

MINUTES
CHATHAM COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
JULY 09, 2001

The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Chatham County Courthouse, Superior Courtroom, 1 Courthouse Circle, located in Pittsboro, North Carolina, at 7:00 PM on July 09, 2001.

Present: Chairman Gary Phillips; Vice Chair Margaret Pollard; Commissioners Bob Atwater, Rick Givens, and Carl Outz; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager, Paul Spruill; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Lee

The meeting was called to order by the Chairman at 7:15 PM.

AGENDA

The Chairman asked if there were additions, deletions, or corrections to the Agenda.

Chairman Phillips stated that Item #17, a public hearing to receive public comments on a request by Sandhills Grading & Pipe Corporation for a Conditional Use Permit for a land clearing and inert debris landfill, on 58.1 acres, off NC Highway #42, in Cape Fear Township, has been withdrawn from the Agenda by the company.

Chairman Phillips also asked that Items #25 Refunding Bond Order and #26 Chatham County Industrial Facilities and Pollution Control Financing Authority Revenue Bonds be moved to Items #11A and 11B, respectively.

Commissioner Outz moved, seconded by Commissioner Pollard, to approve the Agenda with the noted requests. The motion carried five (5) to zero (0).

CONSENT AGENDA

The Chairman asked if there were additions, deletions, or corrections to the Consent Agenda.

Commissioner Pollard moved, seconded by Commissioner Givens, to approve the Consent Agenda. The motion carried five (5) to zero (0).

1. **Minutes:** Consideration of a request for approval of Board Minutes for Budget Work Sessions held May 29, 30, 31, 2001 and June 12, 13, 18, 19, 2001 and Regular Meeting held June 18, 2001

The motion carried five (5) to zero (0).

2. **Private Road Names:** Consideration of a request to approve a request from citizens for the naming of private roads in Chatham County as follows:

A. Bradley Lane B. Lanes Legacy C. Red-Coon Run

The motion carried five (5) to zero (0).

3. **Reappointment of Tax Collector:** Consideration of a request to reappoint the Chatham County Tax Collector, oath attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

4. **Tax Releases:** Consideration of a request to approve tax releases, attached hereto and by reference made a part hereof.

The motion carried five (5) to zero (0).

5. **Funds Acceptance for Maternity Care Coordination Program:** Consideration of a request to accept funds in the amount of \$34,335 from the North Carolina Department of Health and Human Services for the Health Department's Maternity Care Coordination Program

The motion carried five (5) to zero (0).

END OF CONSENT AGENDA

PUBLIC INPUT SESSION

Dick Huffman, G43B Manns Chapel Road, Pittsboro, NC, stated that he wanted to speak to smart development in northern Chatham County; that he supports developments as long as they are well-planned and preserve the character of Chatham County; that pressure is on from the population growth in Chapel Hill, and that northern Chatham County is a prime target. He further stated that developments do not need to be eyesores; that planners are capable of preserving the character with some work; that developers should pay for some of the effects that they have on service levels; that developers should be good neighbors; and that when developments are proposed and completed, that there should still be the rural character in north Chatham; that Fearington is a wonderful example of responsible development; and that Chatham County is a very special place and should be treated as such.

RESOLUTION HONORING ANN VON GRUENIGEN

Resolution Honoring Ann Von Gruenigen: Consideration of a request for approval of a Resolution Honoring Ann Von Gruenigen

The Chairman read and presented the resolution to Ms. Von Gruenigen.

Commissioner Pollard moved, seconded by Commissioner Givens, to approve **Resolution #2001-18 Honoring Ann Von Gruenigen**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Mr. Tandy Jones, a cattle farmer from Baldwin Township and Board member of the Triangle Land Conservancy, stated that Ms. Von Gruenigen's contribution is a very significant addition to the network of

land that the Triangle Land Conservancy is trying to establish throughout the Triangle; that as a farmer in Chatham County, he recognizes the fact that the open land is disappearing; that without the open land, there will no longer be agriculture; that Ms. Von Gruenigen, in an extremely generous move, has made sure that her land is going to stay in agriculture, forestry, and perpetuity; that it is something that she has done to benefit everyone in Chatham County and that it is not something that is going to cost Chatham County anything; that according to recent studies, open land requires less in services than it contributes in tax revenue; that he and the Triangle Land Conservancy are particularly grateful for her generous contribution.

