

**MINUTES FOR THE SEMINOLE COUNTY
LAND PLANNING AGENCY/PLANNING & ZONING COMMISSION
NOVEMBER 1, 2006**

Members present: Ben Tucker, Beth Hattaway, Matt Brown, Jason Brodeur, and Dudley Bates

Members absent: Rob Wolf and Walt Eismann

Also present: Tina Williamson, Principal Coordinator; Michael Rumer, Senior Planner; Kathleen Furey-Tran, Assistant County Attorney; Ian Sikonia, Senior Planner; Sheryl Stolzenberg, Principal Coordinator; Brett Blackadar, Principal Engineer; Dr. Kelly Brock, Senior Engineer; Austin Watkins, Planner; and Candace Lindlaw-Hudson, Clerk to the Commission.

The meeting was called to order by the Chairman at 7:00 P.M.

Chairman Tucker introduced the members of the commission who were present and reviewed for the audience the rules by which the meeting and voting are to be conducted.

Commissioner Brown made a motion to accept the proof of publication.

Commissioner Hattaway seconded the motion.

The motion passed unanimously.

Commissioner Brodeur made a motion to accept the minutes as submitted.

Commissioner Hattaway seconded the motion.

The motion passed unanimously.

TECHNICAL REVIEW ITEM:

A. Casa Verde Townhomes PSP; Pinecrest Development, applicant; 2.78± acres; Preliminary Subdivision approval for a 24-lot Townhome Subdivision zoned as a Planned Unit Development; located on Lake Blvd. south of 25 Street.

Commissioner Carey – District 5
Brian Walker, Planner

Alan Willis presented the plan for 24 townhomes zoned PUD (Planned Unit Development.)

Commissioner Brown made a motion to recommend approval.

Commissioner Hattaway seconded the motion.

The motion passed unanimously.

B. Silver Stone Subdivision PSP; Silver Sea Homes, applicant; 4.81± acres; Preliminary Subdivision approval for a 7-lot single family residence subdivision zoned R-1A; located on E. E. Williamson Road, east of I-4.

Commissioner Henley – District 4
Brian Walker, Planner

Alan Willis presented the plan for 7 single family lots zoned R-1A. They will be 9,000 square foot lots. The interior road will be maintained by the County.

Commissioner Tucker asked if the pond in Tract “A” would be fenced.

Fritz Fumbarten said that the pond will be fenced.

Commissioner Tucker asked what had been done with the pets that had been buried on the site in the pet cemetery that is present there.

Mr. Fumbarten said that appropriate action had been taken. Owners had been notified wherever possible.

Commissioner Hattaway made a motion to recommend approval of the plan.

Commissioner Brown seconded the motion.

The motion passed unanimously.

C. Crepe Myrtle Estates PSP; Harling, Locklin & Assoc., applicant; approximately 36 acres; Preliminary Subdivision approval for a 25 Lot SFR Family Residence Subdivision zoned A-1; located at 650 Myrtle Street.

Commissioner Carey – District 5
Alan Willis, Planner

Alan Willis stated that the plan was for 25 single family lots, zoned A-1.

Commissioner Hattaway made a motion to recommend approval.

Commissioner Brown seconded the motion.

The motion passed 5 – 0.

PUBLIC HEARING ITEMS:

D. Greenway South PUD Major Amendment; Continental Properties Co., Inc., applicant; 21.32 ± acres; Major Amendment to the Greenway South PUD Final Master Plan; located at the southwest corner of the intersection of SR 417 and SR 426. (Z2006-50)

Commissioner Dallari – District 1
Michael Rumer, Senior Planner

Michael Rumer stated that the request for a major amendment to the Greenway South Planned Unit Development would amend the Development Order and Developer's Commitment Agreement. The request would remove a 6-foot brick or masonry wall adjacent to Deep Lake Road, and to remove the requirement that the truck wells be gated. The truck wells will be screened. The landscaping will be executed according to the Lake Mary Boulevard Corridor overlay standards.

