

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**NOVEMBER 17, 2003**

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The Board of Commissioners ("the Board") of the County of Chatham, North Carolina, met in the District Courtroom, located in Pittsboro, North Carolina, at 6:00 PM on November 17, 2003.

Present: Chairman Tommy Emerson; Commissioners Margaret Pollard, Bob Atwater, and Bunkey Morgan; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager, Renee Dickson; Finance Officer, Vicki McConnell; and Clerk to the Board, Sandra B. Sublett

Absent: Commissioner Carl Outz

The meeting was called to order by the Chairman at 6:06 PM.

**PLEDGE OF ALLEGIANCE AND INVOCATION**

- Chairman Emerson invited everyone present to stand and recite the Pledge of Allegiance after which Commissioner Atwater delivered the invocation.

**AGENDA**

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

Commissioner Morgan asked that Item #10, Consideration of proposed revisions to the Chatham County Zoning Ordinance, Section 14 – Home Occupations, be tabled until a later date.

Commissioner Morgan moved, seconded by Commissioner Pollard, to approve the Agenda with the noted request. The motion carried four (4) to zero (0).

**CONSENT AGENDA**

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

The County Manager asked that Consent Agenda Item #4 Consideration of a request to accept funds in the amount of \$59,623 from UNC School of Public Health for the Health Department to be utilized to create a .5 FTE Project Coordinator position and to increase an Office Assistant III position from .5 FTE to .75 FT, be deferred until a later date.

Commissioner Morgan moved, seconded by Commissioner Pollard, to approve the Consent Agenda with the noted request.

1. **Minutes:** Consideration of a request to approve Board Minutes for Regular Meeting held

November 03, 2003, Work Session held November 03, 2003, and Work Session held October 28, 2003

The motion carried four (4) to zero (0).

2. **Tax Releases:** Consideration of a request for approval of tax releases, attached hereto and by reference made a part hereof

The motion carried four (4) to zero (0).

3. **Reduction in Smart Start Funding:** Consideration of a request to approve a reduction in the amount of \$13,609 in Smart Start funding for the Health Department in FY 2003-04

The motion carried four (4) to zero (0).

- ~~4. **Funds Acceptance for Health Department:** Consideration of a request to accept funds in the amount of \$59,623 from UNC School of Public Health for the Health Department to be utilized to create a .5 FTE Project Coordinator position and to increase an Office Assistant III position from .5 FTE to .75 FTE~~

This item was removed from the Consent Agenda and deferred until a later date.

5. **Funds Acceptance from Office of Public Health Preparedness and Response:** Consideration of a request to accept funds in the amount of \$25,460 for the Health Department from the Office of Public Health Preparedness and Response

The motion carried four (4) to zero (0).

6. **Preliminary Approval of "Bobcat Point Phase IV (Lots 89-103):** Consideration of a request by Ricky Spoon for preliminary approval of "Bobcat Point Phase IV (Lots 89-103)", consisting of 15 lots on approximately 75 acres, off SR #1559 (Emerson Cook) and SR #1558 (Henderson Tanyard), Hadley Township

As per the Planning Department and Planning Board recommendation, preliminary plat approval was granted as submitted.

The motion carried four (4) to zero (0).

7. **Site Plan for State Employees Credit Union:** Consideration of a request by **State Employees Credit Union** for site plan approval for Lot #3 of North Chatham Park, consisting of 4.23 acres, off Highway #15-501 North, Williams Township

The motion carried four (4) to zero (0).

8. **Set Public Hearing on Annual Communications Tower Plan:** Consideration of a request to set March 15, 2004 as the date on which to hold a public hearing on the Annual Communications Tower Plan

The motion carried four (4) to zero (0).

**END OF CONSENT AGENDA**

## PUBLIC INPUT SESSION

**Lee Fox**, 135 Roland Marsh Road, Siler City, NC, stated that adequate water supply is an urgent need for all citizens of Chatham County; that he thinks the Board is to be commended for the work they have done and are doing on the pipeline and extension of water throughout the County; that if the County is going to attract industry in the future, there needs to be a water supply provided for thirty or forty years, not just the twenty years that is currently proposed by Siler City with the expansion of the current reservoir; that in his opinion, the County and the Town of Siler City need to work together as a team in a joint effort to develop a comprehensive plan using water from Jordan Lake; that this will provide a long-term solution and will not diminish property values along the upper Rocky River; that it makes sense for the County and Town of Siler City to combine their resources, work together as a team and accomplish this much needed project. He urged the Board to reconsider its previous approval of this project, or least a delay, until a restudy can be done from financial and impacted area points of view.