RESOLUTION HONORING JAMES M. JOHNSON and HENRY K. BLAIR

Resolution Honoring James M. Johnson and Henry K. Blair: Consideration of a request for approval of a Resolution Honoring James M. Johnson and Henry K. Blair

The Chairman read and presented the resolution to Mr. Johnson.

Commissioner Pollard moved, seconded by Commissioner Outz, to approve **Resolution #2001-19 Honoring James M. Johnson**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

CP&L SPECIAL RECOGNITION

CP&L Special Recognition: Consideration of a request to recognize the emergency preparedness personnel in Chatham County

Mr. Jim Massengill and Katherine Thomas of CP&L recognized Tony Tucker, Emergency Operations Director and the Emergency Operations Staff for excellence in service by presentation of a special plaque in recognition of superior public service and partnership with CP&L on behalf of the citizens of Chatham County during natural disasters and emergency planned disasters.

NC DEPARTMENT OF TRANSPORTATION–DIVISION OF HIGHWAYS

2001-2002 Secondary Roads Improvement Supplement for Chatham County: Consideration of a request to present the Chatham County 2000-2001 Secondary Roads Improvement Supplement

Jeff Picklesimer, District Engineer for the North Carolina Department of Transportation, Division of Highways, introduced members of his staff and presented the Secondary Road Improvement-Highway Funds Program for Chatham County. He reviewed the 2001-2002 proposed allocations for unallocated highway funds and unallocated trust funds, a copy is attached hereto and by reference made a part hereof.

Commissioner Givens moved, seconded by Commissioner Outz, to adopt **Resolution #2001-20 for Secondary Roads for the Chatham County Secondary Road Improvement Program**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

BOARDS AND COMMITTEES

Human Relations Commission Appointments: Consideration of a request to appoint an at-large member to the Human Relations Commission

Commissioner Atwater moved, seconded by Commissioner Outz, to appoint Cecil Wilson, 489

Hollands Chapel Road, Apex, NC, as an at-large member to the Human Relations Commission. The motion carried five (5) to zero (0).

Industrial Facilities and Pollution Control Financing Authority Appointments: Consideration of a request to appoint members to the Industrial Facilities and Pollution Control Financing Authority

Commissioner Pollard moved, seconded by Commissioner Givens, to appoint Leon Tongret, 764 West Street, Central Carolina Community College, Pittsboro, NC (work) and 4415 Fox Run Road, Sanford, NC (home) to the Industrial Facilities and Pollution Control Financing Authority. The motion carried five (5) to zero (0).

Commissioner Givens moved, seconded by Commissioner Outz, to appoint Joe Quinn, 194 Weatherbend, Fearington Post, Pittsboro, NC, to the Industrial Facilities and Pollution Control Financing Authority. The motion carried five (5) to zero (0).

Commissioner Atwater moved, seconded by Commissioner Givens, to appoint Bruce Ladd, 79204 Hawkins, Chapel Hill, NC, to the Industrial Facilities and Pollution Control Financing Authority, subject to Mr. Ladd's acceptance. The motion carried five (5) to zero (0).

Voting Delegate to NCACC Annual Conference: Consideration of a request to designate a voting delegate to the NCACC 94th Annual Conference to be held in Cumberland County on August 9-12, 2001

Commissioner Outz moved, seconded by Commissioner Givens, to appoint Chairman Gary Phillips as the Voting Delegate to the 2001 NCACC 94th Annual Conference. The motion carried five (5) to zero (0).

FINANCE DEPARTMENT

Refunding Bond Order: Public hearing to receive public comments on a request to consider adoption of refunding bond order

The County Attorney read the refunding bond order at length.

Following the reading, Commissioner Givens moved that the Board proceed with the public hearing. The motion was seconded by Commissioner Pollard and unanimously adopted.