Charles Madden stated that he concurred with the staff recommendations. This project has been to this commission previously for Final Master Plan approval.

There were no questions from the audience.

Commissioner Brown asked what the neighboring townhomes will do along Deep Lake Road.

Mr. Madden said there was a 6-foot PVD fence there.

Commissioner Hattaway made a motion to recommend approval.

Commissioner Brodeur seconded the motion.

The motion passed 5 – 0.

E. Creekside PUD Major Amendment; KB Home Orlando, LLC, applicant; 65.63± acres; Major Amendment to a PUD (Planned Unit Development) Final Master Plan; located on the southwest corner of the intersection of Ronald Reagan Blvd. and SR 417. (Z2006-65)

Commissioner Carey – District 5
Ian Sikonia, Senior Planner

Ian Sikonia stated that the master plan was originally approved by the BCC on November 9, 2004. Approval was for 148 single family residences and 186 townhouse units. The applicant is asking to amend setbacks on the north and west property lines contained in the townhome tracts of "C" and "D" in order to build larger units. The lots being impacted are lots 51 to 58 along the west property line and lots 1 through 8 and 65 to 76 along the north boundary. On the western property line the applicant would like to amend the rear yard setback from 10 feet to 9 feet and change the 50-foot building setback to 45 feet. Along the

Along the northern property line adjacent to CR 427 the applicant would like to change the rear yard setback from 10 feet to 9 feet and change the 25 foot building setback from 25 feet to 20 feet. Staff has reviewed the request for compatibility and finds that the previously approved landscape and buffer requirements will remain unchanged and will be sufficient for the project. Staff recommendation is for approval.

Charles Madden was present to answer any questions. He said that the new townhomes were 55 feet deep.

There were no comments from the audience.

Commissioner Hattaway made a motion to recommend approval.

Commissioner Bates seconded the motion.

The motion passed unanimously.

F. Spartan Office & Retail PUD Rezone; Mark Nasrallah, applicant. 1.03 ± acres; Rezone from C-2 (Retail Commercial) to PUD (Planned Unit Development) and PUD Preliminary Master Plan Approval; located on the northeast corner of US 17-92 and Spartan Road. (Z2006-64)

Commissioner Henley - District 4
Michael Rumer, Senior Planner

Mr. Rumer explained that the project will be a mixed use PUD with retail on the first floor of the building and office space on the second and third floor. The proposed maximum building height is 52 feet. Mr. Rumer noted the elimination of one parking space from the original plan to allow access according to safety standards. Staff recommends approval of the request.

Lisa Johnson of HP Engineering was present to answer questions.

There were no questions from the audience.

Commissioner Hattaway asked if the applicant had originally asked for a PUD.

Mr. Rumer stated that the height requested would only be allowed with a PUD, not a PCD.

Commissioner Tucker asked if the height would be allowed under other circumstances.

Tina Williamson stated that they had to do a PUD in order to get the height.

Mr. Rumer stated that applicant came in with a certain height request, and a PUD allows for adjustments to height, setbacks and buffering, and the number of parking spaces in this infill project.

Commissioner Brown asked about the walled retention pond.

Mr. Rumer stated that this would be cascading, split-faced block.

Commissioner Brown stated that it was his understanding that more natural looking ponds were to be used.

Tina Williamson stated that this is allowed in infill projects. The split-faced block will be accompanied by planters as well.

Commissioner Brown made a motion to recommend approval.

Commissioner Brodeur seconded the motion.

The motion passed unanimously.

