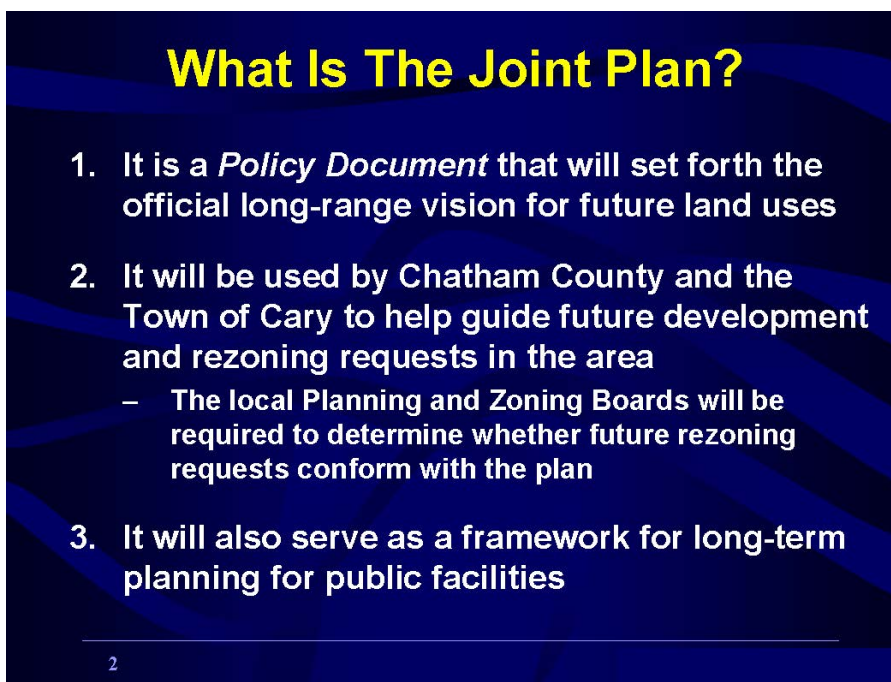


Proposed Chatham-Cary Joint Land Use Plan: Public hearing to receive public comments on a request by the Chatham County Board of Commissioners for a public hearing on the proposed Chatham-Cary Joint Land Use Plan

Commissioner Kost asked how long each citizen would be allowed to speak stating that the Town of Cary was holding a public hearing and speakers would be allowed to speak for five minutes. Chairman Bock stated that each speaker would be allowed to speak for three minutes.

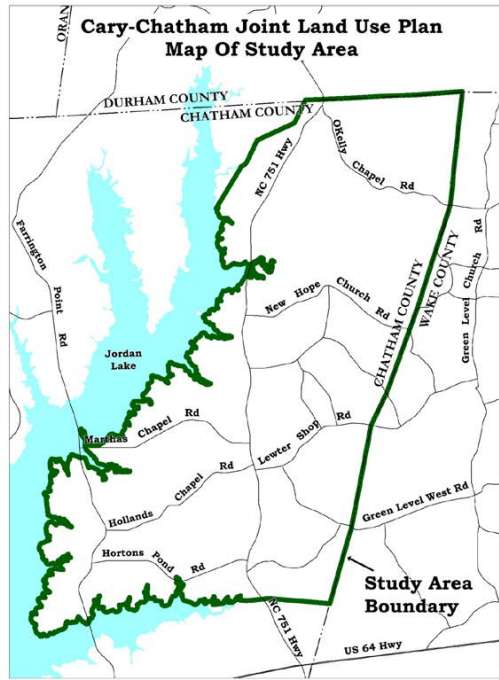
Ben Howell, Assistant Planner, explained the specifics of the request on the proposed Chatham-Cary Joint Land Use Plan with a PowerPoint as follows:



The Joint Plan Boundaries

Total of 18,137 ac.

3



Guiding Principles Include...

- Balance growth and development in this area.
- Focus the most intense land uses close to the eastern side of the plan area and maintain very low density uses westward towards Jordan Lake.
- Protect water quality of Jordan Lake Reservoir.
- Use the future availability of public utility services to guide and direct growth.
- Encourage limited economic development near major employment and population centers and transportation routes.

4

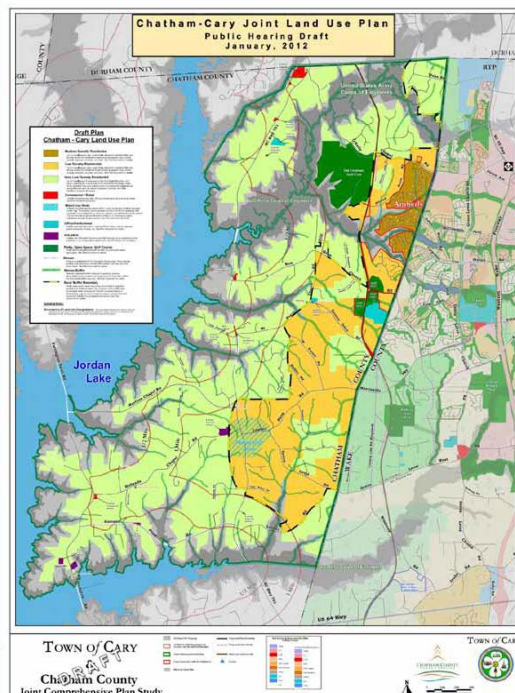
Proposed Joint Land Use Plan Map

• Approximately 7,600 Acres Designated Very Low Density – 1 DU/5 AC

• Approximately 2,900 Acres Designated Low Density – Up to 2 DU/AC

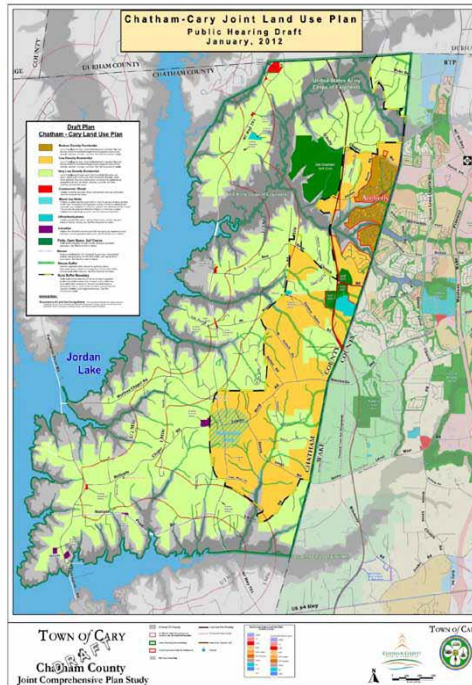

• Rest of Area Designated for Open Space/Parks, Commercial, Institutional, Industrial and Medium Density Residential – 4 DU/AC – Reflects Existing Approved Developments

5



Proposed Joint Land Use Plan Map

- Rural Buffer Boundary – No Public Utilities Proposed West of Boundary
- Mixed Use Node – Overlay Used to Designate General Location for Higher-Density Residential and Non-Residential Area



Other Plan Policy Recommendations

- 400 Foot Natural Buffer adjacent to USACE property south of Lewter Shop and Martha's Chapel Roads for future development served by public utilities
- Future development adjacent to American Tobacco Trail requesting public services from Cary provide natural buffer consistent with Cary Land Development Ordinance
- New development provides appropriate transitions between different land use categories and between development and roadways. Landscape buffers are preferred.
- Public Utilities should not be extended west of Rural Buffer Boundary unless requesting property has failing well/septic.
- New Development complies with watershed, buffer and stormwater rules of governing jurisdiction.