The Chairman asked for public comments on the proposed refunding bond order.

There was no one in attendance who wished to make public comment.

The County Attorney explained that the County should be able to save considerable money by issuing new bonds to pay off outstanding school bonds. No further public comment was offered.

Commissioner Atwater moved, seconded by Commissioner Givens, that the public hearing be closed. The motion carried five (5) to zero (0).

The Chair announced that the public hearing was closed.

Commissioner Atwater moved, seconded by Commissioner Givens, that the Board adopt the bond order read by the County Attorney, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Chatham County Industrial Facilities and Pollution Control Financing Authority Revenue Bonds: Public hearing to receive public comments on a request for approval of Townsend's waste water improvement facility project to be financed by revenue bonds to be issued by the Chatham County Industrial Facility Authority

Jim Smith, Townsend's North Carolina Complex Manager, stated that Townsends needs the money to design and construct facilities necessary to recycle water; that they presently have a spray field which is taxed to its limits based on the requirements of the Department of Agriculture, Water Use and Processing; and that in order for the process to continue to be viable, that they need to be able to recycle water, not just bring water in and spray it out.

Commissioner Atwater moved, seconded by Commissioner Pollard, to adopt **Resolution #2001-21 Approving in Principal Townsends Project to be Financed by Issuance of \$4,000,000 in Chatham County Industrial Revenue Bonds to Finance Townsends Project.** The motion carried five (5) to zero (0).

***Reference revision to Resolution #2001-21 on 08-06-01 (Resolution #2001-23) as per statutory requirements.**

PLANNING AND ZONING

Request for Final Approval of "North Chatham Park": Consideration of a request for subdivision final approval of "North Chatham Park" by ISPAR, Inc., consisting of five lots on approximately 22 acres off Hwy. #15-501 North, in Williams Township

Commissioner Atwater moved, seconded by Commissioner Givens, to grant final approval of the plat as submitted, subject to the favorable recommendation of the Planning Board, with the following condition:

1. The plat not be recorded until the County Attorney has approved the financial guarantee.

The motion carried five (5) to zero (0).

U. S. Cellular Site #2 – Hillside: Consideration of a request for approval of U. S. Cellular, Site #2, for a 300 ft. tower search ring labeled Hillside

Commissioner Outz moved, seconded by Commissioner Pollard, to approve the U. S. Cellular request Site #2 for a 300 ft. tower search ring labeled Hillside be approved.

After considerable discussion, Commissioner Outz withdrew his motion for approval of the request.

Tom Johnson, with U.S. Cellular, stated that they are trying to provide service between Siler City and Pittsboro; that it is a monopole and would not require lighting; that there would be a pre-fabricated cement building at the site; and that the application meets all the requirements of the ordinance.

After considerable discussion, Commissioner Givens moved, seconded by Commissioner Outz to return this item to the Planning Board. The motion carried five (5) to zero (0).

PLANNING AND ZONING

Public Hearings:

Communication Monopole Tower Request: Public hearing to receive public comments on a request by U.S. Cellular for a 199 foot monopole communication tower, on a portion of Robert J. Kapp and Brian Maginnis property, off US #64 West, in Hickory Mountain Township

Tom Johnson, 1702-D East Arlington Boulevard, Greenville, NC, U. S. Cellular representative, stated that they are trying to provide service between Siler City and Pittsboro; that it is a monopole and would not require lighting; that there would be a pre-fabricated cement building at the site; and that the application meets all the requirements of the ordinance.

Ted Eberhart, 3680 US #15-501 North, Pittsboro, NC, stated that he is coming from a different perspective; that there is an excessive proliferation of cell phones; that there are legitimate uses for phones; that the towers do not add to the landscape; and that much of the cell phone usage is rude and dangerous.

Vickie Myles, 580 Buckner-Clark Road, Pittsboro, NC, stated that she is a resident of Buckner-Clark Road; that the people are losing Chatham County; that she welcomes change, but looks to the Board to help the change be done in the correct way; that the area across from the intersection used to be pasture; that there are potentially other uses that will help achieve these ends; that the Arts Council has been looking at this area; that it would serve everyone's purpose to move public hearings to a better location so everyone will be comfortable and be able to be heard.