G. Heathrow PUD Major Amendment; Joe Dobosh/Heathrow Land Company Limited Partnership, applicant; 1,493.1± acres; Major Amendment to the Heathrow PUD Final Master Plan; located on the north side of Lake Mary Boulevard, approximately bounded by Markham Road, Markham Woods Road, Orange Boulevard and Heathrow International Parkway. (Z2006-57)

Commissioner Carey – District 5
Michael Rumer, Senior Planner

Michael Rumer stated that the applicant is requesting the relocation and redevelopment of the athletic tract amenities, including 12 tennis courts, a swimming pool and an athletic club to a site adjacent to the golf club tract; redevelopment of the athletic tract with 57 single family detached homes and the renaming of the tract as “4A.” Also included is the addition of approved densities to Tract 14, Devon Green, with the addition of an additional 8 single family units there; also in Tract 29 the density credit will be removed to another tract. Also proposed is the possible relocation of the entrance to Barclay Place. Staff has no objections to the request.

Dana Boyd of CPH Engineers made a presentation on behalf of the applicant. The development was adopted in 1974. Today it has a variety of housing types, with a total of 1956 units built. The original approval included 4,325 residential units on 1,267 acres. Today there are 1,493.2 acres and 3,480 approved units in Heathrow’s neighborhoods. This is an increase in acreage and a decrease in approved units. There are 1,956 units built to date which leaves 1,524 units available to be built.

The changes requested will amend the country club (CC) tract, amend the athletic club (AC) tract and rename it to 4A, amend tract 14 (Devon Green) and to amend residential tract 29.

Ms. Boyd stated that 6 acres would be used in the County Club tract for the tennis courts, pool, and club house.

The Athletic Club tract which is 13.4 acres would be changed to Tract 4A, adding 57 single family lots, and having the Lake Mary entrance relocated further west. The 57 lots added to the 141 homes of Barclay Place which would be accessed by the new entrance and the entrance would be paid for by the developer and deeded over to the homeowners.

Devon Green, which is approved for 119 units, has 72 completed currently. The applicant proposes to build an additional 8 lots of estate type homes.

Lot 29 will have a diminished number of units overall.

Ms. Boyd stated that these proposals will not change the overall densities and acreage of Heathrow. The request will not change the concurrency or infrastructure of Heathrow.

Blaine Darrah spoke representing the Heathrow Master Board of the Heathrow Homeowners Association. He is the Government Affairs Committee Chairman. The Heathrow Master Board approves of the changes and the inclusion of the residential units within the community. The 57 homes will be the 29th neighborhood in Heathrow.

James Olsen, Esq. represented Barclay Place Homeowners. All of the owners own the amenities in their neighborhood. There is a Declaration of Easement agreement between the developer of Heathrow and the developer of what became Barclay Place which is a perpetual easement over that entrance and access. Mr. Olsen said that his clients are vehemently opposed to changing the easement. They will not give up the easement. Moving the entrance further west brings up the question of a deceleration lane and questions about I-4 access from Lake Mary Blvd.

Cindy Donlin has lived in Barclay Place for 10 years, and questioned how the project will impact the road.

Allan Schipper lives in Barclay Place. He asked why the access point wasn't addressed in the introduction. What about home owner rights?

Diane Farber said that more information is needed. What is Tract 29? Will homes be built there? What are estate homes? Will they be zero lot line homes similar to what is there now? Will they be compatible with the existing development?

Daniel Coultoff is concerned about the redevelopment of the Athletic Club Tract. He is concerned about the fact that things are already happening in terms of this development. He is concerned about the trees and the presence of eagles, sand cranes, and the presence of wetlands.

Joe Debosh said that he would not ignore Barclay Place. They do not belong to Heathrow Association. His proposals will increase the value of properties. He showed pictures of the entrance to Barclay Place as it is now. He said that he would like to give them a new entrance. One does not need a deceleration lane from a four lane highway. The proposed new entrance will have a stacking lane of at least 10 cars and a turn-around at the gate. They will not be blocked from Lake Mary Blvd. to access I-4. Mr. Debosh said that he had met with County Traffic Engineers and found no objection.

The land used for the new entrance will be deeded to the Barclay Homeowners Association.