7

Plan Implementation Recommendations

1. Rezone area west of Rural Buffer
2. Discuss County Review of Citizen-Initiated Annexation Requests
3. Research & Discuss Cary ETJ in Chatham Co.
4. Notification of use of Federal Lands in Area
5. Study options for developing and implementing design guidelines
6. Joint transportation planning
7. School facilities planning
8. Joint parks & greenways planning

8

Chairman Bock explained that the ETJ Implementation Plan is to be discussed and researched. He stated that granting the authority to Cary is not part of this plan, and we could not imagine a situation where this Board would approve granting ETJ to the Town of Cary.

Commissioner Kost suggested that it be taken out. She stated that she understands what the Chairman is saying that it doesn't hurt to have the discussion; however, she doesn't think that there is anything that anyone could say that would convince her to vote to support ETJ for Cary. She stated that she hoped by the end of the public hearing the Board of Commissioners would vote to take it out and let Cary know up-front that Chatham is not willing to give them planning jurisdiction in Chatham County.

Chairman Bock concurred.

Robert Sears, 338 Lewter Shop Road, Apex, NC, stated that former Speaker Pelosi was attributed to making a statement regarding "Obama Care", "We won't really know what's in it until we pass it." He asked that the Board not do this stating that he was reading the draft and suggested that Paragraph 6.4 be removed. He stated that it was not feasible. ETJ is permit power and code enforcement and Cary loves "code stuff". He stated that with regard to the "Mixed Use Area", he and his family to not be included. He asked that the overlay be placed elsewhere. He stated that when Cary annexes property immediately adjacent to the town limits, which would be good if they follow it, and asked what happens with "satellite" annexation. He asked who would get to build the schools stating that it would be Chatham County. He stated that there had been much work done on this since 2005 but asked that Chatham not lose its sovereignty to govern Chatham County.

Tom Glendinning, 160 Eddie Perry Road, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

"The Joint Chatham-Cary Land Use Plan is the best means for Chatham to have maximum influence and to receive the infrastructure benefits from Cary's development of the area.

A decision by the Board of Commissioners in favor will create a cooperative effort and the best results for tax base increase and sound planning decisions. Developers working in Cary will afford fine residential and commercial subdivisions."

Cathy Wright, 51315 Eastchurch, Chapel Hill, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

"Thank you for the opportunity to speak this evening about the board's discussions of land use in the eastern portion of our county. As public servants, as leaders - I like to call it Servant Leaders - you have approached this subject in a wise and deliberate manner. That's what public policy leaders do, they seek ways to work together, calmly, respectfully and realistically.

The northeast part of Chatham is the fastest growing portion of the county. If we do nothing or if we consider only our side of the border with regard to land use in that part of the county, we will be left in the dust. As Cary continues to develop on their side of the line, and it will, Chatham will be disadvantaged if we ignore this or go-it-alone. We need to be realistic. A Chatham-only plan would leave us in the limited position of providing housing for the businesses that will appear across our border. And, we won't have the revenue needed to provide for the schools and other demanded services.

If we are at the table with Cary, we can leverage utility services that Cary can provide and bring businesses to Chatham. We must, and we can, work together to ensure that Jordan Lake is preserved and proper environmental safeguards are in place. I hope you will continue to work with Cary on a land use plan. I know you are working in the best interest of our citizens.

Thank you."

Rita Spina, 12 Fearington Post, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“CCEC is in favor of and supportive of Land Use Planning and we have been in favor of the Joint Chatham Cary Land Use Planning process. We understand why this planning effort is needed and why it was initiated. The development pressure in the eastern portion of our County from Cary is all too obvious and the importance of Jordan Lake as a regional drinking water source is of particular concern to us all. We know that careful planning in this area is essential.

That is why we are disappointed in this draft plan and feel that it falls short of our expectations and fails to fully meet its own guiding principles.

You have encroached into the 1 mile line from Jordan Lake to allow higher densities. You have compromised rural character allowing higher density areas without sufficient transitions. You have failed to ensure that design standards will be developed by Chatham County to preserve and enhance Chatham’s rural character and unique sense of place. You have failed to truly involve the public in the development of this plan by your dismissals of citizen input, concerns and petitions.

We have been around long enough to have witnessed the messy business of land use planning in past county planning efforts. We are well aware of the difficulty of the task. We were dismayed and disappointed with your removal of Commissioner Kost from this committee at the beginning of 2011. She has extensive experience as a commissioner and planning board chair. She is a resident of and represents the constituents of the plan area. She had served on the committee since it had reconvened and had a historical perspective on the plan and plan area. It was unwise to remove her and the county would have been well served by her participation.

In general we are concerned that the draft plan serves the interests of Cary rather than the interests of Chatham County and we wonder if there are sufficient assurances that Chatham Citizens won’t be overly burdened by the Cary urban sprawl that we know will be inevitable.”

Judith Butt, 112 Stone Edge, Fearington Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“I speak here today on behalf of CCEC. CCEC has a number of specific concerns that we submit to you here in the hopes that the Joint Committee, the Chatham Planning Board and the Chatham Board of Commissioners will revisit these aspects of the draft plan before adoption.

We are concerned that the rural buffer line and the higher densities have encroached further west than planned prior to 2011. We are particularly concerned with the lack of transitions between the 1 dwelling per 5 acre density and the 2 dwellings per 1 acre density. We are concerned with the unspecified boundary location and size of the mixed-use area. The draft states that the Rural Buffer Boundary west of 751 is not fixed by the plan map. Since this boundary determines the westward limit of annexation we find this lack of specificity unsettling.

CCEC is concerned that according to the draft plan Chatham County will not be developing design standards for the preservation of Chatham Rural Character. We worry that without Chatham County taking the lead on these standards Cary standards will become the default standards. We do not want Chatham County to end up looking like Cary.

We are concerned that the issues of satellite annexations and a possible Cary ETJ have not been resolved and that there is absolutely no assurance for Chatham County that zoning decisions made by both jurisdictions must be consistent with the adopted joint land use plan.

CCEC is concerned that Jordan Lake has not been sufficiently protected by the provisions of this plan.

More generally we are concerned that the increased densities will result in a critical need for Chatham to provide services and amenities to annexed areas as development moves westward and that we will not be sufficiently prepared.

Of course we are very concerned that all Chatham Citizens will see an increase in taxes to pay for these needs.

Thank you.”

