

**MINUTES**  
**CHATHAM COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**NOVEMBER 15, 2004**

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The Board of Commissioners (“the Board”) of the County of Chatham, North Carolina, met in the Superior Courtroom, Courthouse Circle, located in Pittsboro, North Carolina, at 6:00 PM on November 15, 2004.

Present: Chairman Tommy Emerson; Vice Chair Carl Outz; Commissioners Margaret Pollard, Bunkey Morgan, and Bob Atwater; County Manager, Charlie Horne; County Attorney, Robert L. Gunn; Assistant County Manager, Renee Dickson; Finance Officer, Vicki McConnell; and Deputy Clerk to the Board, Marilyn Collins

The meeting was called to order by the Chairman at 6:10 PM.

**PLEDGE OF ALLEGIANCE AND INVOCATION**

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

**AGENDA**

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

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

**CONSENT AGENDA**

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

Commissioner Morgan moved, seconded by Commissioner Pollard, to approve the Consent Agenda as follows:

1. **Minutes:** Consideration of a request for approval of Board Minutes for Regular meeting held November 01, 2004, Work Session held November 01, 2004, Public hearing on Briar Chapel held October 7, 2004, Public hearing on Briar Chapel held October 19, 2004, and Public hearing on Briar Chapel held October 26, 2004

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

2. **Subdivision Sketch Design Approval of “Survey for Nera Goldston, Heirs”:** Consideration of a request by Waddell Goldston on behalf of Nera Goldston heirs for subdivision sketch design approval of “*Survey for Nera Goldston, Heirs*”, consisting of three (3) subdivision lots on 18 acres, located off SR #2170, Rives Chapel Church Road,

## Hickory Mountain Township

As per the Planning Department and Planning Board recommendation, sketch design approval was granted with the following recommendations:

1. The subdivision of property may be completed through the minor subdivision process.
2. No additional subdivision lots may be created for a period of 48 months.

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

3. **Subdivision Sketch Design Approval of “Cattail Creek Subdivision”:** Consideration of a request by PK Chatham for subdivision sketch design approval of **“Cattail Creek Subdivision”**, consisting of 76 lots on 172 acres, located off SR #1506, White-Smith Road, Hadley Township

As per the Planning Department and Planning Board recommendation, sketch design approval was recommended with the following conditions:

1. All private easements shown on the plat shall be a minimum of 30 feet wide and shown on the preliminary and final plats.
2. The easement running parallel to Cattail creek shall be located a minimum of 10 feet from the water hazard buffer and shown on the preliminary and final plats.
3. A utility easement shall be shown along the common property lines of lots 25, 26, 35, and 36 unless the public roadway is connected in this area and shown on the preliminary and final plats.
4. All cul-de-sacs must conform to requirements in Section 6.2C (I) of the Chatham County Subdivision Ordinance as shown on the preliminary and final plats.
5. Sight triangles for all road intersections shall be shown on the preliminary and final plats.

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

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

- A. **Victory Lane**
- B. **Carefree Way**
- C. **Wellaway Lane**

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

5. **Fiscal Year 2004-2005 Budget Amendments:** Consideration of a request to approve Fiscal Year 2004-2005 Budget Amendments, attached hereto and by reference made a part hereof.

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

6. **Stockyard Road Sewer Collection System:** Consideration of a request to approve a contract between the Town of Siler City and Chatham County regarding the newly installed sewer collection system in the Stockyard Road Community, attached hereto and by reference made a part hereof.

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

7. **Scheduling Date for Communication Towers Plan Public Hearing:** Consideration of a request to schedule the annual Communication Towers Plan public hearing on March 21, 2005

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

#### **END OF CONSENT AGENDA**

#### **PUBLIC INPUT SESSION**

**Pierre Lauffer**, 330 Hatley Road, Pittsboro, NC, stated that he works with the Natural Resource Advisory Group; that he wanted to discuss developmental trends in the County; that urbanization of northeast Chatham is a concern; that the process is of concern; that there are several studies on residential trends in Chatham; that for every one dollar brought into the County there will be a loss; that counties do it differently; that Johnston County went further and further into debt; that Johnston wound up raising taxes to help make up for funds lost on residential development; that the Board needs to think about the future; that the current development areas will become obsolete and will become wastelands; that these areas are drains on the County; that Cole Park is an example; and that it weakens the tax base.

