

CHATHAM COUNTY PLANNING BOARD
MINUTES
June 6, 2006

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
Mark McBee, Vice-Chair
Jennifer Andrews
Clyde Harris
Martin Mason
Cecil Wilson

Absent:

Angela Brown
Paul McCoy
Winifred Smith
Chris Walker

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: Chairman Eliason called the meeting to order at 7:00 p.m.

- II. APPROVAL OF AGENDA: Chairman Eliason asked that an agenda line item be inserted after the public input session for comments from Jennifer Andrews. Mr. McBee made a motion; seconded by Mr. Wilson to add the above request to tonight's agenda. There was no discussion on the motion and the motion passed unanimously. (6 Board members) It was the consensus of the Board to approve tonight's agenda as submitted with the one addition noted above.

- III. CONSENT AGENDA: Ms. Andrews made a motion; seconded by Mr. Wilson to approve the consent agenda as submitted. There was no discussion on the motion and the motion passed unanimously. (6 Board members)
 - A. Minutes:
Consideration of approval of minutes for May 1, 2006 Planning Board meeting.

 - B. Final Plat Approval:
 1. Request by Fitch Creations, Inc. for subdivision final plat approval of "Survey for Fearington, Millcroft Cluster Homes (Close 3 & 4)", consisting of 14 lots on approximately 4 acres, located off S.R. 1817, Millcroft Road, Williams Township.

 2. Request by David Johnson for subdivision final plat approval of Fern Creek Subdivision, consisting of four (4) lots on approximately 20 acres, located off S. R. 1714, Sugar Lake Road, New Hope Township.

End Consent Agenda

IV.

- A. Public Input Session: Fifteen-minute time of public input for issues not on agenda. Speakers limited to three minutes each.

Chairman Eliason stated that Ricky and Kay Campbell had signed up to speak at this time. Ms. Campbell stated that their comments were regarding agenda item V. B., "Burnette Mountain Estates, LLC". Chairman Eliason noted that the Campbell's concerns would be heard during discussion of the Burnette Mountain subdivision request scheduled for review later tonight.

- B. Jennifer Andrews – Comments:

Ms. Andrews distributed a copy of her remarks to the Board. She reviewed her comments regarding refusal to accept re-appointment to the Planning Board. Her statement also focused on some of her activities since moving to Chatham County and her commitment to public service. [See copy attached.]

Chairman Eliason thanked Ms. Andrews for the expertise that she brought to the Planning Board. A loud applause was extended for Ms. Andrews.

V. SKETCH DESIGN APPROVAL:

- A. Request by Brad Hart, P. E., Withers & Ravenel, for a revision to the development schedule for "The Hamptons" subdivision.

Ms. Richardson reviewed the agenda notes for this request. She stated that initial sketch design was received January 17, 2006 for 89 lots / 183 acres; that the applicant is asking for a revision to the previous development schedule due to delays (to meet the June 2006 deadline) experienced in obtaining required permits from various agencies; that the developer wishes to begin construction March, 2007; and that preliminary plat approval would need to be obtained by March, 2007 (instead of June, 2006).

No adjacent landowners spoke.

Brad Hart, applicant, was present. Mr. Hart stated that he is comfortable with the revised time line.

There was no discussion among the Board.

Ms. Andrews made a motion; seconded by Mr. Mason to grant the request to revise the development schedule as submitted and as recommended by staff. There was no discussion on the motion and the motion passed unanimously. (6 Board members)

- B. Request by Phreddie D. Popp for subdivision sketch design approval of "Burnette Mountain Estates, LLC, consisting of one (1) lot on 1.5 acres, located off S. R. 1700, Mt. Gilead Church Road, Baldwin Township.

Ms. Andrews recused herself from this issue.

Ms. Richardson reviewed the agenda notes for this request.

Ricky and Kay Campbell, 266 Burnette Mountain Lane, Pittsboro, NC, adjacent landowners, were present. Ms. Campbell stated that Ms. Popp already has two of the legal easements that come off her drive (off Mt. Gilead Church Rd.); that she has paid taxes on her property for 27 years; that she has 14 acres of property in three (3) separate lots; that the easement already extends 30 feet past her second lot for future access to her 9 acres (currently undeveloped); and that if this 4th lot is created she would not be able to access her 9 acre tract.