**Al Clapp**, 1660 Ed Clapp Road, Siler City, NC, stated that he is being effected by the raising of the dam for the Siler City lower water reservoir; that they all know that Siler City is going to need water to grow; that he is concerned the way they are getting their water with the limited amount of flow through Rocky River; that he is also concerned that when the Board approved the building of it, the lake and buffer affected two hundred forty acres; and that with the reclassification they are trying to get approved, it will affect twenty-two hundred acres which will greatly restrict any development and possible future plans for the property. He asked the Board to reconsider the building of the reservoir.

**Shawn Carten**, Attorney for Paul Wolf, 163 Falcons Way, Pittsboro, NC, stated that the Board had information regarding the removal and re-interment of graves on Paul Wolf's property; that he contacted all the proper authorities regarding grave removal; that the relocation was published in October; that no one came forward to claim relation; that Jane Pyle of the Chatham County Historical Society came to inspect the property; and that they are requesting the Board's approval to remove the graves.

Chairman Emerson asked that Mr. Carten and the County Attorney get together on this matter and draft a resolution for consideration by the Board at the next Board of Commissioners meeting on December 8, 2003.

## PLANNING AND ZONING

**Proposed Revisions to Chatham County Subdivision Regulations – Public Street Access:**  
Consideration of proposed revisions to the Chatham County Subdivision Regulations Section 6.2 B. (3) – public street access

Item "A" is the original language and Item "B" is the revised language:

A. "Where in the opinion of the Board of Commissioners, it is reasonable to provide for public street access to adjoining landlocked property or additional public street access to large tracts with future development potential, proposed public streets shall be extended by dedication of right-of-way to the boundary of such property. Legal documents shall be recorded assuring future public accessibility."

B. "Where necessary to provide public street access to adjoining landlocked property or connectivity to large tracts with future development potential, proposed public streets shall be extended by dedication of right-of-way to the boundary of such property."

Legal documents shall be recorded assuring future public accessibility. Two of the issues to be reviewed when considering the extension of public roads are the improvement of traffic distribution to prevent unnecessary congestion and the improvement of public safety by providing increased access for law enforcement and emergency vehicles."

As per the Planning Department and Planning Board recommendation, Commissioner Pollard moved, seconded by Commissioner Atwater, to adopt the language listed in "B" above as a replacement of the first paragraph of Section 6.2B(3) of the Subdivision Regulations. The motion carried three (3) to one (1) with Commissioner Morgan opposing.

### ***Zoning Board of Adjustment:***

**Appeal to the Zoning Board of Adjustment:** Consideration of an appeal to the Zoning Board of Adjustment by Nate Sheaffer, President of the Hills of Haw Home Owners Association on issuance of a Home Occupation Permit by the Planning Department for property owned by Merwyn Barber located at 591 Hills of Haw Subdivision, Pittsboro, NC

Commissioner Morgan moved, seconded by Commissioner Atwater, to recess as the Chatham County Board of Commissioners and convene as the Chatham County Board of Adjustment. The motion carried four (4) to zero (0).

Commissioner Atwater asked if both sides had been able to work out an amicable resolution.

Nate Sheaffer, President of the Hills of Haw Home Owners Association stated that immediately after the last meeting where both sides gave testimony, they met as a group with Mr. Barber; that they agreed to speak; that they delivered a letter to Mr. Barber; and that they have not received a response from Mr. Barber.