**David LeGrys**, 111 Pokeberry Lane, Pittsboro, NC, thanked Commissioners Atwater and Pollard for their service to the County and their work on the Land Use Development Plan. He thanked Commissioner Atwater for his courage and work especially during the last year. He thanked Commissioner Pollard for her service to the community.

**Elaine Chiosso**, 1076 Rock Rest Road, Pittsboro, NC, stated that with this being the fifth major development before the Board within the last year, the citizens are not getting enough time to review the materials; that the process is structured so that it does not provide adequate time; and that most people still have dial-up copies and have a hard time downloading off the web. She urged the Board to somehow slow down the process for the benefit of the citizens.

**Peter Theye**, Boothe Hill Road, Chapel Hill, NC, stated that he had heard a story that 25-30 years prior the Board of Commissioners at that time had the option to pump water from Jordan Lake at \$ .01 per gallon; that that lack of vision has cost the County revenue; that this Board is making huge decisions that are impacting the future citizens of the County; that he agreed with the previous speakers; that the County is giving developers a free loan; that their developments pay for themselves 10-15 years in the future; that the County has to pick up the cost of the infrastructure from the outset; and that more needs to be asked of the developers from the beginning.

#### **PLANNING AND ZONING**

##### ***Public Hearing:***

##### **Public Hearing for Revision to Ordinance Regulating Communication Towers in Chatham**

**County:** Public hearing to receive public comments for a request for a revision to An Ordinance Regulating Communication Towers in Chatham County, North Carolina to address co-location proposals during the annual review period

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

### **BOARD OF COMMISSIONERS MATTERS**

**Request for Permission to Remove Graves:** Consideration of a request to approve petition for removal of graves by Paul James Wolf

Shawn Cartin, Attorney, on behalf of Paul Wolf, stated that Mr. Wolf had purchased four acres ten years prior; that there are 249 graves located on the property; that they hired an archeologist to provide a survey of the area; that the surveyor marked all the graves; that the site is of no historical significance; that a petition was drawn up last year; that the outstanding question then was where to re-inter the graves; that a few sites have been located; and that they have located a spot about one thousand yards from where they are currently located.

Commissioner Morgan stated that he would like some research done about the history of the cemetery.

Mr. Cartin stated there was some research done into the origins of the cemetery; that there was a paper done by the Historical Society which is three pages in length; that the land was sold in the 1920s, returned to the County, then re-deeded in the 1930s; that there are no tombstones; that he contacted the North Carolina Cemetery Society and that they have no such record; and that the number of graves is unclear.

Chairman Emerson stated that if a consensus is reached to move the graves, that some closure must be reached for those former residents of Chatham County.

Commissioner Atwater moved, seconded by Commissioner Pollard, to table the matter until a later date. The motion carried five (5) to zero (0).

### **Resolutions:**

The Chairman read resolutions honoring the service of Commissioner Pollard and Commissioner Atwater to Chatham County.

Chairman Emerson moved, seconded by Commissioner Atwater, to adopt **Resolution #2004-54 Honoring the Service of Margaret Bryant Pollard**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

Chairman Emerson moved, seconded by Commissioner Pollard, to adopt **Resolution #2004-55 Honoring the Service of Bob Atwater**, attached hereto and by reference made a part hereof. The motion carried five (5) to zero (0).

### **Community Home and Block Grant Committee Reappointment:**

Commissioner Morgan moved, seconded by Commissioner Pollard, to reappoint E. T. Hanner to the Community Home and Block Grant Committee. The motion carried five (5) to zero (0).

### **Community Development Block Grant:**

Commissioner Morgan stated that around the first of the year, Chairman Emerson challenged the Board and the Economic Development Board to create some incentive for the small businesses in Chatham County. He stated that, to his knowledge, nothing has been worked on nor presented to the Board; that his motion dealing with the CDBG/Performance Bicycle fund would help kick it off; and that he would recommend that the Economic Development Commission use it as a tool with other ideas to enhance creation of other small businesses.