Ms. Richardson used the large overview map to show the location of Ms. Campbell's properties and to explain the situation. She noted that a portion of the existing easement crosses the Campbell's property (i.e. flag) before entering Ms. Popp's property. Ms. Richardson stated that this fourth lot would use up the ability to create lots on the easement unless the easement is upgraded to at least a 45 - 60 foot wide easement and becoming a public access.

For clarification regarding easement agreements, Chairman Eliason asked what kind of agreements were in place. Ms. Campbell stated that the original agreements were signed in 1983 for sharing the property; that she has copies of said agreements; and that when Ms. Popp bought the property back (from Ms. Campbell's father) the easement rights were transferred back to Ms. Popp.

Phreddie De Lois Popp, applicant, was present. Ms. Popp explained the history of the land as outlined in her letter to Ms. Richardson dated 5-11-06 with attached map. (See copy of letter and map attached.) She stated that she sold Ms. Campbell's father (Mr. Elixson) 12-1/2 acres in 1982 or 83; that there was so much controversy over the land that Mr. Elixson sold the land back to her twenty years or so later; that she gave her daughter a portion of this twelve acres; that with legal transactions easements go with the property and not the person; that this gave her daughter access to the road frontage; that this caused some disagreement with the Campbell's; that she did not want anything held up in court so she built a new access road for her daughter in order to keep construction of her daughter's house on-going; that she offered to Mr. Campbell to re-do the entire road (approx. 1200 feet) from the highway back to the Campbell's house and build the road wide enough for passing; that she offered to install a new 30 foot (60 inches around) steel bridge that would accommodate emergency vehicles; that the Campbell's did not want her to use the road; that she contemplated moving the bridge upstream but decided against; that she was denied permission from the Campbell's to move the bridge downstream 10 feet; that because she had to move the bridge upstream she had to do extreme backfilling on a ledge to protect the creek (approximately 25 tons of boulders); that approval of her request would help recoup her retirement money she invested in this land; and that she has met all the necessary requirements. Ms.

Popp noted that, for the flag portion from the State road across the Campbell's property, both parties agree that each has legal right (as recorded) to cross the road.

Discussion among the Board followed. Ms. Richardson stated that the flag portion could not be upgraded to a County road standard since the road is only 30 feet wide (need 60 feet) and the zoning requires 3 acre minimum / 5 acre average lot size; but that the road could possibly become a public State road (paved to NCDOT standards). It was noted that the Campbell's could possibly recombine their lots (lot #4 with 4A) to create a subdivision lot from lot 4B closer to the flag. The Campbell's were encouraged to visit the Planning Department to discuss their options. There was no further discussion among the Board.

Mr. Mason made a motion; seconded by Mr. Wilson to grant approval of "Burnette Mountain Estates, LLC" consisting of one (1) lot to be considered the 4th lot on a portion of the common easement as submitted and as recommended by staff with the following three (3) conditions:

1. The completion of the subdivision may be approved by staff as a minor subdivision of land.
2. The entire length of the easement serving the newly created 4th lot shall be upgraded to a 16 foot wide travel way with 4 inches of crush and run stone. Said upgrade shall be verified by a licensed road builder, surveyor, engineer, and etc. prior to plat being recorded.
3. A commercial driveway permit shall be obtained from the North Carolina Department of Transportation for the easement / driveway entrance unless NCDOT determines that no permit is required.

The motion passed 4-1-1 with Mason, Wilson, Eliason, and McBee voting in favor of the motion; and Harris voting against; and Andrews abstaining.

Ms. Andrews returned to the Board at this time.

- C. Request by ENT Land Surveys, Inc. on behalf of Bruce Curtis for subdivision sketch design approval of "Arcadia", consisting of 10 lots on approximately 57 acres, located off S. R. 1536, Lamont Norwood Road, Baldwin Township.

Ms. Richardson reviewed the agenda notes for this request.

Bruce Curtis, developer, was present.

Rick Whitfield, 740 Lamont Norwood Road, Pittsboro, NC, stated concern regarding stream crossings. Ms. Richardson explained that if there were enough impact to the stream the Corps of Engineers would need to issue a creek-crossing permit that may also include a NCDWQ permit that would need to be reviewed at preliminary plat submittal.