After considerable discussion, Commissioner Morgan moved, seconded by Chairman Emerson, to support staff's issuance of Home Occupation Permit for property owned by Merwyn Barber located at 591 Hills of Haw Subdivision, Pittsboro, NC, and adopt the Findings of Facts as follows:

1. On September 8, 2003, information was given to the Zoning Enforcement Officer about a landscaping business being operated at 591 Hills of the Haw Road, Pittsboro, NC, owned by M. J. Barber.
2. On September 17, 2003, a site investigation was conducted with the Zoning Enforcement Officer, Angela Birchett, the landowner, Merwyn Barber, and the Environmental Waste Management Officer, Val Chadwick. Dated photos were taken. Site inspection showed a workshop building, approximately 1200 square feet in size, a green house, a residence, fencing, landscaping along the front of the property line, heavily wooded six (6) acre lot, two (2) work pickup trucks, and 1 pull behind box trailer for equipment. Within the workshop building were one (1) riding mower, one (1) four-wheeler, one (1) Gator, one (1) Bobcat, one (1) Jeep being restored, and tools. Within the pull behind box trailer were three (3) mowers, three (3) leaf blowers, weed eaters, and various yard tools. At the greenhouse were several fern plants, pond plants, various other "green" leaf plants, and one (1) pile of mulch. Mr. Barber stated these items were for his own personal use on his land and for wholesale to be sold at a local hardware store in Pittsboro. Mr. Barber stated there was no retail or wholesale of plants or mulch on site. Lot improvements have been made by clearing of some trees as well as filling in

low-lying areas. Mulch, dirt, leaves, and small branches were brought from jobsites and off his land then ground together to form fill for these areas. Mr. Barber was advised by the Environmental Waste Management Officer this possibly could not be considered "beneficial fill" as determined by the NC Department of Solid Waste and he should contact them as to what he was going to do. Mr. Barber was also advised to contact the NC Division of Land Quality-Erosion Control regarding his land clearing of the lot and the pond he had built on the property. At the time of inspection, there was no traffic being generated in relation to the landscaping maintenance business. No other vehicles were parked on the property other than Mr. Barber's personal vehicle. Mr. Barber stated he has approximately 8 non-resident employees. Mr. Barber stated some arrive at the property in 2-3 vehicles to get the pickup trucks to take to the jobsites. He stated occasionally there might be one (1) or two (2) employees on site picking up other equipment or materials during the course of the day. Mr. Barber was advised he was in violation of the Chatham County Zoning Ordinance for operating a home-based business without prior approval from the Planning Department for a Home Occupation Permit.

3. On September 23, 2003, after research and discussion within the Planning Department, a notice of violation was entered against this property. On this same day, Mr. Barber came into the office to apply for a Home Occupation Permit, which he was granted based on the findings at that time.
4. On October 14, 2003, Nate Sheaffer, President of Hills of Haw Homeowners Association, filed an appeal to the Planning Department against the issuance of the Home Occupation Permit.
5. On October 16, 2003, the Zoning Enforcement Officer conducted site investigations throughout the day to gather information as to the activity on the property. During the course of the day, there were two (2) to three (3) vehicles on the property, other than Mr. Barber's and one (1) worker at the workshop for approximately two (2) hours. Dated photos were taken. There was no other activity noted that related to the Home Occupation Permit.
6. On October 28, 2003, the Zoning Enforcement Officer conducted site investigations in the morning hours. From 7:15 AM until 8:00 AM, there were four (4) private vehicles noted on site, one (1) box truck, one (1) open-bed truck stocked with pine straw, one (1) 4-door pickup truck, and one (1) box pull-behind trailer. There were 7-8 employees on-site loading equipment. The 4-door pickup truck with trailer attached and the box truck departed the property with all employees. There was no other activity noted on the property or persons remaining on the property as it relates to the Home Occupation Permit. Dated photos were taken.
7. Mr. Nate Sheaffer presented undated photos he stated were taken during the summer, prior to the issuance of the Home Occupation Permit that related to the activity on the property for the landscaping maintenance business.
8. Mr. Nate Sheaffer stated the closest residence is approximately 500 feet from Mr. Barber's business.

9. Mr. Barber stated that he has been a resident on the property for approximately six (6) years.

The motion carried four (4) to zero (0).

Commissioner Morgan moved, seconded by Commissioner Pollard, to adjourn as the Chatham County Board of Adjustment and reconvene as the Chatham County Board of Commissioners. The motion carried four (4) to zero (0).