Mr. Debosh said that he made presentations to all of the Heathrow Boards. He will put back 6 trees for every one that is removed for the development. The current owner has pride in what will be done.

Commissioner Tucker asked for clarification on the questions posed by the speakers: what is Tract 29?

A speaker for Mr. DeBosh stated that it is the Kenwick neighborhood. There will be wildlife survey and a tree survey. Mr. DeBosh said that if the neighbors do not agree on the new entrance, he will leave it as it is.

Commissioner Brown asked how notices to area landowners were distributed.

Michael Rumer said that all legal requirements were met in notices sent and that the site was placarded. A 300-foot courtesy notice was sent, including the homeowners association.

Commissioner Brodeur noted that the job of the Commission was to make recommendations as to what would be the best use of the land. A project's legal issues or wildlife issues are addressed elsewhere.

Commissioner Brown noted that area golf courses are using streamlining techniques to make operations viable.

Commissioner Brodeur asked about the open space requirements.

Mr. Rumer said that the original documents gave an estimated 35% open space. Mr. Rumer said that there was no issue with the open space. The County requires 25% open space with PUDs.

Commissioner Brown made a motion to approve the request.

Commissioner Bates seconded the request.

Commissioner Tucker said that he cannot support this. The owners came in after the beginning. We have obligations to consider the existing homeowners. He will vote "no."

The vote was 4 – 1 in favor of the motion. Commissioner Tucker voted "no."

H. Hawthorne Glen PUD Major Amendment; James Hattaway, Esq., applicant; 1.46± acres; Major Amendment to the Hawthorne Glen PUD Final Master Plan; located on the northwest corner of the intersection of Old Lockwood Road and McCulloch Road. (Z2006-67)

Commissioner Dallari – District 1
Tina Williamson, Principal Coordinator

Tina Williamson stated that the original developer's commitment agreement master plan was approved on September 23, 2003. The approval was for 225 townhouse units and a commercial tract, Tract F. Ms. Williamson stated that the applicant is proposing to amend setback and buffer requirements for commercial tract "F." These are contained in the proposed Addendum #1 to the proposed Developer Commitment Agreement.

Jim Hattaway stated that the applicant agreed with the staff recommendation. This parcel is just north of the University of Central Florida. Tract F is a commercial tract. The yellow shaded area on his diagram is the total buildable area of the parcel. Due to its size, the parcel has become unbuildable without a minimal adjustment to the setback and buffers. This parcel has CS zoning standards. On the south side the applicant requests a 50-foot building setback with a 5-foot buffer; on the east side, a 25-foot building setback and a 5-foot buffer; on the north side there will be a 6-foot wall and a double row of canopy trees; on the west, for the northerly 50-feet there will be a 6-foot wall and a double row of canopy trees; beyond that going down toward Tract "G" there will be a 25-foot building setback and a 10-foot buffer.

Tina Williamson noted the receipt of an e-mail in opposition to the request.

Pat Wahl stated that the applicant has not described what is going there. He stated that the property is adjacent to an ecological and historic protection area. Light from this site will impact these lands. The rezoning notations made on the maps are incorrect. They are pushing back the requirements that were put in place years ago. Once Hawthorne Glen went in the traffic in the area on McCulloch is gridlock during rush hour.

Mr. Hattaway said that many of Mr. Wahl's concerns will be addressed at the time of final engineering. Tonight we are addressing only buffers and setbacks. There were no requests for changes in permitted and prohibited uses already approved.

Tina Williamson verified that the future land use on the land across the road referred to by Mr. Wahl is recreation. It is zoned PUD, but she did not know which PUD it was. It is a wilderness area and will not be developed.

Commissioner Tucker said that the site across Old Lockwood Road had been purchased by Seminole County Natural Lands and will be a designated wilderness area. He asked Mr. Hattaway about the setbacks on the eastern side and how it would impact the wilderness area across the road.