Conditional Use B-1 District with Conditional Use Permit for Supplies Storage: Public hearing to receive public comments on a request by Rebecca D. Crabtree for a Conditional Use B-1 District with a Conditional Use Permit for landscaping, lawn and garden business, specifically for the storage of supplies and materials such as topsoil, mulches, gravel, rock, landscape timbers, trees, and shrubbery, on 1.76 acres, off SR #1540 [Jones Ferry Road] and SR #1539 [Crawford Dairy Road], in Baldwin Township

The oath was administered by the Chairman to those in attendance who wished to make public comments.

Rebecca Crabtree, 2076 Jones Ferry Road, Pittsboro, NC, stated that as the owner of Frosty Trading Post, Inc., she is looking to expand her business to include landscaping supplies; that her business is located at the intersection of Crawford Dairy Road and Jones Ferry Road; that it has always been a vacant lot; that the property is limited in its uses; that it will benefit both her and the County; and that there are many developments in this area already that will benefit from this worthwhile use and it will be a service to the community.

Conditional Use Permit for Land Clearing and Inert Debris Landfill: Public hearing to receive public comments on a request by Sandhills Grading & Pipe Corporation for a Conditional Use Permit for a land clearing and inert debris landfill, on 58.1 acres, off NC Highway #42, in Cape Fear Township

This item was removed from the Agenda.

Conditional Use Light Industrial District with Conditional Use Permit for 195' Monopole Communication Tower: Public hearing to receive public comments on a request by SBA Properties, Inc. for a Conditional Use Light Industrial District with a Conditional Use Permit for a 195 foot monopole communication tower, on a portion of 26.97 acres of Franklin & Betty Bayes property, off SR #1755 [Clyde Ferrell Road], in Williams Township

Sue Uknes, 663 Clyde Farrell Road, Apex, NC, stated that she is a property owner on Clyde Ferrell Road; that a representative from SBA came to meet with the property owners; that no one knows if the tower will be visible to adjoining property owners; that they are requesting that a balloon test be done; that there are

two historical properties located within range and with current Department of Transportation clearing, the pole will be visible; that the owner of the property does not live there and will not be affected by this; and that they are requesting that the balloon test be done when the Department of Transportation clearing is completed and winter arrives to really test whether or not it will be visible.

Mark Burnham, 698 Clyde Farrell Road, Apex, NC, stated that he owns a house that pre-dates the 1850s era in this area; that he lives very close to where this tower is proposed; and that this tower will be an intrusion in his front yard.

Brian Sasser, 401 Rogers View Court, Suite 109, Raleigh, NC, SBA Communications representative, stated that their mission is to provide continuous service in the NC Highway #751 corridor; that there are dense trees on this property; that this is an unlit tower; and that tests were completed at the request of the State with regard to the historic property.

Gray Styers, 3737 Glenwood Avenue, Suite 400, Raleigh, NC, SBA Communications representative, stated that evidence must be entered into the record; that a balloon test was done and pictures taken of the area from different perspectives; that this site perfectly fits the Communication Towers Ordinance; and that SBA is more than willing to work with property owners in the area in any way they can.

Earl Byrd, PO Box 513, Hillsboro, NC, spoke in opposition to this tower. He stated that the proposed tower location adjoins property in which he has an interest; that Jordan Lake took 106 acres of their property leaving only 50 acres; that this land belongs to his family; and that no land near a tower has ever increased in value. He encouraged the Board to deny this request.

Dr. Harry Byrd, 2 Bethany Place, Durham, NC, concurred with his brother stating that the first notice that they had of the proposed tower was on June 19th; that there was nothing about a balloon test; and that the homeowners would have appreciated the opportunity to find out more about this issue.

