

DAVIE AGRICULTURAL ADVISORY BOARD
SEPTEMBER 4, 2001
6:30 P.M.

1. ROLL CALL

The meeting was called to order at 6:40 p.m. Board members present were Chair Julie Aitken, Vice-Chair Jason Hurley (arrived at 7:20 p.m.), Delia Alonso, Barbara Spiece and Hilda Testa (departed at 7:00 p.m.). Also present was Board Secretary Jenevia Edwards recording the meeting.

2. DISCUSSION

2.1 Elaboration and Detailing of Agreed Ideas for Preserving Rural Character

Chair Aitken announced that Development Services Director Mark Kutney and Town Administrator Tom Willi were supposed to follow Council's directions to delete 12-34(B) from the Code. She indicated that Mr. Kutney and Mr. Willi resisted deleting 12-34(B) and got together with Attorney Thomas Connick who wrote an opinion on what constituted farms. Chair Aitken felt that the delay in deleting 12-34(B) was unnecessary. She reported she wrote an angry email to Mr. Kutney and copied it to Council regarding staff not following through with the deletion of 12-34(B). Chair Aitken said the Board would probably have to write the ordinances without the help of staff. Ms. Alonso agreed and felt the Board would be able to handle writing the ordinances. She felt that staff was working against Council. Ms. Testa felt that Council allowed the staff to run the Town. Ms. Alonso indicated that it seemed that Council allowed the staff to run the Town because there had been too many changes with staff members over the years and alliances were formed with the few members that remained.

Chair Aitken reported that she had gathered several ordinances from around the country. She presented a draft package to each board member that conglomerated all of the ordinances of the type of zoning including the following: modeled open space, residential development, bylaws, open space ordinances, zoning ordinance, and open space community. Chair Aitken suggested to the Board to take the package home to read and review. She indicated that at the next meeting, the Board would go over each page of the package. Chair Aitken added that the Board could use these ideas for the rural design and create an ordinance for the idea of open space zoning to present to Council. In addition, Chair Aitken suggested that the Board create a separate ordinance including several design elements. The Board agreed to review and add notes to be discussed at the next meeting.

Chair Aitken indicated that she would ask attorney Richard Weiner to assist in writing the ordinance. The Board agreed. She suggested inviting Mr. Weiner after the Board reviewed and created a list of questions about the drafted ordinances. Ms. Testa felt that the Board should let Mr. Weiner decide if he would like to attend the next meeting. Chair Aitken and the Board agreed on letting Mr. Weiner make the decision on when he would attend.

Chair Aitken reported that she wrote a letter to Council suggesting 12-34(B) be discussed at the next Council meeting because 12-34(B) appeared on the agenda as tabled. She reported that she restructured 12-34(B) before meeting with Mr. Willi and Mr. Kutney.

DAVIE AGRICULTURAL ADVISORY BOARD SEPTEMBER 4, 2001

Ms. Spiece asked what farm had conflicts with staff regarding 12-34(B). Chair Aitken reported that a realtor called on behalf of a client looking to purchase a farm in Davie and was quoted by staff sections of 12-34(B). She indicated that the Community Relations Advisory Board agreed to serve as mediators for the Davie Agricultural Advisory Board with problems dealing with farms, farmers and their neighbors, and problems with farmers and staff. Chair Aitken advised that the Community Relations Advisory Board decided to advertise inviting farmers to discuss these issues and resolve them.

Chair Aitken suggested that the first ordinance should include every design element and all ideas the Board discussed. She felt that if Council did not approve the first ordinance because the open space model would not be appropriate for the smaller properties, then the second ordinance could be used including some of the language of the first ordinance. The Board agreed on including all the design elements. Chair Aitken felt that staff would be of great help in working on the drafted ordinance because they knew how to write ordinances and a combined effort would pose credible to Council. The Board agreed to wait before asking Mr. Weiner to attend the next meeting so the Board could make some changes to the draft.

Chair Aitken recommended that the Board complete the two ordinances because the ordinances held up the Zoning in Progress. She suggested that items 2.2 and 2.3 be discussed at the next meeting. The Board agreed to concentrate on the two ordinances.

Ms. Spiece made a motion, seconded by Ms. Alonso to defer items 2.2 and 2.3. In a voice vote, with Ms. Testa being absent, all voted in favor. **(Motion carried 4-0)**

Chair Aitken read from an article titled "Open Space" and said the ordinance must be written for public purpose because developers would challenge the ordinance. Ms. Aitken suggested that the intent of the ordinance be clear when presented to Council.

Ms. Spiece asked about the green space. Chair Aitken reported that green space was a natural area accessible to the public. Ms. Spiece asked if green space could only be used in the form of recreational trails. Chair Aitken briefly discussed how green space would be used.

Chair Aitken advised making as many editing marks to the draft as were necessary so the board could put the ordinances together as quickly as possible.

2.2 Discuss Plans for Recommending that Council Create an Agricultural Designation in the Town's Comprehensive Plan

This item was deferred until the September 17, 2001 meeting.

2.3 Recommending Council's Adoption of Open Space Zoning in Place of Cluster Development

This item was deferred until the September 17, 2001 meeting.

3. OLD BUSINESS

There was no old business to discuss.

**DAVIE AGRICULTURAL ADVISORY BOARD
SEPTEMBER 4, 2001**

4. NEW BUSINESS

There was no new business to discuss.

5. COMMENTS AND/OR SUGGESTIONS

Chair Aitken advised that at the next meeting, this Board would review the draft and recommend suggestions for the open space zoning ordinance. Items 2.2 and 2.3 would be deferred until the two ordinances were completed.

6. ADJOURNMENT

Ms. Alonso made a motion, seconded by Vice-Chair Hurley, to adjourn the meeting at 8:00 p.m. In a voice vote, with Ms. Testa absent, all voted in favor. (**Motion carried 4-0**)

Date Approved

Chair/Board Member

