

**CHATHAM COUNTY PLANNING BOARD
MINUTES
November 1, 2005**

The Chatham County Planning Board met in regular session on the above date in the auditorium of the Cooperative Extension Building in Pittsboro, North Carolina. A quorum was present to begin the meeting. The members present were as follows:

Present:

Charles Eliason, Chair
Jeff Austin, Vice-Chair
Angela Brown
Martin Mason
Mark McBee
Winifred Smith
Chris Walker
Cecil Wilson

Absent:

Jennifer Andrews
Clyde Harris

Planning Department:

Keith Megginson, Planning Director
Jason Sullivan, Planner
Lynn Richardson, Land Use Administrator II
Kay Everage, Secretary to the Board

- I. CALL TO ORDER – Chair: Chairman Eliason called the meeting to order at 7:10 p.m.
- II. APPROVAL OF AGENDA: Ms. Smith made a motion; seconded by Mr. Walker to approve the agenda as submitted. The motion passed unanimously. (6 Board members)

Martin Mason arrived at this time.

- III. CONSENT AGENDA: Ms. Smith made a motion; seconded by Mr. Austin to approve the consent agenda as submitted (Items A., B., & C listed below). The motion passed unanimously. (7 Board members)
 - A. Minutes:
Consideration of approval of minutes for October 4, 2005 Planning Board meeting.
 - B. Preliminary Approval:
 1. Request by Christopher Homes, Inc. for subdivision preliminary approval of Scarlet Oak, consisting of 7 lots on 12 acres, located off S. R. 1530, Polks Landing Road, Baldwin Township.

C. Final Approval:

1. Request by PK Chatham for subdivision final approval of Cattail Creek, Lots 6 – 11, consisting of 6 lots on 14 acres, located off S. R. 1506, White Smith Road, Hadley Township.

End Consent Agenda

- IV. PUBLIC INPUT SESSION: Fifteen-minute time of public input for issues not on agenda. Speakers limited to three minutes each.

No one requested to speak at this time.

V. SKETCH DESIGN APPROVAL:

- A. Request by MAC Development, LLC for subdivision sketch design approval of Cedar Grove Subdivision, Phase IV (Lots 18 – 28), consisting of 11 lots on 43 acres, located off S. R. 1540, Jones Ferry Road, Baldwin Township.

Ms. Richardson reviewed the agenda notes for this subdivision request.

Kirk Metty, was present representing MAC Development, LLC.

No adjacent landowners spoke.

There was no discussion among the Board.

Mr. Wilson made a motion; seconded by Mr. Mason to grant sketch design approval of the plat as submitted and as recommended by the Planning Department staff with the following condition:

- A temporary turnaround at the end of the Phase IV roadway, with an outside radius of 55 feet, shall be shown on the preliminary plat.

There was no discussion on the motion and the vote on the motion was unanimous. (7 Board members)

VI. ZONING AND ORDINANCE AMENDMENTS: ***Items from July 18, 2005 Public Hearing:***

- A. Request by Sandy Pond Enterprises, LLC for a B-1 Conditional Use District with a Conditional Use Permit for Veterinary Clinics and Hospitals with dog runs or equivalent facilities and for a dog boarding facility, on approximately 4 acres, located on the north east corner of US Hwy.15-501 and Vickers Road, S. R. 1719 in Williams Township.