Mr. Hattaway said that there would be a 5-foot buffer and a 25-foot building setback.

Commissioner Tucker asked Mr. Hattaway if any specific development was planned for the site.

Mr. Hattaway said that there was no plan at this time. Nothing in tonight's request would keep someone from using Old Lockwood Road for access or egress.

Commissioner Tucker reviewed the uses around the perimeter of the site. He asked what Tract "G" would be used for.

Mr. Hattaway said that Tract "G" would be used for access only. Nothing could be built on it. It is not part of the application tonight.

Commissioner Tucker asked about the lighting impacts.

Tina Williamson stated that the time of final master plan approval would be the time to address site lighting, architectural scale and hours of operation.

Commissioner Tucker said that eastern buffers could be addressed at the time of the final master plan. High density landscaping along the eastern side would be important.

Commissioner Hattaway declared a conflict of interest and did not participate in the voting on this item.

Commissioner Brown made a motion to recommend approval of the request.

Commissioner Bates seconded the motion.

The motion passed 4 – 0.

I. **Mikler Road Commerce Center PCD Rezone**; Tom Indrunas, applicant; 0.88 ± acres; Rezone from R-1 (Single-family Dwelling) to PCD (Planned Commercial Development); located on the south side of Mikler Road, 500 feet west of SR 426. (Z2006-59)

Commissioner Dallari – District 1
Tina Williamson, Principal Coordinator

Tina Williamson introduced the rezone to PCD for a mix of office, warehouse, and retail uses on the subject property. The future land use on the property is Industrial, which allows the requested zoning. The project will contain a total of 10,125 square feet divided between two buildings. Office and retail are limited to 1,800 square feet and warehouse uses are limited to 8,325 square feet. The applicant is proposing a variety of uses from the CN, C-1, C-2, C-3 and M-1A zoning districts. Staff recommendation was for approval based on staff findings.

Jack Reynolds stated that the project would be two 5,500 square foot buildings which would be facing each other. The front facing Mikler Road will be store front. This project is adjacent to Magnolia Corporate Center. He showed an elevation of the building.

No one spoke from the audience.

Commissioner Bates made a motion to recommend approval of the request.

Commissioner Brodeur seconded the motion.

The motion passed unanimously.

J. Proportionate Share Ordinance:

Recent amendments to Florida's Growth Management legislation required local governments to allow for "proportionate share" contributions from developers toward transportation concurrency requirements. The intent of the proportionate share option is to allow a development to proceed under certain conditions where there is a projected deficiency in roadway capacity but the proposal is otherwise consistent with the Comprehensive Plan. This opportunity is created by allowing the developer to contribute his or her share of the cost of improving the deficient transportation facility.

Unincorporated Seminole County
Jeffrey Hopper, Senior Planner

Sheryl Stolzenberg stated that text amendments to the Comprehensive Plan were the first step in allowing amendments to the Land Development Code. The amendments were transmitted and now the ordinance to amend the Land Development Code is proposed. The DCA has commented and recommended minor changes which ask for references to formulas or references to Florida statutes to be included in the ordinances.

Ms. Stolzenberg asked that the Commission find the ordinance is consistent with the Comprehensive Plan or proposed amendments to the Comprehensive Plan, Commissioners can go forward with the proposals, or continue the item to December for consideration, with the sight changes amended.

There were no comments from the public.

Commissioner Brodeur pointed to page 6 of the ordinance, the top paragraph. On the excess contribution section, is this transferable to other projects?

Brett Blackadar stated that the fees would not be transferable to other projects.

Commissioner Brodeur said that he did not see a schedule as to when the excess fees would be returned to the applicant. Is there a timeline?

Mr. Blackadar stated that the impact fees would be credited.

Commissioner Tucker asked if this philosophy will be applied to anything other than roads.

Mr. Blackadar said that other transportation improvements may be considered. (Page 3, section 2b.)

Commissioner Tucker said that he was referring to the possibility of storm sewer, sanitary sewer, and water lines.