Jennifer Phillips, 4977 NC Highway #751, Apex, NC, stated that she is an adjoining property owner; that she has restored a historic home; that she will be within 500 feet of this tower; that she was approached about placing a tower on her property; that she thought about the request, as it was tempting to have the income, but decided against it after she viewed a comparable tower. She asked the Board to deny the request.

Mr. Styers answered questions from citizens regarding the proposed tower and location.

Conditional Use Light Industrial District with Conditional Use Permit for 199' Monopole Communication Tower: Public hearing to receive public comments on a request by U.S. Cellular for a Conditional Use Light Industrial District with a Conditional Use Permit for a 199 foot monopole communication tower, on a portion of 5.56 acres of Julius W. Seagroves, Jr. property, off SR #1744 [Bob Horton Road], in New Hope Township

Tom Johnson, 1702-D East Arlington Boulevard, Greenville, NC, U. S. Cellular representative, stated that this property is within a light industrial district; that this is not a lit tower; that there is a significant process outside of the County process in order for it to be approved; that the tower will provide for co-location in the future; and that US Cellular will address any questions from the Board or citizens regarding this issue.

Proposed Revision to Watershed Protection Ordinance: Public hearing to receive public comments on a proposed revision to the Chatham County Watershed Protection Ordinance section 302.E(2) to allow two dwelling units per acre, instead of one, and lots a minimum of 20,000 square feet in size, instead

of 40,000 square feet. The change would be applicable in an area bounded by Manns Chapel Road, River Road, and a line measured 0.5 mile east of the US #15-501 right-of-way

Proposed Additions to Zoning Ordinance: Public hearing to receive public comments on proposed additions to the Chatham County Zoning Ordinance to create two new zoning districts; an RA-20 District and a CU-RA-20 district. The text is similar to the existing RA-40 and CU-RA-40 district. The minimum lot size is 20,000 square feet instead of 40,000 square feet.

Proposed Revisions to the Zoning Ordinance: Public hearing to receive public comments on proposed revisions to the Chatham County Zoning Ordinance Section 15.5 concerning Planned Residential Development adding an RA-20 district and revising other language

Proposed Revisions to the Subdivision Regulations: Public hearing to receive public comments on proposed revisions to the Chatham County Subdivision Regulations Section 6.4(C) to allow lots a minimum of 20,000 square feet as provided in proposed revisions to the Zoning Ordinance

Request for Zoning District Change to CU-RA-20 with Conditional Use Permit by Newland Communities: Public hearing to receive public comments on a request by Newland Communities for a zoning district change to CU-RA-20 with a Conditional Use Permit for a planned residential development, on approximately 1,390 acres. The request consists of 2,780 dwelling units, 840,000 square feet of commercial & office space, a 26-acre school site and approximately 500 acres of open space. The property is located south of Manns Chapel Road [SR #1532] and mainly north of Andrews Store Road [SR #1528] and mainly west of US #15-501

As per citizen request, representatives of Newland Communities donated additional copies of their books to be placed at the libraries and on the book mobile.

Ed Holmes, attorney representing Newland Communities, stated that they are perhaps the oldest development company for this type of project; that they advise the California Trust Fund on real estate issues; and that they are award winners for developments across the country.

Don Whyte, Newland Communities representative, stated that he is responsible for Newland Communities' developments in the Southeast; that their communities are distinctive; that a lengthy description has been provided; that the property in question is located on Highway #15-501 North; that there are several natural features of the property that they have taken into consideration; that there is an extensive amount of open space; and that there have been over a half dozen community meetings with residents which have received considerable input.

Dawn Herrod, Newland Communities, stated that there are four text amendments to the existing ordinances; that the only thrust of the amendments is in reference to residential development; that Chatham County has spent a great deal of time in planning high density areas, and these proposed amendments will help manage this directive; that the development is designed to be carefully planned to conform to the five existing findings for conditional use permits.