Ms. Richardson reviewed the agenda notes for this request. She stated that this is a two part request; that one part is a zoning change request from RA-40 to a B-1 conditional use business district; that the second part of the request is for a conditional use permit for the use requested; that following the July 18, 2005 public hearing the applicant requested that the issue be postponed in September and October to allow additional time to address concerns raised at the public hearing; that some of those concerns have been addressed (See letter dated

October 10, 2005 to Chatham County Planning Board, Board of Commissioners, Chatham County, from Karen K. Prather with Blanchard, Jenkins, Miller, Lewis & Styers, P.A., Lawyers, included in tonight's agenda packet); that one issue of concern raised at the public hearing was Phase B shown on the original site plan; that Phase B was proposed to house a larger boarding facility and a training area; that the applicant has since eliminated Phase B; that a boarding facility to house up to thirty animals is proposed for Phase A; that the revised site plan (included in tonight's agenda packet) shows the elimination of Phase B; that the three play and exercise areas originally proposed have now been reduced in size and moved to a more central location on the property; that the mature trees along the property line would remain plus additional landscaping to provide an opaque buffer along the northern and northeastern boundaries of the property (i.e. wider than a 15 foot buffer); that the elimination of Phase B reduces the impervious surface area from 15% to 9-1/2% on four (4) acres; that the soil scientist has identified a small area (1/20th of an acre) of wetlands on the property which would not prohibit any development (see attachment #7 in tonight's agenda packet); that the applicant would provide a wetlands and stream study from the Corps of Engineers at a later time; that two signs are proposed for the property (i.e. Hwy. 15-501 and Vickers Road); that the Department of Transportation has approved the proposed driveway location off Vickers Road; that an entrance is not proposed off Hwy. 15-501; that lighting would be per the Chatham County [draft] Lighting Ordinance; that a crossover is currently planned for the intersection of Hwy. 15-501 and Vickers Road; that future plans are to have a stoplight at this intersection (i.e. Briar Chapel development); that staff recommends a private driveway connection be provided to the common boundary of the Bobby Arrington property (i.e., .9 acre tract with a B-1 Business zoning); that this interconnecting roadway between the two properties would provide the Arrington property access if developed in the future; that staff recommended a 60 foot wide right-of-way to the Arrington property; that the applicant has requested that this right-of-way be a 25 foot wide right-of-way with a 10 foot temporary construction easement on either side to provide for the construction of a roadway to said property; that staff thinks that the applicant's request is sufficient since this is a private roadway and not public; and that the proposed location is adjacent to existing commercial uses.

Angela Brown arrived at this time (7:20 p.m.).

Karen Prather, attorney, was present representing the applicants. Ms. Prather noted that the applicants, Dr. Michelle Pineda and Dr. Linda Sands, were present at tonight's meeting. Ms. Prather stated that the applicants have worked hard to submit a good application and to address all the concerns voiced during and after the public hearing. She cited that various concerns expressed by adjacent landowner Travis Blake have been addressed including Mr. Blake's request that some of the proposed parking spaces be shifted; that the revised site plan would reflect the adjusted parking spaces; that the applicants have been local veterinarians in the area since graduating from North Carolina State University; that the applicants are looking forward to opening and operating a veterinary hospital and clinic in Chatham County and being good neighbors and good business people; that Chatham County was chosen because the applicant's thought there was a need for this type facility; and that a 6,000 sq. ft. very attractive red brick building is proposed to provide unique services such as:

- physical therapy and rehabilitation
- retail
- small boarding space for no more than 30 pets
- daily grooming
- yard and water playtime
- massage, and
- classical music for the comfort of the pets.

Ms. Prather noted the following specifics about the proposed location:

- intersection of Vickers Road and U.S. 15-501
- currently zoned RA-40
- 4.1 acres
- existing business and commercial uses in the area.

Ms. Prather added that it was never intended for any of the mature trees along the property border to be removed. She stated that the revised landscape plans show that the 15 foot landscape buffer along the property lines will remain undisturbed; that the developer has also added an additional 15 foot buffer along the property lines; that the proposed facility is 105 feet from the closest residential property line; that the outside supervised play areas have been reduced from six (6) to three (3) and shifted further away from adjoining residential property lines towards the center of the proposed property; that this is a good property for the proposed rezoning due to, 1.) land's proximity to Hwy. 15-501, 2.) existing businesses in the area, 3.) expected growth in the area (i.e. Briar Chapel and Chatham Downs), and 4.) rezoning is in accordance with the comprehensive zoning plan; and that the applicant has met the specific requirements for granting a conditional use permit. Ms. Prather concluded by asking that the Board approve the rezoning and conditional use permit application with one final request regarding the private driveway access (i.e. staff's condition #5 in tonight's agenda notes). She added that the applicant would like to not have to provide the driveway access to the Arrington property if the Department of Transportation allows access off Hwy. 15-501.