Sheryl Stolzenberg said that one of the things to be addressed is the state mandated area of schools. The Planning and Zoning Commission has the power to make the recommendation to include items such as the above if it chooses to.

Mr. Blackadar said that the County does water and sewer concurrency.

Commissioner Tucker agreed, but said that the County does not do proportionate share on water and sewer lines. Commissioner Tucker said that he would like to see the proportionate share philosophy applied to the entire infrastructure, not to have it piecemealed.

Commissioner Hattaway made a motion to transmit the item with the inclusion of the recommendation that proportionate share philosophy be extended to the infrastructure in general, not just to the roads.

Commissioner Bates seconded the motion.

The motion passed unanimously.

K. US 17-92 Community Redevelopment Area Target Zone Height Alternative Standards:

A proposed amendment to the Land Development Code to permit increased building heights in selected areas along the US 17-92 Corridor within unincorporated Seminole County.

Unincorporated Seminole County
Jeffrey Hopper, Senior Planner

In July of 2006 the BCC authorized staff to formulate some draft regulations for standards of increased building heights on US 17-92 in unincorporated areas of the county. The standards proposed in this ordinance would apply to selected locations which the CRA has identified as being appropriate for more intensive development. Included are target zones in Fern Park, Five Points, and others. Current zoning permits a maximum height of 35 feet. Proposed limits in the proposed target zones range from 55 feet to 140 feet. Also included in the ordinance are increased setbacks from single family residential development and a collection of building design guidelines, intended to create a more urban style of development along the US 17-92 corridor. These guidelines were developed by Glattig-Jackson, consultants to the Economic Development Department. Property owners in the area would be able to develop according to the zoning standards in effect today, the only change would be that developers may take advantage of building heights above 35 feet in targeted areas. Staff recommendation is a finding of consistency with the Comprehensive Plan, and approval of the ordinance.

Commissioner Tucker asked about increased sewer capacity.

Sheryl Stolzenberg said that at this point density was not being increased, since concurrency will have to be met with each new application. The Comprehensive Plan would have to be amended to increase density. This is being examined for the CRA. We are now looking at greater height as an incentive to encourage redevelopment.

Commissioner Tucker inquired about coordination with the City of Casselberry or the City of Maitland concerning sewer capacity.

Kevin Fall said that it is a bit premature. Those wanting increased building height will have to meet concurrency on their own. There are no water or sewer deficiencies in the area except for a small urban part in Fern Park which is lacking centralized water and sewer lines. The CRA has invested about 2.5 million dollars in that area and the project should be coming to fruition in January or February of 2007.

Chairman Tucker asked Mr. Fall if he agreed that this ordinance would not impact density.

Mr. Fall said that this will not be more than 100 acres and will not increase the number of units that much. We are moving to a more urban setting. Developers want to put multi-family adjacent to lakes. US 17-92 is no longer strictly a retail corridor. Our sister cities are urbanizing. We are trying to avoid pitfalls. The Five Points area is an example of the 120 foot height which is buffered well and designed well. We are trying to bring rooftops to the corridor.

Commissioner Hattaway made a motion to recommend transmission of the amendment.

Commissioner Bates seconded the motion.

The motion passed unanimously.

L. Land Development Code Amendments to create "Canopy Roads", "Candidate Roads" and "Tree Protection Zones":

A proposed amendment to the Land Development Code to protect canopy trees along designated roadways, creating a "tree protection zone" prohibiting most clearing activities.

Unincorporated Seminole County
Jeffrey Hopper, Senior Planner

Mr. Hopper stated that the BCC established the General Hutchinson Parkway as the County's first official canopy road in 2004 through an amendment to the County's Vision 2020 Plan. This amendment will carry that designation into the Land Development Code and designate other roads as canopy roads to help preserve some of the County's significant natural features. The ordinance also identifies "Candidate Roads" which have the potential of becoming canopy roads in the future. The ordinance will also establish tree protection zones and establish regulations to protect the canopy trees within the zones. Staff recommendation is for a finding of consistency with the comprehensive plan and approval of the ordinance.

