the only trees on the property. Atwood did not find any indication that the trees were failing. She recommended that the property owner submit an arborist report to determine if the trees are at the end of their life. She stated that an arborist report would provide the Commission with an objective assessment of their condition. Atwood did not think that removing the trees would allow more light because of the large tract of trees on the adjacent property that shade her property. Atwood recommended against removal because the reason for removal does not fit into any of the City's criteria to allow removal. She stated that the trees provide the only canopy coverage on the property and contribute to the city's total tree canopy.

Commissioner Anderson stated the trees could be trimmed up to provide more light. He did not believe the trees were in danger of falling.

Commissioner Bailey asked if Schultz intended to replant in the same location as the existing trees. Schultz confirmed her intention to plant two dogwoods in the place of existing trees. Commissioner Bailey stated that the life span of these trees is limited and they will eventually need to be cut down. She stated her opinion that older, unattractive trees should be replaced to allow the canopy to regenerate. She stated that the Type E approval process allows the Commission to make a subjective assessment about a tree's value while requiring mitigation to regenerate the tree canopy. She prefers to find a way to allow property owners to do what they want on their property.

Commissioner Volm stated her opinion that if mitigation trees are placed in the same location, she would support removal.

Commissioner Atwood stated that the remaining life span of these trees is unknown. She reiterated her request for an arborist report to provide an objective analysis of the conditions of the trees and the success of proposed mitigation. She stated that the benefits of a mature tree are significant compared to a newly planted tree. She stated that permit fee is nominal and that additional cost of an arborist report should not be burdensome for the homeowner.

Mary Schultz objected to the request to obtain an arborist report. She stated that an arborist report was not required as part of the permit application. Ron Nyman stated that they wanted to take the trees down this summer and replace it with more attractive trees. He did not think an arborist report was necessary.

Commissioner Saab moved to approve the tree removal applications as Type E approvals with mitigation for both trees. Commissioner Volm seconded the motion. The application was approved 5-1 with Commissioner Atwood voting against approval. **MO 0606.2-17**

7. **TREE REMOVAL APPLICATION 419-17 – 17374 SW Rivendell.** Susan Hawthorne requested an approval to remove a Blue spruce that has been growing in the shade resulting a large area of dead branches. She stated that her arborist told her that the dead area will not regenerate. She also wants to remove another spruce adjacent to the Blue spruce but did not think she needed a permit. Tate indicated that the second spruce would need a permit to remove.

Because the second spruce requires a permit, Atwood asked Hawthorne to consider which tree she would prefer to cut down. Atwood stated that the Blue spruce is leaning toward the sun. Atwood stated that she would normally want to see an arborist report but since the property has 80% tree canopy coverage she did not think it was necessary.

Commissioner Volm stated that she could support removing the tree with mitigation.

Commissioner Volm moved to allow removal of one of the two spruces with mitigation. Commissioner Atwood seconded the motion. The application was approved 6-0.

**MO 0606.3-17**

8. **JOINT SESSION WITH THE PARK COMMITTEE.** Park Committee members Bill Kaltenthaler and Gary Paul joined the meeting at 8:15pm. The Committee considered changes to the draft Community Park survey. Gary Paul provided several suggestions. The Community Park Survey will be included in the July City Newsletter.

Commissioner Atwood researched Survey Monkey. She stated that there may be a \$26 fee to use the platform. Tate indicated that the cost is acceptable. The Park Committee discussed the various electronic survey platforms. Tate stated that the map will be included in the Survey Monkey.

Tate asked Park Committee members about their concerns about the park. Bill Kaltenthaler stated that more and more people are using the park and it should be preserved for everyone's use. Gary Paul was concerned about the proliferation of event signs posted on the split rail fence in the park. He also questioned whether the play structure is used. If not, he suggested that it be removed. Park maintenance issues were discussed. Paul was interested in the demographics of park users.

9. **COMMISSIONER COMMENTS.** Commissioner Saab asked the City to repaint the yellow curb stripe at the Afton Commons entrance to indicate that there is no parking in the area. She stated that cars are parking in the area causing a safety problem. Tate stated that the matter is already on the maintenance list.

Commissioner Atwood discussed her concern about commuters driving in the left turn lane of Upper Boones Ferry Road.

10. **ADJOURN.** Commissioner Volm moved to adjourn the meeting. Commissioner Saab seconded and the motion passed unanimously (6-0). **MO 0606.4-17**

Vice Chair Bailey adjourned the meeting at approximately 8:45pm.

Approved: \_\_\_\_\_  
**Brian Goddard, Chair**

Attest: \_\_\_\_\_  
**Linda Tate, City Administrator**