John Graybeal, 3396 Alston Chapel Road, Pittsboro, NC, stated that he was speaking as a member of the CCEC Board and on the topic of annexation and the devil behind the Chatham-Cary Joint Use Plan. From Chatham County’s perspective, the original objective of joint land use planning by Chatham County and Cary was to deal with adverse consequences anticipated from ongoing annexation by Cary. North Carolina State Law has been favorable to annexation by municipalities. Municipal expansion has been viewed as simple economic growth in the State since municipalities are strong centers of commerce of all kinds. Whatever may be said for such policy views in the Chatham-Cary context, they obviously collide with the strong desire of Chatham citizens to protect its rural character and way of life. Viewing Cary annexation of Chatham County property is both an actuality and a serious on-going threat. The previous Board of Commissioners believed that it made sense to develop a joint land use plan that would protect the values of Chatham Citizens against Cary encroachment. The objectives of such a plan would include protection of Jordan Lake and many other objections that will be mentioned. The problem today is much larger than it might have been because this Board of Commissioners’ majority did not take advantage of the leverage it had during the western Wake pipeline escapade to obtain limitations on Cary’s unlimited ability to engage in voluntary annexation. The Board of Commissioners merely obtained Cary’s agreement to help obtain a local bill barring involuntary annexation but the problem had always been voluntary, not involuntary, annexation...a fact the present Board of Commissioners majority had not been willing to acknowledge. The term voluntary annexation is misleading since it usually occurs because the large developer seeks it, not because citizens generally want it. The result of these past events is that Cary’s annexation ability is unlimited, indeed it can, annex it will, imposing on all Chatham Citizens the duty and expense of building new schools for Cary school children. Higher property taxes on all Chatham land owners will be required to pay for these schools. Apparently Cary’s own staff has estimated that Cary and Chatham County will be the largest municipality by far and its school population will require, not one, but several schools. The Joint Land Use Plan is not used and cannot solve this problem. Chatham County lost its chance during the western Wake pipeline era and when it failed to get better control over Cary annexation. The land use plan can do a much better job than it now does of protecting Chatham County from the many other adverse affects of inevitable Cary expansion.

Kate Dunlap, 1322 Mt. Olive Church Road, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“I am speaking to you tonight as a board member of Chatham Citizens for Effective Communities.

If the draft Chatham-Cary Land-Use Plan is approved as it is currently written, landowners, residents, and businesses on the east side of Jordan Lake are not the only ones who will be profoundly affected. Because this plan allows for increased residential and mixed-use density, we can expect a large influx of people as the Town of Cary creeps westward, across the Chatham County line. And while Cary may provide some infrastructure and operational services, it won’t pay to educate the children that increased development will inevitably bring. That expense will be left to *all* Chatham residents, and it will be significant.

Chatham could be obliged to educate thousands of additional students, meaning that we may need not just one new school east of the lake, but probably two or three. Where will these schools be located, and how will the County pay for the land, new school

buildings, additional buses and staff that will be required? Taxes will almost certainly go up - for every Chatham County citizen.

Public education is already 40% of the County budget, and that figure will probably rise. But increased costs will not only relate to schools. What about Health Department, Social Services, and other County government services? These are all additional expenses that you must plan for, because if this draft plan is approved, there is the very real potential for Cary to become the largest town in Chatham County - perhaps larger than all of our existing towns combined.

Caroline Sieverson, 5560 Castle Rock Farm Road, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“I am speaking on behalf of CCEC.

First I would like to address the environmental issues associated with this land use plan.

CCEC understands the rationale for the very low density recommendations for the areas closest to Jordan Lake to offset the effects of those higher densities that are allowed to the east of the rural buffer boundary.

However we are disappointed that this latest map has pushed the rural buffer boundary line farther west so that in some locations it pushes up against, and, in a couple situations, even encroaches into the 1 mile Jordan Lake buffer line. We are also disappointed with the increased density of 2 houses per acre that covers most of the area east of the rural buffer line. On this map and in this draft plan the mixed-use area is not defined or limited in size and, in this location, the rural buffer boundary is not fixed and might float westward at some future date. There appear to be a number of headwater streams within this fuzzy area. This potential westward drift with the possibility of increased impervious surfaces for mixed use, could pose water quality issues for Jordan Lake.

The Jordan Lake Rules require Chatham County to meet requirements to reduce the amount of nitrogen and phosphorous reaching the lake. We question whether the potential negative impacts to Jordan Lake from these proposed densities east of the rural buffer boundary have been sufficiently considered.

During public input of the June 29th committee meeting, several citizens from the plan area commented on muddy waters flowing in the creeks running from Cary properties along the Wake County line. Is this what we can expect of Cary's watershed protection measures? Prior to 2011, the map contained language that stated that Cary would adopt Chatham's more protective rules for buffering ephemeral streams. That language has gone away. I guess it hardly matters in light of the recent Board request to amend the Watershed Protection Ordinance to redefine ephemeral streams so that many headwater streams will no longer be buffered. With this plan streams will no doubt continue to run muddy into the lake.

Secondly, CCEC is disappointed that the issue of design standards has not been more fully developed in this plan. A decision by the Joint Committee prior to 2011 stated that Chatham County would take the lead on developing design standards and that Cary would adopt Chatham design guidelines for the plan area under their jurisdiction. That language has gone away. Design standards are to be developed after plan adoption, most likely by Cary because Chatham staff has stated that we do not have the expertise to develop design standards. This is puzzling since Chatham developed design standards for the Compact Community Ordinance, and those standards have been used successfully in the development of Briar Chapel.

It is reasonable to sort out the details of design standards after plan adoption, but they should be Chatham County standards. It is also reasonable that the plan should articulate specific Chatham County design principles that would include the requirement of perimeter and view-shed buffers to provide for smooth transitions between densities and to reflect Chatham's unique character.

The Chatham County Land Use Plan states that Chatham County will be a place that cooperatively controls its own destiny to assure the state of well-being desired by all of our people, while proudly preserving diverse cultural heritages and the county's rural character. CCEC believes this draft plan falls short of this objective.

Esta Cohen, 688 Van Thomas Road, Pittsboro, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“Tonight I am speaking on behalf of CCEC.

In addition to its guiding principles, the Joint Land Use Plan states that:

Citizen input is an important component of the plan development process

A review of the petitions submitted to the committee, and the citizen comments on record, show a clear majority *opposed* to the higher densities and the mixed-use area as designated on the draft plan.

CCEC shares many of the concerns voiced by these citizens.

As a farmer in Chatham County I am obviously sensitive to the issue of farmland preservation.

Back when tobacco was king, this part of Chatham was dotted with family farms, it defined our character.

Over the years, land uses in the designated plan area have changed dramatically, but there still remains a rural and agricultural component to this area. The densities called for east of the rural buffer will eventually force out any remaining farms, eliminating our agricultural heritage in that part of Chatham.

For without sensible density transitions, farmers *will* find themselves across the road from high density or mixed-use developments; and if you want to know how well that works out, just ask the one farmer left by Cole Park how things are fairing over there. And then ask the residents in the neighboring subdivisions how much they like being downwind from his pigs on a hot, humid summer's day. These land uses are not really compatible.

A common committee response to citizen concerns has been that “nothing will change if the land is not sold.” and implying that it's the farmer's fault.

This is either naïve, cynical, or knowingly manipulative. Property owners in an area that has seen land use changes way beyond their control, be it from the demise of tobacco farming or the Jordan Lake land grab, really don't have much of a choice.

If implementation of this plan goes forward as presently outlined, zoning will *have* to change, greatly affecting landowners. In light of the campaign rhetoric we heard from committee members equating zoning with property taking, we are curious as to when that will happen.

Not everyone can be pleased in an endeavor such as this, and inevitably there are winners and losers. It is extremely difficult to ensure that the benefits and burdens of growth are shared, but surely a better job can be done than is presented in this plan.