***Public Hearings:***

**Public Hearing on a Request for Zoning Approval of Conditional Use District with Conditional Use Permit for Planned Unit Development "The Homestead at Jordan Lake":** Public hearing to receive public comments on a request by Mark Ashness and/or Cynthia Sax Perry on behalf of Jordan Lake, LLC and Holland and Rebecca Gaines, for a zoning approval of a RA-40 Conditional Use District with a Conditional Use Permit for a Planned Unit Development, "**The Homestead at Jordan Lake**", consisting of 475 residential units, fitness facility and community/institutional use on approximately 577 acres, off Big Woods Road [SR #1716], in Williams and New Hope Townships

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

**Cindy Perry**, Attorney for the applicant, 179 Hillsboro Street, Pittsboro, NC, stated that the Gaines Family has owned the property for the last fifty years; that many of their family will return to live in Chatham County again; and that it has been in the development stages for eighteen months.

**Mark Ashness**, 30020 Village Park Drive, Chapel Hill, NC, with the CE Group, stated that they are the civil engineering group for the project; that the land is situated south of The Preserve, across Big Woods Road, and across from the Corps of Engineers land; that it is in the Jordan Lake watershed; that some of the land is in the critical and some in the protected area; that there are three to four perennial streams that feed into Jordan Lake; that current requirements call for a 100 foot buffer in the critical area; that even in areas that require 50 foot buffers they will increase that to 100 feet; that it has been used as a tree farm for years; that approximately seventy-five percent of the property has 0-15 foot slopes; that there will be an abundant amount of stormwater management areas in the project; and that there will be an impervious total of about twenty-two percent.

**Sean Clark**, 11010 Raven Ridge Road, Raleigh, NC, stated that he studied the soil feasibility and wetlands study; that the Corps of Engineers has approved the delineation; that the State has not been there yet but will be there within the next two weeks; and that they have done a small study about endangered species as well.

**Mark Ashness** stated that they will be extending the existing 12" water main that stops just at the end of The Preserve project to at least the furthest entrance to the project; that they will also be looping the water main toward the back of the project; that the wastewater treatment facility will be located at the center of the project; and that the waste will be sprayed on green space.

**W. Lee Fleming, Jr.**, 503 Oberlin Road, Suite 204, Raleigh, NC, stated that he is a consulting engineer in Raleigh; that he has designed twenty treatment plants; that his responsibility is to design the treatment facility; that there will be backup generators; that the upset pond will help them assess problems; and that the Division of Water Quality requirements will be met consistently.

**Edwin Andrews**, PO Box 30653, Raleigh, NC, stated that the management of the wastewater is critical; that water reclamation is a water resource issue; that there will be virtually no measurable impact on the site due to the processing plan; and that there are four families of soils on the property.

**Jay Clapp**, 1820 Crag Burn Drive, Raleigh, NC, stated that he and his firm were asked to assess the traffic impact on Big Woods Road; that there would be three driveways into the project; that there will also be a cross access to The Preserve at the back of the project; that they accounted for full build out of The Preserve and The Homestead; that the road is favorable to this location; and that left turn lanes would be provided into the two main drives into the project.

**Mark Ashness** stated that the entrance to the project would be gated; that there will be minimal views into the project; that there will be walking and biking trails throughout the project; and that there will be a wildlife consultant to assure minimal displacement of animals.

**Cindy Perry** stated that over forty percent of this property is in agricultural land use tax; that even before early construction expectation is a large boost in tax value; that The Homestead's improvement is estimated at one million in the first year; that they are estimating a five year build-out; that at build-out, the development will add at least \$237 in increase tax valuation; that impact fees will yield \$712,000 at build-out; that there will be very little County services needed; that approximately 390 jobs will be created in the building of the facilities and home sites; that this development meets the first finding regarding use; that the second conditional use finding is met by using The Preserve as a barometer; that The Preserve sold out within two years on the market; that The Homestead will have larger lots than The Preserve; that it is an established commuting corridor; that the third finding is met by complimenting The Preserve and accommodating the natural areas surrounding it to the south and west; that the wastewater systems rely on daily monitoring; that the fourth finding is that it meets the ideology of the land use plan; that there are copious buffers; that the fifth finding has already been met; and that this project is exceptionally well thought out.

## **BREAK**

The Chairman called for a ten-minute recess.