John McGavin, Newland Communities, presented a study of traffic flow and stated that the study has given consideration to further construction of proposed intersections on Highway #15-501; that the service levels at A,B,C, and F are not acceptable; that B and C are at the peak levels at early morning and afternoon; that D level is a commercial intersection; that the water shed ordination is limited at 36%; that this will not be above or change the 36%; that storm drains are proposed in this development; that 85% of runoff is expected; that runoff is proposed in the 1, 2, 5, 10-year plan; and that an elevation water system, if required by the

Chatham Commissioners, will be put in place.

Robert Eby, 1056 Fearington Post, Pittsboro, NC, stated that he is the president of the Fearington Village Homeowners Association; that Newland often refers to the Land Use Plan; that what the Board chooses to do on this issue will long reflect development in the County; and that this plan does not merit approval for the following reasons: 1) residential density--road traffic and land use will not be able to handle this density; that the traffic quality at the intersection of Manns Chapel and Highway #15-501 will decrease; that nothing is being done to improve the road quality to handle traffic; that the cost of the elementary school will not be covered by the impact fees; that Briar Chapel will require an increased tax load on all citizens of Chatham County; and 2) wastewater treatment--no specifications are given for holding ponds; and that specifics should be provided; and 3) a height of development of 35' does not promote rural character of Chatham County; and 4) failure to meet County guidelines for commercial development--that the limits for impervious surfaces are violated; that none of the commercial content is included in the residential piece of the development; that the 60 acre tract resembles strip development that the Land Plan discourages. He further stated that this plan should be denied based on these findings.

Gayle M. Kenny, 110 Persimmon Hill Trail, Pittsboro, NC, stated that she is a board member of Persimmon Hill; that it has been challenging to dissect the information provided by Newland Communities due to missing information; that the impact on other smaller communities is not positive, but quite the opposite; that the real development is four residences per net acre; that there are commercial vacancies in all of the nearby commercial plazas; that comparison developments are not nearly as dense or large as this project; that Briar Chapel provides the site for a school, but not the school; that this school site would be inadequate; that Briar Chapel is 39% larger than the maximum range of Chatham's plan; that many of the numbers used in revenue projections are different than the County numbers; that there would be an increase in County services required; that there was no information provided regarding wastewater treatment; that Newland has not complied with current Chatham County rules and regulations; and that she respectfully requests that this not be approved.

Charles Childs, 246 Carey Des Bois Lane, Chapel Hill, NC, expressed appreciation that the proposals are available in the Chatham County libraries. He stated that there are two problems he has with the proposals; that the fire protection services needed for a development of this size needs to be considered; that land would need to be donated for a water tower, but the County would have the responsibility for the tower itself; that the lack of discussion on the traffic pattern is disturbing; that Manns Chapel would become a major thoroughfare; that the reports refer to Appendix E; and that it is missing from the available document.

Martin Spritzer, 595 E. Fearington Post, Pittsboro, NC, a resident of Fearington Village stated that he agrees with Bob Eby in that his comments fairly represent all of the residents in that area; that he would like to focus on the commercial strip adjacent to Fearington; that proper planning is absolutely necessary in northern Chatham County; that strip malls along highways ruin a character of a community; that he was encouraged by land use planning meetings because they attempted to restrict strip development along the highways in the County; that this plan should be evaluated based on the Chatham County Land Use Plan; that in reality, this development is inconsistent with the Land Use Plan; that another inconsistency is the issue of strip development; that this creates a precedent for additional strip development from Chapel Hill to Pittsboro; that there will be additional noise, traffic, odor and detriments that this strip commercial piece will impose upon them; that this is also contrary to the land use development plan; that the distance between Fearington and this development is zero. He further reviewed and stated that the findings that must be met are indeed not met, especially in the tract adjoining Fearington Village; that 860,000 square feet of commercial space on one's doorstep will certainly lower property values; and that this is not consistent with any of the specifics of the Land Use Plan and the five findings required for conditional use permit. He further asked why there must be a commercial tract at this location at all and stated that the claim that residential

development does not happen directly on major highways is a myth stating that this project is a Swiss cheese application and deserves to be denied.