CCEC feels that this plan does not come close to meeting a standard of shared burdens, and encourages this committee to revisit the issues raised by citizens, in a better effort to adopt a balanced and enforceable plan.

Thank you.”

Larry Ballas, 139 Indian Creek Lane, Apex, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

“Chatham/Cary Plan for East of Jordan Lake:

1. Zoning. Experience has taught me that regardless of a plan that is developed by Cary, they do not stand by it and alter it to fit the requests of developers. Southwest Cary plan and northwest Cary plan are the most recent examples.

2. Citizen-initiated annexation requests. Cannot really stop them. Working out a suitable agreement with Cary may be impossible because of certain requests by Cary as relates to their satellite annexations and ETJ. Future discussions should start off with a commitment to no satellite annexations. IMO, if there is no ETJ given to Cary then satellite annexation may become too expensive and a moot point due to the lack of suitable space for development. I recommend that our citizens get involved with some statewide groups who are also working with the state legislature to prevent satellite annexations and annexations across county lines.

3. Extra territorial jurisdiction. Once the plan is adopted the town and county should NOT research or discuss the feasibility of granting the Town of Cary ETJ authority in the plan area east of the rural buffer boundary.

Granting ETJ sets the wrong precedent. Cary is not the only city surrounding Chatham County that would like an ETJ. Once given to one government, how can our future government officials refuse others requests as it relates to the many cities and towns that surround Chatham County. Examples are Cary, Durham, Chapel Hill, Apex, Sanford, Carrboro, or any city that wants to expand. ETJ reduces Chatham County to the wishes of governments whose authority exists outside of Chatham County. We will not be a priority on their schedule. If this board wishes to grant ETJ authority to the east side of Jordan Lake to anyone, then let it be Pittsboro.

4. Notification of use of federal lands around Jordan Lake. This should be decided with citizen board representation and input through citizens actually sitting on the board that is discussing it.

5. Design guidelines. If a landowner requests annexation of their property into Cary for development then Cary design guidelines should be followed. If a Chatham County landowner wants to develop their land without annexation then Chatham County design guidelines should be used. And if the two guidelines agree, then even better and so be it.

6. Transportation plan. This will evolve with development.

7. Public schools is a real problem that needs expert study. My own feeling is that if a city or town wishes to cross over a county line it should be that city or towns responsibility to educate those children. It should not become a burden on the county being invaded, especially when less than 20 000 acres are being discussed. Again I will ask our people to get involved with changing laws allowing cities to cross county lines for expansion.

8. Parks and greenways. The two parks being planned by Cary next to the American tobacco trail should be sufficient. I would also recommend a request to Cary to include and involve Chatham County citizens when planning for the parks and trails in Chatham County and they should appoint a Chatham County member or more to their parks and recreation board with voting rights involving Chatham County issues only. The more parks, the more traffic, the more pollution. The more pollution then why use the excuse of saving the lake?

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We must face the fact that there will be landowners of Chatham County who will submit annexation requests to Cary and other cities on the border with Chatham County. Under present laws no one can prevent that and the reality is no one should. I do not want anyone telling me what to do on my land and I surely do not want to tell anyone else what to do on their land. So IMO, a plan is convenient.

SOME REALITIES:

The reality we have here is planning is a good thing. The reality is that Chatham landowners will be requesting Cary's services. The reality is it does not matter if a plan is in place or not. All a plan does is set people's expectations to a level that allows them to think positive about development or negative about development. It also has nothing to do with "preserving the lake". The plan only has to do with either control by the people of their land or control by governments of their land. The fight is nothing more than that.

This issue has gone on far too long. I think it may turn out to be a good plan. I would recommend voting for the plan because having a plan is better than not having a plan. But that is as far as I can recommend. I cannot recommend ETJ. In this case, it is just a governmental control issue over people living in a different county than the city. And if those discussions do take place then there is always voter's revenge at the ballot box. Two commissioners are up for reelection this year. The first question I will ask all candidates is how you view giving ETJ to towns or cities outside of Chatham County? If you want my vote, and if you want many Chatham County votes, you will think long and hard about your answer. And I will require an answer.

One reason citizens of NC were successful in getting some of the forced or non-voluntary annexations laws changed was because we got rid of many of those politicians in favor of cities taking over people's land. They were not and never were interested in protecting a citizens' right to decide that issue for themselves. We have that right now with the current legislature. We still need to change more of our annexations laws and I implore Chatham County citizens to get involved with that statewide issue. Many cities, via the league of municipalities, are still fighting this issue in the courts. It is my understanding that the republican leader of the state senate sent a letter to these cities saying that if they continued with these suits against the citizens then the state constitution gives the right to the state house and senate to establish the borders of cities, and they will set those boundaries. We will see what happens with that issue. More importantly, we will see what happens with this Cary issue.

I just remind everyone that regardless if there is a plan or no plan, if no one sells their land, Cary will not be coming. However, if yourself, or your neighbor so desires to request Cary services, we at least know, in general terms, how it will be developed. And that is a good thing.

Thanks."

Pennie Coussit, O'Kelly Chapel Road, Apex, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

"I am Pennie Ellis Coussit, of O'Kelly Chapel Road, Durham, which is parcel 19946 in Chatham County. I am here to ask if the Joint Land Use Plan would please consider a medium density for my family property at the corner of O'Kelly Chapel Road and Pittard Sears Road. My father, Jesse Warren Ellis, was born and raised in Chatham County, and this land has been in our family for many generations. The land was passed down to myself and my siblings just two years ago after my mother passed away. During the several years preceding her death, about the same time that the original land use committee was being created, Amberly was being built and the neighborhood surrounding our land changed quite a bit. My mother was elderly in poor health and was unable to respond to the notices about the Land Use Plan that were starting to arrive. When it came time to settle her estate, I started researching what needed to be done so that future generations in my family could benefit from my father's heritage. Once I became aware of this land use plan committee, late in the game, I was told that our parcel would be low density because the density has to taper down from Amberly to Old Chatham golf course.

Through our research and seeking a better understanding of our property and its best use, we have discovered, as you can see on the exhibit, that we have some environmental features that would shield the surrounding property owners from the medium density on Pittard Sears Road, which is my eastern border. My northern border is O'Kelly Chapel Road, and my southern border is owned by the Lester family who is also in favor of a higher density for our part of Pittard Sears Road. The only land that borders my property to the

West is my father's old home place, owned now by Mrs. Jane Stam Miner, and the property to the south of hers, and a tiny corner of the property south of hers.

Because of a stream that runs over 200 feet from my western border (which actually runs all along the western border of the Pittard Sears Road East Side properties, there is a natural buffer of at least 350 feet along the western third of my land. This means that there could not be any houses built on the western one-third of my property. I think that this buffer is large enough to make our neighbors to the west feel comfortable with a medium density. Based on these environment factors of natural buffers that exist on my land, I think that medium density would be the greatest and best use of the property, and is a reasonable request. It would also allow the density to naturally taper down to zero density for the western one third of my parcel. Thank you for your time and all your hard work on this plan.”