Commissioner Morgan moved, seconded by Commissioner Atwater, to permit the Economic Development Board to use the \$228,667 in funds remaining in the CDBG/Performance Bicycle Fund to provide gap financing to small business through a guaranteed loan fund; that the Economic Development Commission Board will create the rules and the amount of funds a small business owner may apply; that once completed, the Economic Development Board will review the applications and make recommendations to the Board of Commissioners; that a minimum of fifty percent (50%) of these funds will be used for minority owned businesses; that the Economic Development Board attempt to create an additional incentive to assist in growing small businesses in Chatham County. The motion carried five (5) to zero (0).

### **PLANNING AND ZONING**

#### ***Public Hearings:***

**Public Hearing on Amendments to the Chatham County Watershed Protection Ordinance:** Public hearing to receive public comments on a request by attorney Nicholas P. Robinson on behalf of Bynum Ridge, LLC for amendments to the Chatham County Watershed Protection Ordinance Sections 303 (A) and Section 600. The proposed amendments would allow single-family cluster developments, located within more than one watershed, to share density in the different watersheds without exceeding the maximum allowed in the individual watersheds.

**Nick Robinson**, stated that he is representing Bynum Ridge, LLC; that the parcel is approximately 650 acres; that there are three public hearings; that they are asking for a modest amendment to the watershed ordinance; that they are asking for a 60% reduction in potential density; and that a great deal of the thought and research has gone into this proposal.

**Mark Ashness**, with the CE Group stated that the County is required to develop and implement watershed regulations; that the average protection level is one dwelling unit per acre; that Chatham County has enacted more stringent requirements with regard to density and buffer width; that the weakness of the ordinance is in the flexibility; that changes are dealt with on a case-by-case basis; that split-zoned properties are difficult; that it borders the Haw River and Pokeberry Creek runs through the middle; that the drainage does not follow direct paths, but follows topographic lines; and that stormwater run-off in the RA-40 area actually moves faster than those closer to the Haw River.

**Nick Robinson** stated that in the mid 1990s, the County was required to adopt a watershed ordinance; that there were twelve public hearings at the state level with a lot of input from scientists and other experts; that a model ordinance was produced and was adopted by Chatham County; that Chatham's is more restrictive; that there is a 2,500 ft. setback from water edge that there can be no more than one unit per five acres; that the most stringent category in the model ordinance states one unit per two acres; that the County's ordinance is two and a half times more strict than the State's recommendation; that there is a big difference in the way the County treats water that flows into Jordan Lake and the actual water in the lake; that the State feels that one dwelling per unit per acre is adequate; that in Durham County, the lot size per drainage is  $\frac{3}{4}$  acre; that in Chapel Hill, it is two lots per one acre;

that in Alamance County, it is one unit per one acre; that the County's ordinance is vastly more restrictive; that they are asking for more flexibility to allow for density averaging; that there could be 450 lots on the tract; that they are asking for cluster developments for inherent safeguards; that there are times in which the 2,500 foot watershed buffer does not make common sense; that each step of the process must be approved by the North Carolina Environmental Management Division; and that they request that the Board listen carefully to their concerns.

**Jim Wiggins**, 481 Pokeberry, Pittsboro, NC, stated that he lives in the Bynum Ridge community; that he has submitted written comments that address several issues; that he did want to address whether the amendment to the watershed will have a difference; that the amendment is an averaging procedure; that the practical aspect is that it encourages the number of homes in the river corridor; that the developer must exchange the denser development in the river corridor for less density in the less restrictive area; that it will have an impact on the protection of the river; that developers see it as a decrease because they offer to offset it by reducing the density across the board below what would otherwise be permitted; that they will have 400' construction setback from the river for homes along the river; that the ordinance does not have any mitigating circumstances; and that there is nothing that says it won't happen across the County.

**Pierre Lauffer**, 330 Hatley Road, Pittsboro, NC, stated that the watershed ordinance is designed to help the County comply with the State regulations; that he is against the change in the ordinance; that he sees as a result of the amendment a County full of cluster developments; that there are other areas that will be affected by this decision; that once things start moving around the flow directions are going to move around; and that it is a veiled threat that they will increase the density if it is not approved as is.

