

## **TOWN OF BURGAW PLANNING BOARD**

### **REGULAR MEETING**

**DATE:** December 15, 2022  
**TIME:** 5:30 PM (following Tree Board Meeting)  
**PLACE:** Burgaw Historic Train Depot  
**BOARD MEMBERS PRESENT:** Jennifer Hansen, Frederick Lewis, Sam Guidry, Char-Lynn Robinson, John Johnson, Tiffanie Boswell  
  
**STAFF PRESENT:** Gilbert Combs, Planning Director  
Jessica Gray, Community Development Coordinator  
  
**MEDIA PRESENT:** None  
**PUBLIC PRESENT:** None  
  
**CALL TO ORDER:** 5:33 PM  
**INVOCATION:** Sam Guidry

The meeting was called to order by Jennifer Hansen, Planning Board Chair, at 5:49 PM.

#### **Approval of the Agenda**

Mrs. Hansen asked if there was anything that needed to be added or removed from the agenda and there were no changes to be made. A motion to accept the agenda was made by Ms. Char-Lynn Robinson to approve the agenda. The motion was seconded by Mr. John Johnson. Approval was unanimous.

#### **Approval of Minutes of the Previous Meeting**

Mrs. Hansen asked if there were any additions or deletions to the minutes of the November 17, 2022, meeting. A motion was made by Mr. Johnson to approve the minutes as presented. The motion was seconded by Mr. Guidry. The vote was unanimous.

#### **Public Input**

None.

#### **New Business**

- 1. Consideration of a text amendment to the Unified Development Ordinance requested by staff, to amend Section 8.16 and Section 9.28 to require a 25-foot buffer for new cemeteries and create a bufferyard for existing cemeteries**

Ms. Gray presented a staff-initiated text amendment to add a requirement for a 25-foot buffer in Section 8.16 of the UDO and changed Reserve Section 9.28 to Cemetery Bufferyards that would prohibit land disturbance within 25 feet of any gravesite. Mr. Guidry asked what staff was considering for the definition of disturbance noting that planting trees etc. is

disturbing the land. Staff and the Planning Board discussed what would be the best language to use for cemetery bufferyard requirements. After deliberation, staff and the board came up with language similar to requirements from the benchmark ordinances referenced in staff's report that changed disturbance to development per the definition in Chapter 9 and adding the rules could only be modified through the Board of Adjustment.

Mr. Guidry made a motion to recommend approval of the text amendment with the modifications to the version originally presented (see changes below) and included the staff-provided consistency statement. The motion was seconded by Mr. Johnson. The board voted unanimously to recommend approval of the request to the Board of Commissioners.

#### Section 9.28 Reserved Cemetery Bufferyard

~~Any land disturbance is prohibited within 25 feet of a cemetery (defined in Section 17.2) or visible cemetery components (headstone, fence post, depression from sunken grave) without legal authorization.~~

~~No development activity will be permitted inside a 25-foot cemetery buffer, except to install pedestrian access or clear invasive plant species. The rules in this buffer can only be modified through approval from the Board of Adjustment.~~

### **2. Consideration of a text amendment to the Unified Development Ordinance requested by staff, to amend Section 9.27.3 Tree Preservation and Replacement During Development. This amendment will modify tree survey requirement thresholds and exempt only single- and two-family projects from tree removal permits.**

Mr. Combs presented a staff-initiated text amendment to amend Section 9.27.3 to modify the tree survey requirement threshold and exempt only single- and two-family projects from tree removal permits.

Planning staff answered questions from the Planning Board about the proposed changes. The board expressed concerns about the text changes and are in favor of protecting of the tree canopy, especially heritage trees. Staff and the board also agreed that requiring a tree survey can be a significant expense and do not want to create a burden on new development and deter people that would otherwise be interested in Burgaw. The Planning Board asked staff to consult with the Board of Commissioners about being able to save trees on residentially zoned parcels.

Mr. Johnson made a motion to table the text amendment to Section 9.27.3 until the next meeting. Mr. Lewis seconded the motion. The vote was unanimous.

## **Announcements & Updates**

Mr. Combs informed the board that the volume of inquiries and other work within the Planning and Inspections Departments has limited the amount of time available for text

amendment requests brought before the board and there may be fewer than previous projections.

Mr. Combs let the board know that staff was still awaiting a decision on the Rural Transformation Grant application.

Burgaw Townes will still need to go through subdivision review, but following the adopted text amendments to subdivision review, the process should be simplified.

Tealbriar Subdivision Phase 4 is working with a surveyor on a new plat that will change from the dated plans and will now be subject to open space requirements.

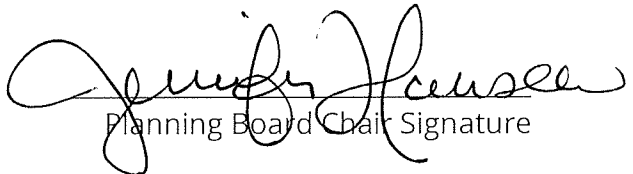
Another multi-family project is interested in developing property on the west side of US HWY 117

### **Adjournment**

A motion was made by Mr. Johnson to adjourn the Planning Board meeting. The motion was seconded by Mr. Guidry. The vote was unanimous. The meeting was adjourned at 6:59 PM.

Respectfully submitted,

Jessica Gray, CZO, CFM  
Community Development Coordinator



Planning Board Chair Signature