Discussion followed. Chairman Eliason noted the following:

- the application states that no animals would be housed overnight, and
- the purpose of the private drive access to the Arrington property is staff's intent to lessen traffic and access on Hwy. 15-501.

Ms. Prather stated that no animals would be housed outside overnight; that she understands the perspective of staff's intent to have interconnection between the two properties; that she would leave the decision in the hands of the Board; but that the applicant would like to not encumber the property as much as possible.

Ms. Brown asked if there had been a previous proposal for a veterinary clinic on this site. Ms. Richardson explained that there had been a previous application submitted for land just south of this proposed property but the application was withdrawn. She noted that this is the only application that has come before the Board for this location. Ms. Smith was concerned that x-ray facilities be checked

annually for any possible radiation leaks. Ms. Prather stated that these facilities would be inspected periodically.

Travis Blake, adjoining property owner, stated that he is not opposed to the proposed rezoning. He cited that his property would be most impacted from the proposal. Some of Mr. Blake's concerns were:

- proposed parking area crosses a wetlands;
- wetland area is two or three times larger than what is shown on applicant's survey map
- some proposed plantings should remain natural areas, and
- access to Arrington property not a good idea.

Mr. Blake asked that the proposed parking area be moved to another location away from his residential area.

John Davis, licensed soil scientist, was present representing the applicant.

Mr. Davis stated that he has met with the Corps of Engineers at the proposed site to review the wetlands. Mr. Davis noted that the Corps of Engineers have concurred with the delineation of the wetland location and size and have signed the map for approval dated October 24, 2005, entitled, "Topographic Survey, Pittsboro Veterinary Hospital with 404 Wetlands & Intermittent Stream Area". (Note: See applicant's file in Planning Department for copy of said map.)

No other adjacent landowners spoke.

Discussion among the Board followed. Ms. Richardson stated that the Arrington property is only .9 of an acre; that the property could have only 36% impervious surface coverage; that the site would allow a small commercial operation at best; that the B-1 Business District setbacks are 50 feet front and 20 feet side and rear; that it would be limited to what could be put on the property; that the access proposed by staff was relative to potential future connection; and that if the applicant's were in agreement, the parking area could be relocated and shown on a revised site plan. Mr. Megginson noted that the driveway (as stated in condition #5 of staff's recommendations in tonight's agenda notes) would not be built unless the Arrington property is developed. Mr. McBee noted a compromise solution might be to move the parking lot and if the neighboring person wanted the interconnection then they (the person who develops the Arrington tract) would be responsible for the connection.

Ms. Prather stated that the applicant tried to address all concerns prior to tonight's meeting and that the parking issue is one concern that was not previously mentioned.

Will Mashburn, Project Developer with Bobbitt Design-Build, was present representing the applicant. Mr. Mashburn stated that Mr. Blake raised the parking area concern with him just prior to the beginning of tonight's meeting and that he assured Mr. Blake that this issue would be addressed. Mr. Mashburn stated that this would not reduce the impact to the wetlands; that there is a concern that it could possibly increase the overall impervious area; that he is not opposed to looking at the viability of making the parking change but that he is not

agreeable to do so at this point; and that it is preferred that the dumpsters (located at the back of the proposed parking area) be kept more towards the rear of the property away from Hwy.15-501.

Ms. Travis Blake stated that the back of the proposed property is heavily wooded (approximately half way into the southern edge of the property); that she and Mr. Blake enjoy this buffer; that they would appreciate as minimal encroachment as possible; that they want to be good neighbors; and that they are concerned about maintaining the rural character of the area.