Peggy Buckingham, 10313 Tanners Mill Place, Raleigh, NC, presented her comments to the Board and provided them in their entirety for the record as follows:

“I am writing this letter as requested at last night’s Chatham County Board of Commissioners Meeting.

My name is Peggy Buckingham and I am a land owner of 33 acres located at the intersection of O’Kelly Chapel Road and Pittard Sears Road.

This land is located just 5 minutes away from RTP, which has played a major role in making this area #1 to live in the entire country. This did not happen without growth and development.

I am requesting that our parcel of land be modified to Medium Density in the Chatham-Cary Joint Land Use Plan before it is finalized.

Most of the land surrounding our parcel is either already developed or being developed. Our land is one of the last remaining undeveloped areas in the immediate vicinity.

Making our parcel Medium Density would be a good fit to what is being developed right across the street (Carolina Preserve at Amberly). There are streams that run most of the entire western side of our property that quantifies as low or rather no density (no matter what the density is) that acts as a natural buffer to the already developed property immediately to the west of our property.

Thank you for your listening and I appreciate your consideration to our request of making our parcel of land Medium Density.”

Martha Girolami, 473 Mt. Pisgah Church Road, Apex, NC, stated that she used to think that the worst thing that could happen to this area was that Cary would come in and its building practices were so poor that we would end up having massive erosion. In our background, we remembered Amberly and other western Wake developments that caused such a tremendous soil runoff into Jordan Lake. We were afraid that there would be another environmental destruction, there would be no good transitions between areas, and it would be high density Cary with “big box houses. She stated that she was glad that we had the Land Use Plan in place and they were trying to get an agreement, but she thought we needed a relationship with them and needed to make progress in agreement. One of the things that she has realized, is that we have another big thing on the horizon that we need to know about which is hydraulic fracturing. If you own your mineral rights, you have no problem. Also, one of the things about hydraulic fracturing is that it happens so fast. In Bradford, PA, in 2010, fourteen hundred hydraulic fracturing wells called “frack sites” were put in place. Another fourteen hundred well pads were drilled in 2011. We are sitting on the Triassic Basin in this area. The Triassic Basin is approximately two thousand feet down and has a shale layer. There is analysis now being done to determine how rich it is to form natural gas.

Don Simmons, 621 Mt. Pisgah Church Road, Apex, NC, stated that it is not that he plans or wants to develop Chatham County, he'd just rather for Cary to get out altogether. He stated that he feels when their development rights are taken away, without compensation, there is a problem. He has lived in two other states that have farm preservation programs and land preservation programs. There was either compensation for the development rights or compensation through taxation relief. He stated that he owned forty acres and backs up to the reservoir. He is concerned because the Corps of Engineers bought 45,000 acres. The lake covers 14,500 acres. That is a tremendous buffer. At the last meeting, someone had the nerve to state that the property owners who were next to the line need to set up another buffer of 100-150 feet to keep hunters from shooting you. This is going out-of-sight. Some type of compensation needs to be given if you are going to take the development rights away. He stated that he wanted the Board to take this process back to Chatham County and work it from Chatham County. We have people who will be able to work through the process. We do not need Cary to come in and tell us what to do.

Commissioner Kost stated that in Durham, they are a mile from the lake, but since that didn't work, they "moved" the lake.

Mr. Simmons suggested that as water becomes more scarce, the lake will have to rise. The people who objected to making it so small are going to be the ones who suffer from the lack of water.

Dianne Reid, 27 Freeman Drive, Pittsboro, NC, NC, President of the Chatham County Economic Development Corporation, spoke in favor of the mixed use node, in particular the inclusion of employment centers in the Joint Land Use Plan. She stated that in 2008, a strategic plan for economic development was completed for Chatham County. One of the primary findings that backed up the plan was that Chatham County was rapidly becoming a bedroom community. It was moving well in that direction. Some of the evidence is that 55% of the labor force live in Chatham County and commute outside of the County to work. In addition, about 62 cents of every dollar that Chatham County residents spend is spent outside of the County. The problem is that it is hard to sustain. There have been many cost of communities studies that look at residential development versus commercial development versus farmland. In everyone of those instances, as a whole, residential development does not pay for itself. There is more demand generated for services to support it. In order to support the support the services, we need to have a larger commercial tax base. At the present time, it is about 10% of the total tax base that is commercial enterprise. We need to change that. The EDC strongly supports the belief where there is adequate infrastructure, as there will be in this area, we need to make sure that development includes a commercial component including office, residential, research and development, light industry, not just retail (although it is needed as well). Jobs need to be created for a commercial tax base.

Joe Glasson, 11408 Governors Drive, Chapel Hill, NC, Chairman of the Chatham County Economic Development Corporation Board, stated that there are many people in the room that have been along the journey of getting the land use plan to completion. Everyone who has been involved from the start to the finish should be applauded for it. It has not been an easy journey for anyone. He stated that there has been a lot of talk about Cary and Chatham County tonight. He stated that he thinks they have to be careful in what they are doing. In reality, they want to be able to have folks to have houses to live in, but at the same time to have jobs near their houses. They also want to be able to have reasonable balance between work and where one lives. He asked as the Board goes through this process and looks at where the economic nodes could be located, we have no desire in terms of being dramatically involved in where the nodes might be, but they hope that the nodes are not eliminated.

Jeffrey Starkweather, 590 Old Goldston Road, Pittsboro, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

"Ironically, rural America has become viewed by a growing number of Americans as having a higher quality of life not because of what it has, but rather because of what it does not have!" ...so stated Don A. Dillman, one of the nation's foremost rural sociologists.

Most residents of this area and the vast majority of Chatham citizens do not want to see Cary bulldozing itself further into eastern Chatham.

The land use plans for this area will affect everyone in Chatham County, particularly our hard pressed taxpayers, as well as future generations.

I have spoken before on the specifics of the plans. Tonight I have three general bottom-line concerns:

First and foremost, the elected officials of both Chatham and the Town of Cary should be guided primarily by the desires of the people who live in the affected area. Based on my direct observation and review of the joint meetings, I do not believe this has occurred since our new Chatham board majority took over these negotiations. Residents in the affected area should be able to determine the destiny of their community.

Second, residents of this area have clearly expressed their wish to maintain our rural character. They oppose suburban sprawl with its pollution, traffic jams, noise, and visual clutter. They have expressly stated they do not want to become “Cary-fied” by having to rely on Cary’s urban and suburban design standards.

Chatham residents in this area want Chatham design standards in place before the plan is approved, not in 2013.

Finally, residents of this area want a direct say concerning development proposals in their community. They want to be able to have a voice in whether “voluntary satellite annexation” or what I refer to as “developer annexation” of nearby land is allowed. No matter how detailed this plan is it is not legally enforceable if a subsequent Cary elected board decides to go in a different direction.

For this reason, it is imperative that Cary and Chatham come together to have the General Assembly enact a local bill that gives both boards the power to approve or disapprove a development, annexation request, or change in the plan. Without such authority, this joint land use plan exercise is meaningless window dressing.

Unfortunately, we gave away our leverage on this issue when the current board approved the Western Wake sewer line across the county without insisting on this requirement as part of the agreement. But now we should test Cary’s good faith and not approve this plan until they formally agree on a local bill giving Chatham equal land use authority over this area.