**Dr. Peter Ferket**, 1316 Glencastle Way, Raleigh, NC, stated that he is a professor of nutrition and extension specialist in the college of agricultural life science at NC State University; that he works a lot in nutrient management, particularly related to the poultry industry; that he has a particular interest in this subdivision; that he is very concerned with regard to environmental issues; that one of the things he was most impressed by this development was the design of the meadows and setbacks; that he thinks this is important for an agricultural community such as Chatham County which has a lot of animal agriculture; that it is a very sensitive watershed area; that there needs to be something that compliments the environmental issues in the County; that the County doesn't need developments that will cause disunity between agriculture as well as the residential areas; that this development, as far as he understands, compliments this very well; that he has known Becky and Holland Gaines for several years; that they are very respectable people; and that he is a firm believer that Mr. Gaines has taken the County's issues to heart.

**Jim Granger**, 75 Fearington Post, Pittsboro, NC, stated that he was a member of the steering committee for Chatham Citizens for Effective Communities (CCEC); that he had spent forty years working on smart growth; that the Planning Board and the Board had worked on a comprehensive compact communities ordinance, yet continue to entertain projects that do not pay their way and drain County resources; that he is concerned that Jordan Lake is already polluted by phosphorous; that both Governors Club and The Preserve have problems with spray irrigation and wastewater treatment; that The Homestead is not smart growth; and that he is optimistic that the Board will make wiser choices about future development.

**Phillip Corn**, PO Box 1002, Cary, NC, stated that he is an adjacent property owner to the proposed development; that he has three primary concerns: 1) that the utility stub out is a concern; 2) that Old Raleigh Road not be considered part of the buffer zone; and 3) that the right-of-way for adjacent property owners is preserved.

**Joyce Baird**, 370 Gallup Road, Chapel Hill, NC, stated that she lives in Big Woods Hills; that she and her family spend a lot of their money and volunteer time in Chatham County; that she cannot understand why developers are asked what they can or cannot live with; that residents should be asked the same question, not developers; that The Preserve was approved against public sentiment and the recommendation of the Planning Board; and that she and other residents were tired of being ignored.

**Sam Ashford**, 478 The Preserve Trail, Chapel Hill, NC, stated that the proposed development had been discussed by The Preserve Property Owners Association (POA); that the POA is not in favor of the proposed development and has requested a meeting with the developers; that they have four primary concerns: 1) the interlinking roadway between the proposed development and The Preserve is opposed; that this should be strictly for emergency vehicle use only; 2) the institutional facility is strongly opposed and recommend the retention of this area for green space; 3) the wooded area between the development is not sufficient; that there should be an established greenway between the developments; and 4) that the water supply infrastructure is not explicitly discussed; that The Preserve relies on the County to make sure the water infrastructure keeps pace with development.

**Elaine Chiosso**, 1076 Rock Rest Road, Pittsboro, NC, stated that she was the executive director of the Haw River Assembly; that the Board made a bad mistake years ago by approving The Preserve; that when that move was made, they feared that more developments may come in the protected watershed area; that this is another good opportunity to say no to a potentially damaging development; that the Haw River Assembly (HRA) strongly urges denial of this project; that all local governments in the Jordan Lake watershed areas are being urged to find ways to protect the watershed; that Parkers Creek is particularly sensitive; and that in some areas, governments are asked to reduce input of nutrients by up to forty-one percent.

**Art Jolin**, 975 Gallup Road, Chapel Hill, NC, stated that he is a resident of Big Woods Hills; that the subdivision has wells that have tested positive for chloroform bacteria; that he questioned whether or not it was a side effect of the spraying; and that the heavy density is of primary concern.

**Sam Fouse**, 4000 Pickwick Drive, Raleigh, NC, stated that he is a custom home builder and avid outdoorsman; that this proposed development is environmentally sensitive; that it contains a lot of green space; and that it is much more environmentally conscious to have a centralized water supply than one hundred individual wells.

**Sonny Keisler**, 3006 River Forks Road, Sanford, NC, stated that he represented the Monteranne property owners; that they are opposed to the project for five reasons: 1) It upsets the County charm that their property owners invested a lot of money to preserve; 2) They assumed the RA-5 zoning would remain in place; 3) Jordan Lake would be better served by low density; 4) It would place a greater demand on schools than a large lot development; and 5) Even if the Gaines' developed the property themselves, they could still realize a significant financial gain.