Ms. Prather asked that the Board approve the revised site plans as submitted. She cited that the applicant would address the possibility of shifting the parking spaces with the Blake's to see if it would be manageable.

Regarding interconnecting roadways, Mr. Megginson stated that the Board has previously heard requests for highway corridor studies or small area plans for highways; that interconnecting drives are one of the things typically seen in commercial corridor plans; and that staff's request seems to be reasonable.

Mr. Walker asked if there were any other issues raised at the recent public hearing. It was noted that Dr. Pat Pagel, owner of Cole Park Veterinary Hospital, was in opposition to the proposal.

Mr. Austin made a motion to grant approval of the request based on staff's recommendations with open consideration for revising the site plan at a later point; and with language change to staff's condition #5 to read as follows:

Condition #5 – language revision

“A 25 foot wide permanent cross access with a 10 foot wide temporary construction easement on either side or temporary construction easement(s) as necessary to construct the connection to the common boundary line of the Bobby Arrington property, parcel #18908 shall be designated on a revised site plan prior to issuance of a building permit for the structure. Legal instruments shall be recorded so that if and when parcel #18908 is developed, access shall be allowed. All cost associated with said connection shall be the responsibility of the adjacent property owner”.

Condition #10 - add

Following discussion, Mr. Austin amended his above motion to add an additional condition (#10) to provide a revision for a revised site plan (if an agreement is reached between the applicant and Travis Blake) to address Mr. Blake's issues relative to his parking concerns and that staff review said plans.

Discussion on the motion followed. Mr. Mason had concerns regarding the proposed easement.

Mr. McBee seconded Mr. Austin's motion and amendment stated above with the following conditions:

1. A building permit shall be obtained within 18 months of the date of approval by the Board of County Commissioners and remain valid at all times or the conditional use permit becomes null and void.
2. Mature trees along the northern and north eastern boundary line shall remain and shall be supplemented with an additional variety of vegetation to create a 15 foot wide or wider Type A, Opaque landscape buffer. All other landscaping shall be as shown on the revised site plan, dated October 26, 2005 and shall also be a variety of plantings. Mature, existing trees shall remain on the property where practical. All required landscaping shall be installed prior to issuance of the certificate of occupancy for the structure. All landscaping shall be maintained properly and replaced if found dead or diseased.
3. Signage shall be as shown on the revised site plan. If illuminated, lighting shall conform to the draft Chatham County Lighting Ordinance.
4. Lighting shall conform to the draft Chatham County Lighting Ordinance.
5. A 25 foot wide permanent cross access with a 10 foot wide temporary construction easement on either side or temporary construction easement(s) as necessary to construct the connection to the common boundary line of the Bobby Arrington property, parcel #18908 shall be designated on a revised site plan prior to issuance of a building permit for the structure. Legal instruments shall be recorded so that if and when parcel #18908 is developed, access shall be allowed. All cost associated with said connection shall be the responsibility of the adjacent property owner.
6. All required local and state permits, i.e. NCDOT commercial driveway permit(s), NCDENR erosion control permit, NCDWQ septic permit, etc., must be obtained and a copy furnished to staff prior to issuance of a building permit for the structure.
7. Phase A will allow the boarding of no more than 30 animals. No animals shall be housed outside overnight. All animals shall be supervised at all times when outside the structure.
8. All noise abatement measures and odor control measures as outlined in the application booklet, dated 6/10/05 must be utilized.
9. Any dumpster/ waste areas must be screened from all adjacent properties.
10. It is requested that the applicant and Travis Blake, adjoining property owner, discuss the issues regarding relocation of the parking area along the northern boundary line and if an agreement is reached, that it shall be shown on the revised site plan to be furnished to staff prior to issuance of a building permit.