**Robert Reed**, 96 Buteo Ridge, Pittsboro, NC, stated that he has always thought of himself as liberal at heart, but he is really a conservative in nature; that sometimes to keep things the way they are you must change the ways you do things; that he hopes the Board will not abandon the laws of good land stewardship; and that Chatham County is the shining jewel in the Triangle.

**Robert Eby**, 19 East Madison, Pittsboro, NC, stated that this project is low-density and will provide a favorable financial return to the County; that the proposed watershed change is a problem; that he has a problem seeing this development as a cluster development; that this amendment will affect all water supplies in Chatham; that changing the ordinance threatens all of the drainage into Jordan Lake; that there is no hardship that influences this development; that there was no mention if the other areas cited utilize sewers or septic; that he asks the Board to require the developer to work within the current regulations; and that there are more lots to flow directly into the Haw River.

**Rich Hayes**, 612 Oak Island Drive, Chapel Hill, NC, stated that he is concerned about the long-term effect on Chatham County by revising the watershed ordinance; that it is more vital than ever to protect the water supplies; that as a soil scientist, he has a hard time reconciling the impervious surfaces increase to help in the run-off; that he asked that the watershed revision be looked at separately from the approval of the project; that lots along the river there will be higher density; that this is a critical time in the history of Chatham County; that the eastern half of the County is likely to be transformed; that what is not inevitable is how the County changes; and that he asks the Board of Commissioners to think about the long-term effects on the County.

**Stuart Smith**, 597 Alston Chapel Road, Pittsboro, NC, stated that he enjoys living in a town in which everyone knows his name; that with every large development that comes into the County the unique rural community character deteriorates; that a development like Williams Pond encourages residents to seclude themselves in their own community; that fuller than average classrooms endanger education; that his generation is the one that must figure out how to reconcile the problems caused by

large development

**Connie McAdams**, 597 Alston Chapel Road, Pittsboro, NC, stated that she has lived and worked in Chatham for over 28 years; that she is concerned about the damaging effects of large developments of this nature; that taking care of Chatham residents should be paramount to the needs of developers; that she has a vested interest in the future of Chatham; that she asks that development be kept on track; that one way to do that would be to say “no” to changes in the ordinances that protect residents.

**George Lucier**, 628 Redbud, Pittsboro, NC, stated that the developer does not have a right to modify the ordinances based on self interest; that a compromise in this nature would impact a potential 10,000 future homes along the river corridors in Chatham; that this is not in the County’s best interests; and that Chatham is trying to expand County water, however, as citizens increase their dependency on County water, the County is obligated to protect the source. He asked if developers are afraid to come to the County, why is the County continuing to grow.

**Loyse Hurley**, 16 Matchwood, Pittsboro, NC, stated that she is representing Chatham Citizens for Effective Communities; that the Williams Pond proposal is a bad idea for the Haw, Rocky, and Deep Rivers; that these are the most significant resources; that their importance was established and protected by the watershed ordinance; that a change in this ordinance will set into motion a disastrous trend that will be unable to stop; that it doesn’t matter what the other counties are doing; that any change impacts the drinking water for all; that these resources are part of what makes Chatham unique; and that she urges the Board of Commissioners to follow guidelines.

**Rita Spina**, 12 Matchwood, Pittsboro, NC, stated that this is a watershed *protection* ordinance; that Williams Pond has some areas within the critical protection area; that it is Chatham Citizens for Effective Communities recommendation that no change be made to the ordinance; and that the more restrictive aspect provides the more protection.

**Elaine Chiosso**, 1076 Rock Rest, Pittsboro, NC, stated that she is representing the Haw River Assembly; that she feels obligated to speak on behalf of their members; that they are opposed to the amendment; that it will weaken the watershed; that is dangerous to the area; that the RA-5 zoning applies to the Rocky and Deep Rivers as well; that it is protection of wildlife and scenery; that more houses will pollute water quality in Jordan Lake; that it will affect the Lower Haw River State Natural Area; that the houses on the river are a prize for the developers; that by approving the amendment, it will be killing the goose that lays the golden egg; that it is alarming that large developers are asking for changes in the rules; that developers should follow the ordinance that was carefully adopted; and that the Haw River Assembly has made it to the final stages of a grant that will help them inventory the Haw.