**Halford House**, 611 Vickers Road, Chapel Hill, NC, stated that he is a water quality and soils professional; that Jordan Lake is polluted and the feeder streams have decreased water quality; that water is a basic need of life and it needs to be dealt with; that the quality of water in Jordan Lake cannot be improved if the problem keeps being added to; that the design team offered nothing far-reaching in terms of wastewater



treatment or stormwater management; and that water runs off rapidly from Triassic soils with existing pollutants. He asked the design team to consider other options.

Chairman Emerson closed the public hearing.

**Public Hearing on a Request for Proposed Amendment to Subdivision Regulations:** Public hearing to receive public comments on a request to consider a proposed amendment to the Chatham County Subdivision Regulations to delete the specified two-year time limit on financial guarantees from Section 3.1 (B) (2)

There was no one present who wished to make public comments.

**Proposed Revisions to the Chatham County Zoning Ordinance – Home Occupations:**

Commissioner Morgan moved, seconded by Commissioner Pollard to bring Item #10, consideration of proposed revisions to the Chatham County Zoning Ordinance, Section 14 – Home Occupations, back to the table for discussion. The motion carried four (4) to zero (0).

**Proposed Revisions to the Chatham County Zoning Ordinance – Home Occupations:** Consideration of proposed revisions to the Chatham County Zoning Ordinance, Section 14 – Home Occupations

**A. Neighborhood Home Occupations:**

Customary home occupations such as beauty parlors, dressmaking, music teaching, tutoring; the offices of resident members of recognized professions such as architects, artists, dentists, doctors, engineers, lawyers, landscape architects, and the sale of items produced as a hobby on a part time basis may be permitted in residential districts where such occupations are carried on in the residence and/or accessory buildings subject to the following limitations:

1. Such occupations shall be engaged in only by residents of the premises and not more than three additional on-site employees who may be non-residents. The total number of resident and non-resident employees working on-site shall not exceed four. The use shall be clearly incidental and subordinate to its use for residential purposes by its occupants.
2. No more than 25% percent of the heated living space, excluding basements, shall be used for home occupations. Basements may also be used for home occupations in addition to the 25%.
3. No display of goods or advertising shall be visible from the street, except one non-illuminated sign is allowed which shall not exceed four square feet in area.
4. No equipment or process shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or which causes fluctuation in line voltage off the premises.

5. Accessory buildings may be used for home occupations provided the building area is not larger than 1,500 square feet. If multiple buildings are used, the total combined square footage shall not exceed 1,500 square feet.
6. No traffic shall be generated by such home occupation in greater volumes than would normally be accepted in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street in an area other than in a required front yard.
7. The customary home occupations referred to in this subsection may include the merchandising and the sale of goods and products at retail, and the manufacture and assembly of goods and products.
8. Occupations that have no non-resident employees, no signs and no on-site retail sales do not require a home occupation permit.

### **B. Rural Home Occupations:**

Rural home occupations are those, which by their nature are not compatible on small lots near other residences. Such occupations include but are not limited to merchandising and the sale of goods and products at retail, and the manufacture and assembly of goods and products, well drilling, landscape business, plumbing, firewood production, automobile repair, and building contracting.

1. Rural home occupations may be allowed on parcels, which are no smaller than two acres in size.
2. Such occupations shall be engaged in only by residents of the premises and not more than three additional on-site employees who may be non-residents. The total number of resident and non-resident employees working on-site shall not exceed four. The use shall be subordinate to its use for residential purposes by its occupants.
3. No more than 25% percent of the heated living space, excluding basements, shall be used for home occupations. Basements may also be used for home occupations in addition to the 25%.
4. No display of goods or advertising shall be visible from the street, except one non-illuminated sign is allowed which shall not exceed four square feet in area.
5. No equipment or process shall be used in such home occupation, which creates noise, vibration, glare, fumes, odors, or electrical interference that is a nuisance off the lot. All operations must conform to the Chatham County Noise Ordinance. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or which causes fluctuation in line voltage off the premises.
6. Accessory buildings may be used for home occupations provided the building is not larger than 5,000 square feet. If multiple buildings are used, the total combined square footage shall not exceed 5,000 square feet.