In closing I want to quote from 16th Century poet William Cowper: “*God made the country, man made the town.*” What he said then is true today. Let us not destroy the country God made in order to accommodate the expansion of Cary.”

George Lucier, Redbud Drive, Pittsboro, NC, stated that this has been a long process with six different Boards of Commissioners. He stated that the idea of regional cooperation with Cary is a good idea, not just Cary, but all our neighbors. Some of our most difficult problems can only be solved by regional cooperation; however, it is important when we do this to look after Chatham County’s own interests. He raised four issues: 1) The protection of Jordan Lake which is clearly a goal. He stated that he was worried about the westward drift to the rural buffer. He thinks that the current stream buffers that we have in Chatham County and including the protection of ephemeral streams should be part of the joint use plan and should be adopted as such. 2) He stated that he agreed with Dianne Reid and Joe Glasson said about economic development centers. It is going to be important to work with the citizens of that area to determine where that is best located. He stated that he is worried that in the 2011 version, the requirement that Chatham County development the design guidelines and design principles for the economic development centers has been removed stating that they do not want Chatham County to exactly like Cary. 3) Schools – The Cary Planning Staff estimates that up to twenty-five thousand people can live in this area. This is larger than Siler City, Pittsboro, and Goldston combined which will include approximately

2,500 students. This has not been adequately addressed. He stated that everyone agrees that Chatham County needs to control its own destiny. Some of the leverage was lost in the recent decision with the western Wake partners. He stated that he agrees with Mr. Starkweather who stated that we need to work toward enacting a local bill going in jointly with Cary that zoning decisions require mutual approval by both Chatham County and Cary.

Debra Sears, 78 Barbee Road, Apex, NC, stated that they found this summer, going house to house, that 88% of the people are opposed to the higher taxes, regulation, and traffic that this proposal will lead to. Six percent were undecided. Six percent are in favor. Therefore, 94% are either undecided or opposed and 6% are in favor of this. Regarding the mixed use, the Sears Family presented a petition to back them out of the mixed use area and they still request that that happen. If the Board would like to move it to 64 and 751, it is ok with her. Also, she would like to see Siler City, Pittsboro, and Goldston developed for the development plan. Regarding the ETJ, she stated that she appreciates the emails that she receives on them; however, she is concerned about having implementation Step #3 which looks like it was Cary's. She asked the Board to please be forceful with Cary.

Elaine Chiosso, Haw Riverkeeper, Bynum, NC, stated that this is the thirtieth anniversary of the Haw River Assembly. She stated that they met thirty years ago in the Ag Building Auditorium for their first meeting at which hundreds of people which thought it was a great idea to try and protect the Haw River and Jordan Lake attended. Their meeting was held three months prior to the formal dedication of Jordan Lake by Governor Hunt and they were there to let it be known that they were going to try and protect it in perpetuity.

Ms. Chiosso presented her comments to the Board and provided them in their entirety for the record as follows:

**Comments on Joint Chatham Cary Plan
Chatham County Board of Commissioner Public Hearing**

“The Haw River Assembly urges greater protection for this planning region so close to Jordan Lake. The Jordan Lake Rules were signed into law in 2009 in order to start the process of reducing pollution that has kept this lake on the state's Impaired Waters (303d) list since 2002. This joint plan could go far in protecting and restoring water quality in Jordan Lake, if that is seen as a primary goal. Residents of both Cary and Chatham County depend on Jordan Lake for drinking water, and many enjoy it for recreation. Elected officials have a great responsibility, and opportunity, with this plan to protect Jordan Lake instead of watching its continued degradation from development too close to its shores.

We believe that more protection for water quality, and ecosystem health would be achieved with these following recommendations:

- Do not zone any part of the Joint Land Use plan to be denser than an average of 1 dwelling unit per 1 acre. In the area east (Cary side) of the Rural Buffer Boundary, conservation developments could be built with clustered housing that would preserve more of the natural areas and be more protective of water quality than the typical cul-de-sac development seen in the western Cary jurisdiction. Fertilizer use from lawns and landscaping is one of the greatest contributors of nutrient pollution to Jordan Lake. Encouraging development that provides much greater conservation of natural areas would greatly reduce the use of fertilizers and herbicides harmful to aquatic life.
- Do not zone for mixed-use development anywhere in this planning area. The proximity of this zoning area to Jordan Lake is the reason this planning process was begun with Cary and Chatham County recognizing that Jordan Lake is a valuable resource to both jurisdictions. The mapped location for the mixed use area includes small headwater streams that flow into Jordan Lake. This type of development requires heavy land disturbance for buildings and parking lots. There is a very high probability that construction and post construction stormwater pollution will further damage Jordan Lake. There will also be secondary and cumulative impacts from locating a center for denser housing and commercial interests this close to Jordan

Lake, and away from more urban areas where more services, including public transportation, are available.

- Chatham County has surface water (streams, wetlands, seeps and springs) buffer requirements that exceed the Town of Cary's regulations. Protection of small headwater streams in this planning area would be a major step towards prevention of downstream pollution into Jordan Lake resulting from new development. We think it is essential that these more protective buffers be adopted for the entire planning area.

This more protective zoning we are proposing is the only way we can ensure that new development does not significantly impair the already threatened and degraded water quality and wildlife of this important public resource. Jordan Lake is already impaired due to existing development in the entire watershed, but development built close to it has a much greater immediate and cumulative loading impact. Any new nutrient pollution from stormwater from new houses, commercial areas and their landscaping will add to Jordan Lake's algae growth.

Virtually all the new major development being built near Jordan Lake in the past decade— both in the Chatham and Cary jurisdictions, have created large plumes of muddy water, that degrade wildlife and recreation areas. Most of these developments have been issued Notices of Violation for sediment pollution. We cannot count on existing sedimentation control ordinances and the resources we currently have to carry out inspection and enforcement to be sufficient to stop more mud flowing from new major subdivisions.



I took this aerial photo in April of 2007 – it shows the muddy waters flowing from Northeast Creek under the 751 bridge into Jordan Lake. These muddy conditions were a constant sight to passing motorists for years, as Amberly and other western Cary subdivisions were being built.

This very sensitive area of land in the joint planning region has unique significance for residents of both counties. We offer these comments to enhance the protection of Jordan Lake for drinking water, recreation, and wildlife in a fast growing and increasingly thirsty region.”

Kathy Sears, 9619 Rocksprings Street, San Antonio, TX, stated that she has been a property owner in this area since 1985. In San Antonio, she pays .3 acres, she pays \$6,000 in property taxes each year. They have grown from one million to almost two million since she has been there since 1997. She stated that she is not in her backyard regarding the mixed use node proposed for the 751 Lewter Shop Road area. Thanks to her mother's poor health, she returned December 23, 2011 to care for her. While here, she has noted the increased motorized traffic, the speed, and the size of trucks in this area. The large number bicycles trafficking this area per day is in excess of one hundred on any given day and on weekends, three to four hundred per day. The large number of horses, peacocks, dogs, cats, deer, and ducks along the Lewter Shop-Green Level Road is amazing. She stated that she tries to walk along this area but cannot as it is not safe; and that to walk along the area to visit her elderly teacher on 751, she must drive. Increased traffic is not beneficial to these intersections. We are from a recognized century farm family. Her family gave land on which the University of North Carolina at Chapel Hill is built. She stated that she would like to return after her time in the US Air Force and build on her property.