**David LeGrys**, 111 Pokeberry Lane, Pittsboro, NC, stated that he is opposed to changing the watershed protection ordinance; that the legal safeguards are what the ordinance determines; that deciding on a case-by-case basis is risky; and that adopting the State’s model is troubling because they don’t have the best record.

**Delonda Alexander**, 50 Mantis, Pittsboro, NC, stated that she is an environmental engineer; that developers know the ordinances when they begin talking about the plan; that it would be refreshing to have a governing body to follow the ordinance; that the people she works with laughed at her when she said she swam in Jordan Lake; that she has reviewed many grants from governments to buy this type of land back; and that contaminants will get there eventually.

**Catherine Deininger**, 124 Goldberry Lane, Pittsboro, NC, stated that it will be a gated

community with septics and County water; that they appreciated the open house to discuss the project; that a permanent conservation easement was discussed; that the amendment will allow the developer to decrease the total number of lots; that the watershed area requires the protection of the Haw River; that there is no way to know how this amendment may be used as in the future; and that as adjoining property owners, they would rather have a higher density development than sacrifice the Haw River.

**Kent Pearson**, 2300 Redbud, Pittsboro, NC, stated that he and his wife are not opposed to the development but are opposed to the watershed amendment; and that the fact that it is more stringent is something to be proud of.

**Ray Greenlaw**, 2 Jordan Drive, Pittsboro, NC, stated that the watershed protection ordinance was developed after a long and rigorous process; that it took into account ordinances in contiguous counties and Chapel Hill; that there are several items that concern him; that what they are asking as an amendment states "in more than one watershed area"; that it affects all areas protected by the ordinance; and that it would allow cluster developments anywhere.

**James Garbutt**, 595 Pokeberry Lane, Pittsboro, NC, stated that he applauds the Board for enacting far-reaching protection of watersheds; that he and his wife are opposed to the changes proposed to the ordinance; and that weakening the protection of the rivers will fundamentally change the character of Chatham County.

**Roland McReynolds**, 1424 Bynum Ridge Road, Pittsboro, NC, stated that he is opposed to the proposed amendment; that the proposal would encourage further development in the river corridors with higher density; that it would be contradictory to the Land Use Plan; that the amendment is unnecessary for development of the property; that it would amount to a subsidy for the developer; that the Board, at the time of passage of the ordinance, all knew that topography was different in all areas, but that the buffer would be sufficient regardless of topography; that increased densities in the river corridor would result in greater damaging affects on water quality in drinking water; that there are seventeen sites that could readily take advantage of a change of this nature; that the Land Use Plan specifically notes one dwelling unit per five acres along river corridors; that enacting this amendment encourages developers; that the developer acknowledges that the property can be developed without the amendments; and that the amendment is a bad idea.

**Public Hearing for Conditional Use District with Conditional Use Permit:** Public hearing to receive public comments on a request by Bynum Ridge, LLC for a Conditional Use District (CU-RA-90) with a Conditional Use Permit for a Planned Unit Development, Williams Pond Residential Community, consisting of 185 lots on 650 acres, located on the south side of SR #1711, Bynum Ridge Road, Baldwin Township

**Nick Robinson**, stated that they are requesting that the entire parcel be rezoned to RA-90; that they are requesting to scale the zoning back to RA-90; that the total number of lots will be reduced; that it will allow for more balanced development; that down-zoning the property will be better for traffic concerns; that many of the benefits of the watershed ordinance will be allowed to be realized; and that this property could handle quite a bit more.

**Kathleen Hundley**, PO Box 1177, Pittsboro, NC, stated that she is Vice President and member of the Board of Directors of the Friends of the Rocky River (FORR); that they ask that the current ordinance be maintained to protect the rivers with minimum five acre lots; that they are concerned about discharge, run-off, traffic, and enlarged infrastructure; that higher land use standards are needed; that more upscale developments would be attracted to the County and increase financial revenue; that she



congratulates Chatham County on their restrictive ordinances; that the more people the more negative the impact on waterways; and that Friends of the Rocky River recommend that the ordinance be maintained.