The motion passed 5-2-1 with Austin, McBee, Eliason, Brown and Smith voting in favor of the motion; and Mason and Wilson voting against; and Walker abstaining. Mr. Mason noted that he voted against the motion since he is in favor of staff's initial recommendation to approve the request with nine (9) conditions as noted in tonight's agenda notes.

Ms. Prather asked that Mr. Mason's reason for voting against the motion be noted in staff's notes to the County Commissioners.

- B. Request by Robert Blichington for a revision to the existing conditional use permit for Michael Cates / Ferrellgas, L.P. / propane gas business to a conditional use permit for a Contractor's Office and Shop, on one (1) acre, located off US Hwy. 15-501 N. in Baldwin Township.

Chairman Eliason stated that the applicant has requested that this issue be postponed until the December 6, 2005 Planning Board meeting and that the postponement not count as one of the Board's three required meetings. No action was required by the Board at this time.

Item from September 19, 2005 Public Hearing:

- C. Request by North Chatham Investments, Inc for a Conditional Use Permit for a Planned Unit Development and Daycare Facility within the existing RA-40 zoning district and a B-1 Conditional Use Business District with a Conditional Use Permit for various uses, on approximately 98.5 acres, located off U. S. 15-501 N and SR-1721, Lystra Road, Williams Township.

Staff distributed draft recommendations for Williams Corner to the Board. (See copy attached.)

Mr. Megginson stated that this request is for approximately 400,000 square feet of commercial and office with residential component; that the application covers most of the details; that tonight's agenda notes indicate a the following issues that staff has concerns with:

- access
- waste water system
- on-site soils

Soils: Mr. Megginson stated that the soils issue is basically the easiest to address; that from staff and Environmental Health's review of the information submitted there was soils information provided in the document but it did not appear that there were actual on-site soils investigations to verify that what is in the document is actually what is on site; that staff contacted the State Division of Water Quality for additional information; that staff has not been able to find out about the proposed systems relative to how permissible they are; that the 3M Company located south of Pittsboro has a membrane plant at their manufacturing facility to handle domestic waste water; that the application discusses that the waters of the re-use quality are used in cooling systems & etc.; that depending on the timing, something might need to be done with the water before facilities are built, i.e. residential component, restaurant; that it is important to know that there are sufficient on-site soils to handle waste water;

and that it is also important to find out more about the feasibility of the proposed system (i.e. finding #5). Mr. Megginson stated that staff recommends tabling this issue tonight to allow additional time for the applicant to submit additional soils information.

Access: Mr. Megginson stated that proposed road access has been changed from the original plans. He reviewed the revised entrances by using the large map displayed on the projector. Mr. Megginson noted that it is staff's position that if the existing Polk's Landing entrance is proposed to be moved at some point, (i.e. Polk's Landing road would access further north) and provide for a possible traffic light as well as the one already planned for Hwy. 15-501; that staff recommends just having two entrances onto Hwy. 15-501 instead of three to have fewer traffic conflict points along a major highway; and that staff recommends that the Board discuss the proposed realignment of the road tonight. Mr. Megginson referenced an E-mail to Travis Blake from Brantley Powell, HBP Properties, LLC dated October 31, 2005 regarding Polk's Landing Road realignment. (See copy of E-mail attached.)

Mr. Wilson made a motion; seconded by Mr. Martin to table the request. Discussion followed. Mr. Megginson stated that it would be helpful if Board members would let the developer know if they are in agreement with the various issues; and to inform the developer of any other concerns that they might have so that the developer could adequately address the concerns during the next Planning Board meeting.

Mr. Wilson rescinded his motion to allow open discussion to address various issues. Mr. Megginson stated that he failed to mention earlier the movement of the wastewater system plant. He noted that it is the recommendation of staff to switch this location closer to the storm water pond. It was the consensus of the Board that the revised site plan and the wastewater treatment plant were two major concerns.