Don d'Ambrosi, 275 Ferrell Road West, Apex, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

“Commissioners; Mr. Manager; Fellow Citizens...Good Evening,

My name is Don d'Ambrosi. My wife Marie and I reside at 275 Ferrell Road West in Chatham County. My wife and I own 27 plus acres in Chatham County where we reside. While we have no intentions of developing our property at this time we are keenly aware that as we get older we may have to cash in some or all of our property in order to provide for us in our golden years. We have seen this first hand with several of our elderly family members.

We commend you on forging a plan to guide the future use of land to avoid chaos that would otherwise result along with a crazy quilt of land uses and demands for urban services. If anything what you are doing is probably too conservative. More intensity allowed farther away from the Lake will in my opinion tend to relieve the immediate Lake area from development pressure for a much longer time period into the future. Also increased density and intensity would provide longer term capabilities to accommodate future population growth, allow for the development of services in closer proximity to the residents and provide increased revenues to the County.

Much has and will be said about this plan rezoning property; raising taxes; and forcing annexations to Cary. Nothing could be further from the truth. We owners must petition to increase our zoning. I see you potentially down-zoning areas to meet the guidelines proposed for the immediate area around the Lake but I do not see you up zoning property when you will be able to clip a fee from the landowner for doing so.

Establishing a plan does not change the zoning or the use of the land...two key considerations for increasing the value of property and triggering a commensurate increase in taxes. Here again this will be a matter of choice by the owner. If the owner leaves things as they are taxes will only increase as necessary to keep pace with inflation and expansions of County services and as values for the established level of land use may fluctuate.

Annexation is now a voluntary decision by property owners. True, currently if you choose to connect to Cary utilities you will have to annex. But again that is a choice made by the Landowner. All of that could be mooted if Chatham were to buy into the Western Wake Partnership and obtain sewer capacity for the intended areas of higher intensity and density development that are identified on this plan. Then Chatham could possibly contract with Cary to provide services to the Chatham customers much the same way Rolesville, Garner, Knightdale, Wake Forest and others have done with Raleigh. Should such a plan be implemented there may never be a need for another square inch of land in Chatham to be annexed to Cary.

This as is any other Plan is not a static document. It will be revisited and adjusted as time and circumstances change. However for now it is a great start towards shaping the future in a practical, reasonable and responsible manner. Move forward with this crucial first step and follow up to establish appropriate policies and ordinances to allow landowners to bring the plan to reality as they choose to do so. Appropriate attention to the utility issue can resolve that concern in a win-win-win manner for Chatham, all landowners and Cary.”

Keith Horil, 1620 New Hope Church Road, Apex, NC, expressed his support for the current land use plan. He thanked the Board of Commissioners for their hard work.

Kathryn Butler, 404 Wooded Lake Drive, Apex, NC, asked that the map be shown highlighting the section going into Durham County. She stated that there is a plan, in which she is not in favor, of both 751 and O’Kelly Chapel Road to become four-lane roads by 2035. She suggested that a mixed use node be included around the area of those two intersections. Some of the property is hers and she has outlined that of other property owners in the area who would probably be in favor of it. It is an opportunity in which Durham may be interested. She spoke in favor, not of the plan and is not opposed to the plan. For those who have lived there years before Jordan Lake existed, the Jordan Lake activity took part of seven tracts of land from her family. The creation of the rural buffer is therefore another land grab. This land use plan is basically another extension of that. She stated that they should just split the plan, make Cary come in and provide sewer to light green area (on map) which protects the lake stating that it was a humorous suggestion but this is a lot of land which has

essentially been reduced in value by this plan. As a concerned land owner, she doesn't necessarily want to develop it, but some consideration needs to be given to the people who are at a second level having their land devalued.

Randall Gressett, 106 Fairway Valley Court, Cary, NC (Land owned in Chatham County: Parcels 88472 (17.5 Acres) and 88005 [17.5 Acres] Land Description: On Luther Road in the med density map. Land adjoins core land.) presented his comments to the Board stating that he is speaking as a resident of Cary and a landowner in the affected area and provided them in their entirety for the record as follows

Points/comments:

1. I support the Joint Land Use plan and commend the commissioners and planners in working in a joint fashion with other counties and townships in order to plan comprehensively for future growth.
2. The 35 acres my wife and I purchased had been timbered by the previous owners. The land looked horrible and was contributing to "run off" in Jordan Lake due to the timbering. The land adjoins core land and the run-off was heading into White Oak Creek. Many comments were made stating that this plan would be negative in regards to run off. However, without this plan, I would have never purchased the land and invested the money to re-establish the land as green pasture for my future horse farm. The pasture has eliminated the run-off and controlled the silting. The joint land use plan gave me confidence to invest in reestablishing the rural nature of the 35 acres. This plan is exactly what is necessary to attract more owners like me to Chatham County that want to maintain the rural nature of the county.
3. I would like to have more assurance that municipal services such as water and sewer will be made available to land owners within the Joint Use Area. My concern is that ETJ rights or annexation are the only feasible ways to ensure these services. I support ETJ as part of the land use plan. This plan needs to ensure these services are provided. I believe Chatham County is not in a position to invest in water treatment facilities to serve this area. The land owners such as myself would be better served by leveraging the water treatment facilities currently under planning in New Hill or other sites controlled by the Town of Cary or Wake County."

Wendy Mason, 235 Indian Creek Lane, Apex, NC, stated that they are already a developed neighborhood with large lots. She stated that they had been involved in this forever. She commended the Board for having reduced the density from what it has been in the past. The lack of definition still concerns her as to what they can do with the acreage. She stated that they heard someone in attendance tonight state that they wanted to see higher density on their land because they have a great buffer and creek. All of the land is covered in creeks. It is the definition of how it can be twisted of two dwellings per gross acreage means. It can all be shoved into one corner and she would like it more defined. If it is really two houses per acre, then call it two houses per acre. She stated that she read the plans for keeping Jordan Lake clear. When Amberly was being developed, she was on a first name basis with the water quality guy who told her that he could not handle covering the entire development. They learned a lot because Jordan Lake turned yellow. They cannot let that keep happening as they plan on living there for a very long time.

Cecil Wilson, 489 Holland Chapel Road, Apex, NC, presented his comments to the Board and provided them in their entirety for the record as follows:

"I am talking on behalf of many of the residents affected by the proposed Chatham – Cary Land Use Plan who are members of the New Hope Baptist, Ebenezer AME Zion, and Holland Chapel Church. The residents primarily live on Alston Road, Martha's Chapel Road, and Holland Chapel Road, and are definitely opposed to the Rural Buffer Requirements and the fact that they will have to comply to a 5 acre minimum to build a home. It is currently 1 dwelling per acre and to go from this minimum to a 1 dwelling per 5 acre is very disturbing to the longtime residents of the area. These residents are generations of property owners.

I agree with previously speakers that there are already enough buffers with the Corp property around the lake. It seems that we are being punished twice with this plan. First of all, Cary is not proposing to extend utilities to our area but they will require us to have more buffer and land to build or pass our property to our next generation. Very disturbing!”