**Richard Strowd**, 4845 Manns Chapel Road, Chapel Hill, NC, stated that he is concerned with the combination of two zoning areas; that the developers are issuing a veiled threat; that if the Board doesn't do what they want, the developers will make it worse; that this ordinance is protective, not restrictive; and that he asks the Board not to establish the change in the ordinance.

**Roland McReynolds**, 1424 Bynum Ridge, Pittsboro, NC, stated that he is opposed to the rezoning because it requires a change in the watershed ordinance; that this would encourage development in sensitive areas; that it would create a subsidy for the developer; and that it is likely that the developer will exceed the projected cost of home sites.

**Public Hearing for Conditional Use District with Conditional Use Permit:** Public hearing to receive public comments on a request by Bynum Ridge, LLC for a Conditional Use District (CU-RA-90) with a Conditional Use Permit for a Planned Unit Development, Williams Pond Residential Community, consisting of 185 lots on 650 acres, located on the south side of SR #1711, Bynum Ridge Road, Baldwin Township

**Nick Robinson**, on behalf of Bynum Ridge, LLC stated that the developer is a team of active developers; that the proposal is to place 185 lots on this parcel; that the average lot size is 3.5 acres; that the developer is very conscious of the natural heritage of the area; that this proposal could have been very different; that putting 240 lots on the property increases the density and there would be more lots near Pokeberry Creek; that this proposal is designed this way because it allows reasonable return and protects the environment; and that he had materials to submit into evidence.

**Mark Ashness**, stated that he has examined the property; that there are various buffer widths around water sources to minimize the affect; that Bynum Ridge Road is a low-use road; that water lines are currently in place to be serviced by the County water system; that the impervious surfaces will be less than 12% for the project; that the build-out schedule is over a ten-year time frame; and that it will have minimal impact on County infrastructure.

**Ramey Kemp**, stated that his firm prepared a traffic assessment; that the study assumed a ten-year build-out; that the traffic count was 310 per day in July; that they increased it 50% for school traffic; that they also assumed a 5% growth per year as natural growth; that the delays are minimal; that it is an ideal condition for development; and that at build-out there will be no serviceability problems.

**Shawn Clark**, stated that they completed the environmental study, wetland delineation, and soils examination; that the site was walked over and that there were no federal listed species; that there is one state species that cannot be checked until spring; and that there will be some impact on the environment but it will be minimal.

**Lucy Gallo**, stated that increased revenue is over \$500,000 per year; that the Williams Pond development will have a positive impact in revenue for Chatham; that this development is favorable because of high property tax revenue with lower density; that a smaller student generation rate is expected but they used 0.4 per household; and that the development itself is more in line with Governor's Club which has a 0.1 student generation ratio.

**Nick Robinson**, stated that they are requesting an amendment so that mixed zoning parcels can be considered for development in the future; and that the power rests with the Board to decide whether

or not a development should be approved.

**Kira Dirlik**, 250 Hamamelis, Pittsboro, NC, stated that there are seven Redbud lots that border twenty-two proposed lots; that she wishes to address #3; that she is a slow growth person; that they already have established guidelines and developers should comply with them; that she asks the Board to drive through newer subdivisions like Monterrane; that the surrounding subdivisions are middle class homes; that a gated community does not fit in the neighborhood; that surrounding property taxes will go up; that she enjoys living in Redbud because of the protective covenants that protect the environment, privacy and waterways; and that she asks for increased lot sizes along the Redbud border. She asked that streetlights not be installed as there are covenants to protect the night sky.

**Loyse Hurley**, 16 Matchwood, Pittsboro, NC, stated that she is representing Chatham Citizens for Effective Communities (CCEC). She stated that the conditional use application for Williams Pond does not meet four of the five findings for a conditional use permit; that it is not an eligible conditional use without a change in the watershed ordinance; that it is not essential or desirable; that it will be detrimental to the health, safety and protection of the community; that the watershed ordinance is to promote the health, safety and general welfare of the community; that cluster development is provided for in the watershed ordinance; that Williams Pond is not innovative or trying to preserve resources; that it is only for monetary gain for the developer; that the Land Use Plan is to preserve the form and function of rural character; that the CCEC has no objection to low-density, high-end development; that CCEC recommends that the development conform to the current zoning and watershed requirements.