Mr. Wilson made a motion; seconded by Ms. Smith to table the issue. Discussion on the motion followed. At this time, Chairman Eliason gave Travis Blake an opportunity to express his views. Some of Mr. Blake's specifics noted were:

Soils: Mr. Blake stated that his hydrologist (Michael Wicker, Withers & Ravenel, Inc.) has reviewed the extensive soil survey done on the project; that there are two areas that have not been included in this study (one area in the back and one area in front of the property); that even without these two areas there are more than adequate soils; and that in addition, evaporative cooling is proposed to be used.

Polk's Landing entrance: Mr. Blake stated that he has worked with a number of neighbors regarding the proposed entrances; that he does not think additional work on the site plan is necessary; and that his E-mail from H.B. Powell dated October 31, 2005 confirms the effort to realign Polk's Landing Road in conjunction with the Sharpe Tract. (See copy of Mr. Powell's E-mail attached.)

Staff's recommendations: Mr. Blake stated that a number of staff's proposed conditions have already been addressed; that the lighting plan would meet the draft ordinance; that the signage plan is preliminary since all the plans are not final; that the Appearance Commission and D.O.T. have seen and accepted the proposals; and that the Board listen to the experts that he brought with him tonight before considering to table the request. Mr. Blake added that there is a need for some of the medical facilities to move as soon as possible. Chairman Eliason stated that a motion was on the table to table the request. Board discussion followed regarding site design. Mr. Megginson stated that it has been the policy of the Planning Board in the past not to do site design during the meeting; that soil information is provided the Health Department's soil scientist for review for comments and opinion; that staff has not yet received any verification from Mr. Zimmerman with the State regarding the proposed system; and that staff has not received information from the Appearance Commission relative to the second meeting Mr. Blake referred to above. It was the consensus of the Board that the developer provides any additional information available so that staff would be comfortable with the next set of recommendations for the project.

Dr. Glenn Wright, UNC Hospitals, stated there is a need to expand their facility as they continue to grow; that the proposed area is convenient and is an ideal location; that they, as an institution, do not wish to put any pressure on anyone to insist that the proposed project is approved or disapproved; and that currently there are no other options on the table as far as clinical locations.

Vote on motion:

Mr. Wilson restated his motion; seconded by Ms. Smith to table the request to allow the applicant additional time to address the following issues:

- driveway entrances along US 15-50
- relocation of waste water treatment system
- on-site soils information
- Appearance Commission be provided the opportunity to review the plan as the Planning Board thinks is acceptable.

The motion passed 7-1 with all Board members present voting in favor of the motion except Mr. Austin who voted against.

Items for November 21, 2005 Public Hearing: Mr. Megginson stated that these items (D., E. & F.) are for the upcoming public hearing; and that the Board would be discussing item E. (conditional zoning) next on tonight's agenda.

- D. Public Hearing request by Greg Isenhour, IS Development Co., LLC, on behalf of North Chatham Park, Lot #5, for a revision to the existing conditional use permit, condition #1, requesting a time extension.
- E. Public Hearing to consider proposed text amendments to the Chatham County Zoning Ordinance to replace conditional use zoning with conditional zoning.

- F. Public Hearing to consider proposed text amendments to the Watershed Protection Ordinance to include the 10/70 provision in the WS-IV Protected Area.

VII. OLD BUSINESS:

A. Conditional Zoning

Mr. Megginson stated that staff has made some revisions to the proposed text regarding conditional zoning; that Jason Sullivan has worked diligently to address various issues using our existing ordinance to make things fit; that a district that would accommodate mixed uses was discussed during last month's Planning Board meeting and has been addressed (see pages 3 and 11 of proposed text); that some other changes are reflected on page 14 (Item 15.5) of the proposed text with the deletion of language regarding special design requirements for structures, i.e. height; that one issue that has been mentioned several times is regarding the community meeting by the developer; that some jurisdictions that currently have conditional zoning have not adopted requirements to have community meetings; that staff has discussed the possibility of having community groups and how these groups would be notified; that current language states that the developer is required to notify adjacent landowners and are not limited to only notifying adjacent landowners; and that the main purpose of the community meeting is to hear from those landowners that would be immediately impacted by the development.