Hubert Oakley, 256 Oakley Peak, Pittsboro, NC, stated that he has been a resident of Chatham County for nearly 71 years; that Chatham County needs a monitor on erosion control; that he has repeatedly tried to get a representative from the State to evaluate developments for erosion control components; that Chatham County must have better control over this in developments; and that he requests the Board deny this request.

Dick Van Iten, 596C Ferrington Post, Pittsboro, NC, stated that that he appreciates the format that the meeting has followed; that this development clears your sinuses from the “get go” and requires a lot of homework from appointed and elected boards; that it also challenges residents to be educated about their community; that there are many problems in the details; and that we must think about the impact of putting 2,780 units and the subsequent proposals in this area. He thanked those making presentations preceding him.

Elaine Chiosso, 1076 Rock Rest Road, Pittsboro, NC, stated that she had a map that the Haw River Assembly (HRA) had developed for the Board; that the HRA is opposed to this development; that it poses big trouble for two main creeks that flow into the Haw River and Jordan Lake; that volunteers and the State have monitored water quality on Pokeberry and Wilkerson Creeks for a number of years; that all developmental uses would run off into these creeks and the water supply; that the Astoria development (now Preserve) was approved and has had an adverse impact on the water runoff into Jordan Lake; that this proposal must stop at this level. She urged the County to deny the changes and preserve the current watershed ordinance.

Glenn Thesing, 355 Hubert Herndon Road, Pittsboro, NC, stated that as a resident of Herndon Woods, he has reviewed the proposal with regard to wastewater and water treatment; that there is little detail on how it will be translated into real practice; that he feels that questions regarding location of spray fields, staffing, by-pass and overflow routes need to be addressed in the application; and that the amendments to the zoning and watershed ordinances should be rejected.

Jon Turner, 364 Hubert Herndon Road, Pittsboro, NC, present on behalf of Herndon Woods Homeowners Association, stated that this community cannot support this development; that it contradicts the stated values in the Land Use Plan; that all of the amenities of the development are shielded from view, and all anyone will see are the commercial developments; that Herndon Woods will quickly become an island of homes and trees in a sea of commercial development; that he cannot see the demand for all of this commercial space; that the conservation plan calls for commercial development within the community; and that this constitutes a change in zoning;

Dr. Melinda Meade, 36 Benchmark, Ferrington, Pittsboro, NC, professor of geology at the University of North Carolina, stated that she has lived twenty-three years at her current address; that the proposed housing development drains into Pokeberry Creek and on to the Haw River; that the proposed commercial development east of Highway #15-501 contains headwaters of Bush Creek; that its large area of impervious surfacing and its automobile runoff drains shortly into Jordan Lake, impacting habitat at Farrington Point and the northern shore of Big Woods Road; that the water run-off should be carefully studied; that the twenty-year promise of no strip mall development along Highway #15-501 be upheld; that too much development too fast will have residents tied up in a bottle neck very quickly; and that the massive commercial project proposed is a totally inappropriate land use. She urged the Board to maintain the area's residential zoning.

Mary Beth Grealey, 105 Turtle Pond Farm, Chapel Hill, NC, stated that she lives directly across from the proposed commercial development; that there is no assurance that there is any sort of control over

the type of commercial development, signage, and security; and that as it now stands, the proposal should be rejected.

RECESS

Commissioner Givens moved, seconded by Commissioner Outz, to recess the public hearing till the August 20, 2001 Board of Commissioners' meeting. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

There were no Manager's reports.

COMMISSIONERS' REPORTS

There were no Commissioner reports.

BUDGET ORDINANCE

- Commissioner Givens moved, seconded by Commissioner Outz, to approve the Budget Ordinance as adopted June 29, 2001, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

BUDGET AMENDMENTS

- Commissioner Givens moved, seconded by Commissioner Pollard, to approve the budget amendments, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

ADJOURNMENT

- Commissioner Atwater moved, seconded by Commissioner Givens, that there being no further business to come before the Board, the meeting be adjourned. The motion carried five (5) to zero, and the meeting was adjourned at 11:28 PM.

Gary Phillips, Chairman

ATTEST:

Sandra B. Lee, Clerk to the Board
Chatham County Board of Commissioners