**David LeGrys**, 111 Pokeberry Lane, Pittsboro, NC, stated that many of the Planning Board members were not present for this hearing, stating that it is their job to make sure this development is done in a way that protects citizens; that he asks for two conditions; that lighting guidelines be required of the developers; that they can be done effectively; that he asks that wells be protected; and that septic issues should not have to be dealt with by other residents in other subdivisions.

**Beverly Wiggins**, 481 Pokeberry Lane, Pittsboro, NC, stated that the Chatham County Historical Society has not been contacted for comments; that the Snipes House exists on the property and is historically recognized; that there are two cemeteries near Williams Pond and the developer has not addressed these issues; and that the proposal should include more information about the developers intentions.

**Catherine Deininger**, 124 Goldberry Lane, Pittsboro, NC, stated that a gated community does not match the surrounding communities; that light pollution and location of septic fields are of concern; and that septic fields should be monitored to protect surrounding communities.

**Ted Williams**, 4210 Trotter Ridge Road, Durham, NC, stated that he was born and raised in Chatham County and hopes to return; that portions of the property has been in his family for a number of years; that he has a continuing stake in the area; that he and his brother own the property; that he has had many opportunities to sell and develop the land; that the developers listened to them and what they foresaw as appropriate use; and that he is very proud of the proposal.

**Roland McReynolds**, 1424 Bynum Ridge, Pittsboro, NC, stated that he is representing an adjoining landowner; that he would like for his written statements to be entered into the record; that the conditional use permit can only pass with revision to the ordinance; that the request fails on four of five findings; and that it is not consistent with the Land Use Plan. The comments are attached hereto and by reference made a part hereof.

**Nick Robinson** stated that they will comply with the lighting ordinance whether it is adopted or

not; that they will deal with the cemeteries appropriately; that the amendment for paving the way for development in unzoned areas is incorrect; and that the locations of the septic fields are a sensitive issue to them as well.

**Debbie Preston**, 75 Poplar Lane, Pittsboro, NC, stated that she moved to Chatham from Washington State; that it is a beautiful place because the County has strict laws; that developers must pay for infrastructure to support the residents; that she lives in Redbud; that an exclusive community implies exclusion; that she moved to Chatham County because she feels a sense of community; and that the ordinances have been set for a reason.

**Sheila Beaudry**, 821 Mateo Ridge, Pittsboro, NC, stated that the water run-off map that was displayed is only the surface water, not the ground water; and that if soil is good for septic it means that water flows quicker and is worse for the river.

## **COMMISSIONERS' REPORTS**

### **Local Management Entity:**

Commissioner Pollard moved, seconded by Commissioner Morgan, to appoint George Gregor-Holt, PO Box 128, Pittsboro, NC, to the Local Management Entity. The motion carried five (5) to zero (0).

### **Atwater Comments:**

Commissioner Atwater stated that he is grateful that he was afforded the opportunity to serve as a Chatham County Commissioner. He thanked folks for their support in his North Carolina Senate race on election day. He stated that he hopes that the Board will always be able to discuss things in a civil way and stay above the fray.

### **Pollard Comments:**

Commissioner Pollard stated that it has been a high privilege and honor for her to serve the community for all these years; that she sees Chatham County as a model on how to disagree; that compromise is an honorable word; that she thinks that Commissioner Elect Mike Cross will be a fine addition to the Board; that she appreciates the interaction with the staff and for information sharing they have been willing to provide; and that she thanks everyone.

## **ADJOURNMENT**

Commissioner Atwater moved, seconded by Commissioner Pollard, that there being no further business to come before the Board, the meeting be adjourned. The motion carried five (5) to zero, and the meeting was adjourned at 10:37 PM.

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Bunkey Morgan, Chairman

ATTEST:

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

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