7. Commercial driveway permits may be required to assure traffic hazards are minimized. The driveway shall be located and improved such that it provides all weather access and does not interfere with other traffic using said drive. Any need for parking generated by the conduct of such home occupation shall be met off the street in an area other than in a required front yard.
8. Buildings, material storage and operations used for home occupations shall be setback from side and rear property lines a minimum of 50 feet except for noise generating operations, as determined by staff, in which case the setbacks shall be a minimum of 100 feet. The front setback shall be a minimum of 40 feet and shall be measured from the property line or the edge of the road right of way, which ever is greater.
9. To lesson the impact on adjacent properties, visual screening shall be installed to provide a minimum 15 foot wide opaque buffer. This may include but not be limited to a 6 foot high opaque fence and/or the planting of vegetation that at a minimum provides a continuous all season opaque screen at least 6 feet in height within 4 years of planting. Planting shall be a minimum of 3 gallon shrubbery or 10 gallon trees.
10. All required permits (i.e. Chatham County Central Permitting, Chatham County Environmental Health, North Carolina Department of Transportation or other local and state agencies) must be obtained prior to the issuance of the home occupation permit.

Any person wanting to conduct a home occupation within their residence shall apply for a home occupation permit. A home occupation permit approved by the Zoning Enforcement Officer must be received prior to beginning said occupation. Permits are not transferable. The home occupation permit is valid only as long as the use meets the provisions for home occupation specified herein and the permit may be revoked any time the use does not meet the provisions of this or other applicable ordinances.

- As per the Planning Board and Planning Department recommendation, Commissioner Pollard moved, seconded by Commissioner Morgan, to adopt the language listed above. The motion carried four (4) to zero (0).

## **APPOINTMENTS**

**Home and Community Care Block Grant Committee:** Consideration of a request to appoint four members to the Home and Community Care Block Grant Committee by Commissioner Atwater (1), Commissioner Pollard (1), Commissioner Outz (1), Commissioner Morgan (1), and Chairman Emerson (1)

This item was deferred until a later date.

**Solid Waste Advisory Committee:** Consideration of a request to appoint a member to the Solid Waste Advisory Committee by Commissioner Atwater (1)

Commissioner Atwater moved, seconded by Commissioner Morgan, to reappoint Doug Carver, 940

Whippoorwill Lane, Chapel Hill, NC, to the Solid Waste Advisory Committee. The motion carried four (4) to zero (0).

**Human Relations Commission:** Consideration of a request to appoint/reappoint a member to the Human Relations Commission

Chairman Emerson moved, seconded by Commissioner Morgan, to appoint Donald Matthews, 810 12th Street, Siler City, NC, to the Human Relations Commission to replace Maria Jordan. The motion carried four (4) to zero (0).

### **MANAGER' S REPORTS**

The County Manager reported on the following:

#### **Funds Acceptance for Sheriff's Department:**

Chatham County Law Enforcement has been informed that they have received a grant in the amount of \$13,697 which requires a \$1,370 match; that the Sheriff wants to purchase equipment; that the matching funds will be acquired from drug funds.

Commissioner Morgan moved, seconded by Commissioner Atwater, to accept the grant in the amount of \$13,697. The motion carried four (4) to zero (0).

### **COMMISSIONERS' REPORTS**

#### **Incorrect Water Bills:**

Commissioner Morgan asked about the incorrect water bills which were mailed with incorrect return addresses.

The County Manager explained that this was the second occurrence; that the contractor of the work sent the wrong envelopes to customers with incorrect return envelopes which had a return address to Charlotte instead of Durham; that the County will most likely change contracting services; that there was no cost to citizens; and that there will be a meeting with the contractor in the near future.

#### **Homeowners Subdivision Applications:**

Commissioner Pollard asked if developers could be required to create "Property Owners Associations" (POAs).

The County Attorney explained that there was no County requirement to have subdivision POAs.

#### **Graves Removal:**

Commissioner Morgan stated that he would like to have ample information on the graves removal before anyone starts moving bodies from the old cemetery.

### **ADJOURNMENT**

Commissioner Morgan moved, seconded by Commissioner Pollard, that there being no further business to come before the Board, the meeting be adjourned. The motion carried four (4) to zero, and the

meeting was adjourned at 8:50 PM.

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Thomas J. Emerson, Chairman

ATTEST:

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