Mr. Hopper explained that in doing this project, the existing arbor ordinances were merged with the language of the current project. The text that is underlined is new; the text that is not underlined is existing.

Commissioner Brown asked if the corridor was at 150 feet when the General Hutchinson was passed.

Mr. Hopper said that it was.

Commissioner Brown questioned if the 150-foot width would put restrictions on landowners at certain places on these roads.

Mr. Hopper said that if the land had been cleared of trees, these rules are to protect existing trees. At General Hutchinson, the width was chosen to make room for a County trail along there.

Commissioner Brown asked if it would be an issue to have to take down trees to make the County trail in the General Hutchinson area.

Mr. Hopper said that the ordinance would allow the Planning and Development Director to review any proposed plans to be sure that the effect would be minimized. The 150-foot width was for inclusion of the trail area in the protection area.

Commissioner Tucker asked if there was any differentiation between species of canopy trees.

Mr. Hopper said there was no differentiation. There was a list of trees excluded in Chapter 60 of the Code. Exotic species will not be protected.

Commissioner Tucker stated that Mellonville Road is a beautiful canopy road with large hardwood trees. The problem is the tree-lined roads that have to be widened. Extra lanes can be put on the outside of the existing trees to save the trees.

Mr. Hopper said that the BCC has the option of removing the trees where they interfere with the construction of roads, utilities, and the like.

Commissioner Tucker said that he would like to see some creative use of land to preserve the trees.

Commissioner Hattaway said that when going west on General Hutchinson toward Ronald Reagan there is an area that could be held to be an extension of the Canopy Road. There is a convenience store and an auto body shop. Will property owners be required to recanopy the area if no trees exist there? If the area is redeveloped then the owner would be required to use canopy trees.

Mr. Hopper said that the trees would be required in the buffering of any redevelopment. Buffer requirements in the Code now include canopy trees.

Commissioner Tucker asked when this item would be implemented.

Mr. Hopper said that the item would be going to the BCC on November 7, 2006 for adoption. It would take effect immediately.

Commissioner Hattaway noted that on page 8, the pruning was a concern to her, especially the making of large "V" shaped cuts in trees for power lines. The "V" shaping is not desirable either.

Commissioner Brodeur noted that private citizens have to go through a process to remove trees, whereas the government can do what it wants. Isn't there an arborist panel to consider these things?

Commissioner Hattaway noted Section 60.7 which requires one to file a fee in cases of objection to a decision by the tree committee. She did not want to add another layer of bureaucracy to an already complex system.

Mr. Hopper pointed out that the Tree Committee is part of the already existing regulations. It is the Board of County Commissioners.

Commissioner Brodeur said that the designation should be the "Board of County Commissioners" rather than "Tree Committee."

Commissioner Hattaway stated that she did not want to be a part of adding to the bureaucracy of procedures within the county.

Commissioner Brown asked if there were trees being lost in these areas now?

Mr. Hopper said that this was an effort to protect what was there.

Commissioner Brown said that he thought that this was diminishing the property rights of the land owners.

Commissioner Tucker said that this was a long term project.

Commissioner Hattaway said that she did not see the reason for this whole thing; we have a lot of control now.

Commissioner Hattaway made a motion to table this item for further study.

Commissioner Brodeur seconded the motion.

The motion passed unanimously.

April Boswell was unable to be present for the meeting tonight. Tina Williamson introduced the proposed dates for the commission meetings for 2007 to early 2008.

After a brief discussion the commissioners unanimously adopted the meeting dates for next year's schedule as submitted.

There being no further business, the meeting was adjourned at 9:15 P.M.

Respectfully submitted,

Candace Lindlaw – Hudson
Clerk to the Commission