Mr. Sullivan stated that various items listed in the proposed text (i.e., pages 5, 6 and 7) are to be included in the application submittal packet. He noted that only minor changes were made to the text.

Chairman Eliason stated that one major change in using conditional zoning is that the five findings of fact would no longer be required. Mr. Megginson explained that the five findings typically relate specifically to sworn testimony (i.e. quasi-judicial hearing); that page 17 of the proposed text lists four (4) specifics that the Board of Commissioners would consider that are similar to the five (5) required findings; that there are two different processes that zoning changes can happen and that the Board has recently reviewed; that one example is a straight zoning change from a residential district to a business district (i.e. Mr. Rode's recent request in the Moncure area); that this type zoning change is a legislative decision based on opinions and existing plans; and that the quasi-judicial process is based on facts that are submitted in a court-like setting, i.e. sworn testimony. Mr. Megginson stated that the proposed language is what staff is proposing to go to public hearing and that the Planning Board would review the proposed text again after the public hearing. He noted that Board members should go ahead and make any changes recommended at this time before the text is sent to public hearing.

Discussion followed. It was the consensus of the Board that the word "should" be changed to "shall" on page 17 of the proposed text that states as follows:

"In considering any application to reclassify property to a conditional zoning district the Board of Commissioners ~~should~~ **shall** consider"..... (1), (2), (3) and (4) as stated and referenced below.

Mr. Mason was concerned about the legality of the process. Mr. Sullivan stated that one issue with the current process is that it restricts any changes to a conditional use proposal after a public hearing has been held on the request. Mr. Megginson noted the following benefits to modifying the current process:

- gives earlier input,
- gives a more informal input, and
- allows for better proposals to come forward with revisions.

Mr. Wilson made a motion; seconded by Mr. McBee to forward the proposed text (with revisions made tonight) on to public hearing for public comments.

Discussion followed regarding Section 17.8 of the proposed text that states:

“In considering any application to reclassify property to a conditional zoning district the Board of Commissioners shall consider:

(1) Whether the proposed reclassification is consistent with the objectives of all adopted land use plans;

(2) Whether the proposed reclassification is compatible with the overall character of existing development in the immediate vicinity of the subject property;

(3) The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater treatment; and

(4) Whether the proposed reclassification will adversely affect known archeological, environmental, historical, or cultural resources”.

Mr. Walker stated that the quasi-judicial process allows for some protection and that he is not entirely convinced that Chatham County should have a one step process. He suggested adding the preliminary meeting (by the developer) to the current process. Mr. Megginson stated that an earlier notification could be done as well as requiring the community meeting and still not change the process from the quasi-judicial.

Vote on motion:

Mr. Wilson restated his above motion to forward the proposed text as submitted by staff (with changes made tonight by the Planning Board) on to public hearing for public comments. Ms. Brown seconded the motion and the motion passed 7-1 with all Board members present voting in favor of the motion except Mr. Walker who voted against.

VIII. NEW BUSINESS:

A. Planning Director's Report

Mr. Megginson stated that the Rocky River reclassifications regarding changing the Critical Area were forwarded on to the Commissioners at last month's Planning Board meeting; that it is being considered to not change to River Corridor where lots have to average five (5) acres in size with none smaller than three (3); but to allow the same density as the adjacent Balance of Watershed. Mr. Megginson used the large watershed map to illustrate these proposed changes.

B. Planning Board Member's Reports

No reports were submitted.

IX. ADJOURNMENT: There being no further business, the meeting was adjourned at 9:10 P.M.

Charles Eliason, Chair

Date

Attest:

Kay Everage, Secretary to the Board

Date