Bill Berry, 395 Perfect Moment Drive, Durham, NC, stated that he was very pleased to hear that the Board of Commissioners is firmly opposed to the ETJ. He stated that he was concerned that they did not hear more testimony at a high pitch regarding that. In as much as he realizes that they are going to end up negotiating with Cary, he is in attendance to be the ferocious citizen (frame of reference) with negotiating with Cary

Commissioner Petty stated at the last meeting that the Board discussed that the ETJ would be a deal-breaker if it was enforced.

Patrick Barnes, 274 McCoy Road, Apex, NC, stated that the fight against Cary started in the early 1990’s when Cary annexed Green Level and destroyed it. The first person to actually fight Cary was Commissioner Kost and he was second. He stated that the map has several deficiencies. If you want your hubs where they are supposed to be, according to the Institute of Government, Chapel Hill, they should be put in Siler City, Pittsboro, and Goldston where the population is concentrated. The four economic conditions needed for economic development are adequate schools, police, hospitals, and sewer and water. We do not have our own sewer and water in Chatham County. We are one of the few counties in North Carolina that does not have its own sewer system. Chatham County should build its own sewer system. Commissioner Cross knows where to build the sewer plant and where to run the lines which was done several years ago. Improve the water system and let Chatham County control its own destiny, not Cary.

Jason Daughenbaugh, 218 Luther Road, Apex, NC, stated that he was a landowner on Luther Road and on 751. He stated that he grew up in Carmel Valley, CA which remains rural; moved to Sumner County, Hendersonville, TN outside of Nashville. Nashville has had a huge expansion in the last twenty years taking a lot of the rural parts with it. He stated that he now lives here and his livelihood is based on serving those that own the land. He does septic, irrigation, landscape, environmental work including storm retention. He stated that he is torn between serving those who have owned and farmed the land whose interest is in the acreage. We are, however, in a very special area because we have a lot of environmental impacts with the lake. In Nashville, they lived on a lake which is a tributary to the Cumberland River. The quality of water has degraded over the years. We have huge algae blooms and lots of trash; however, it is a nice asset because we have the enjoyment of it on the weekends. It is also the water source and the water quality is fair. He asked that when taking into consideration the future growth and development, the landowners who have the land are respected. At the same point, understand that those that don’t have the large land that have a financial interest in the smaller parcels care about the land just as much as the larger landowners. He asked that the beauty of the land be remembered and hopefully it can be retained for many years to come.

Ronald Copeland, 3003 Highway 751, Apex, NC, commended the Board of Commissioners for the land use plan. He stated that 35-40 years ago, he stood up in the courthouse and made a comment that they needed to do something on 751 to preserve the beauty and agriculture etc. of the area. A neighbor immediately stated that it was not needed. He stated that he had never spoken again. He stated that he respects what the area families want. He stated that he is a farmer and tries to be a good steward of the land and do what they can in order to preserve the land. He stated that he could not deny his small granddaughters the fair opportunity to reap some profit on the land they have attended all these years. He stated that he did not want to sell his land, but didn’t want to stick his head in the sand and say that growth is not inevitable. It is coming and Chatham County should be in a position to offer goods and services to its citizens.

Other comments received:

Bettie Toma: I was at last night's Chatham County Commissioners meeting January 18, 2012 and was coming for agenda item 17. I was not scheduled to speak, but wanted to

give a statement. Unfortunately, I had to leave due to an emergency. Here is my statement that I would like to be included as input to last night's meeting:

"I am Bettie Toma. I reside at 664 Lewter Shop Road in Apex, NC 27523. I do not want my land 13 + acres to be zoned as Mixed-Use. It is not currently in the Mixed-Use zone but it is very close to it and has been within the zone in past. I am not in favor of Cary dictating what happens to our land and feel that we should have an equal voice in what happens in our county. I applaud the board's decision to do away with considering the Cary ETJ and hope that it is not coming back to haunt us through some other means. Please continue to fight for Chatham County and do not give Cary any more rights over us -- it is downright un-American. Thank you."

From: **George Terrone** [<mailto:geot@itsco.com>]
Sent: Friday, January 13, 2012 1:58 PM
To: Benjamin Howell
Cc: Jason Sullivan; Scott Ramage
Subject: Re: Land use definition question

Thanks, Benjamin. I definitely appreciate the clarification!

On another note, I wanted to take this chance to express my strong opposition on two more general matters:

1. The mixed-use zone at the intersection of 751 and Lewter Shop. The Committee seems to have changed direction several times on this area - and many of us are extremely upset at the current plan. The discussion of these nodes at June 29th feedback session was ended by Mr Bock when he clearly indicated he would recommend these nodes be removed from the plan... But now we hear: "Bock does not want Chatham County to lose out by not having the mixed use node. At the public input session, speakers were against the mixed use nodes. Since then, property owners have indicated their support of the mixed use nodes. He stated with this additional input, he now supports the mixed use nodes."

No one blames the property owners within the proposed mixed-use boundaries for wanting to maximize the potential value of their properties. At the same time, this is a question of a potential zoning CHANGE - and to convert these properties from R-1 to mixed use - is a decision that should take into account the opinions of the ****overall community**** and not just the property owners who may stand to gain the most financially. The **MAJORITY** of the community is clearly **AGAINST** this kind of development, and the plan should reflect that.

2. Cary's request for extraterritorial jurisdiction (ETJ) authority over all properties in the proposed joint use plan except rural buffer zone properties. This clearly goes against the wishes of the majority of residents in the affected area.

Thanks again,
George Terrone

Chairman Bock stated that he and the Board appreciated everyone's comments. He asked about the discussion and research of the ETJ and if it was proper at a point to do that or does the Board of Commissioners return to the other board and tell them that they are taking it out.

Commissioner Kost stated that she was not concerned with it being proper; that she wanted to know if it was legal. Chairman Bock stated that he wanted to be certain that they were following the correct steps.

Commissioner Petty stated that they already know where they stand.

The County Manager stated that he understands that the process will work, it that after the Chatham County public hearing and the public hearing in Cary, if there were things to modify based on the comments, they were be considered; it would be returned to the subcommittee; they would do the same; it would then go forth with a joint process as revised.

Chairman Bock asked if they could do a quick resolution removing that step, stating that there will be several things that they wish to change based on input, emails, etc., but they want to ensure the public that they want to do so.

The County Manager stated that he did not feel that would be a surprise to Cary.

Commissioner Kost moved, seconded by Commissioner Petty, to remove the reference to the further discussion in 2013 regarding allowing Cary to have ETJ in Chatham County.

Ben Howell asked for a clarification if all the Board wanted was to remove implementation steps that have come forth with the ETJ. By consensus, the Board agreed.

Chairman Bock called the question. The motion carried five (5) to zero (0).

MANAGER' S REPORTS

The County Manager had no reports.

COMMISSIONERS' REPORTS

Commissioner Kost reminded everyone of the January 24, 2012 public hearing to be held at the Cary Town Center, Academy Street, Cary, NC, 6:30 PM. She stated that Cary needs to hear from Chatham Citizens.

ADJOURNMENT

Commissioner Stewart moved, seconded by Commissioner Petty, to adjourn the meeting. The motion carried five (5) to zero (0), and the meeting adjourned at 9:15 PM.

Brian Bock, Chairman

ATTEST:

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