Steve Yuhasz, surveyor with ENT Land Surveys, Inc., was present representing the applicant. Mr. Yuhasz stated that he would go to the Corps of Engineers and NCDWQ if necessary for any appropriate permits before any additional creek disturbance occurs; that there is an existing pipe in the creek for roadway improvement; that, rather than do any potentially significant grading that would be required to upgrade the road to County standards, a joint driveway easement would be created and allow the two lots to be served by the existing road; that the soil scientist (Neil Floyd) report did not specifically identify any particular wetland areas; that a beaver swamp was indicated and there may be some associated wetlands defined; that perk sites and home sites for lots 7 and 6 (most directly affected by any wetlands) are back away from the creek; and that there is no flood plain defined on this parcel.

Ms. Richardson stated that Tom Bender, Chatham County Fire Marshal, asked that the developer be sure that the culvert is sufficient enough for emergency vehicles to cross the creek. Mr. Yuhasz stated that he would make sure that this is satisfied.

Chairman Eliason suggested that the Board consider asking the developer to do a wetland impact assessment and also that some sort of engineering study be done on the culvert crossing in order to make sure that the County's Fire Marshall's request is honored (and provide for continued access for utilities for the two proposed subdivision lots).

Mr. McBee made a motion; seconded by Ms. Andrews to grant sketch design approval of "Arcadia" as submitted and as recommended by staff with two (2) additional conditions regarding, 1.) wetland impact assessment, and 2.) culvert crossing study (see conditions 3 and 4 below). There was no discussion on the motion and the motion passed unanimously. (6 Board members)

The four (4) conditions are as follows:

1. The preliminary and final plats shall show a 50 foot wide water hazard buffer along the perennial stream with a note stating that no structures, septic systems, repair areas or wells are allowed to be located within the buffer.
2. A Voluntary Agriculture District certificate shall be placed on the preliminary and final plats.
3. The developer shall provide a wetland impact study prior to preliminary review.
4. The driveway crossing of the creek shall be constructed to accommodate emergency vehicle access, i.e. weight and width of vehicles.

- D. Request by Harrison Pond, LLC on behalf of Harbison Family Trust for subdivision sketch design approval of "Harrison Pond", consisting of 42 lots on approximately 74 acres, located off S. R. 1532, River Forest Road.

Ms. Richardson reviewed the agenda notes for this request.

The following three (3) adjacent landowners spoke:

- Catherine Trott, 106 Harrison Court, Pittsboro, NC, stated that there is a ditch behind her property that is shared by the development; that the ditch is critical since it carries storm water away from their property (and other area properties); and that she requests that during construction that there not be any debris placed in this ditch. Ms. Trott distributed a letter dated June 1, 2006 addressed to the Planning Department from her and Richard Quimby regarding their concerns. (See copy of letter attached.)

- Michael Ball, 124 Harrison Court, Pittsboro, NC, stated that he shares Ms. Trott's concerns regarding the ditch. Mr. Ball inquired how far back (of his property) is the developer planning to develop and the amount of wooded area they may be leaving between this development and the back of his property.

- Carole Bresky, 483 River Forest Road, Pittsboro, NC, asked that the developer not clear-cut to River Forest so that residents of River Forest could still see woods across from their properties.

Mark Ashness, engineer with the CE Group, Inc., was present representing the applicant. Mr. Ashness stated that the character of this development would be somewhat like that of the Heartland Grove subdivision (up the street on Manns Chapel Road) relative to lot size and etc.; that roads in this project are basically running along the higher grounds avoiding any sensitive areas within the property; that there is an old roadbed in the back of the property (i.e. ditch referenced above by Ms. Trott and Mr. Ball); that the roadbed essentially forms a break point for water flow; that this project would be draining away from said ditch; that he agrees with Ms. Bresky regarding any clear cutting in the River Forest area; and that there is no reason to disturb these areas. Mr. Ashness used the overview map to show approximate locations of septic fields for lots 7 and 8. He noted that an actual layout of septic fields would be provided at preliminary plat review.

Discussion followed. Ms. Richardson stated that a condition could require that lots fronting along River Forest Road not have direct access to the public road (i.e. all would have interior access).

Nick Robinson, attorney, was present representing the applicant. Mr. Robinson stated that Ms. Richardson's above proposal regarding lots fronting along River Forest Road was initially considered and that the applicant would not have a problem meeting this condition.

Chairman Eliason asked that Board members consider including conditions regarding, 1.) access of road front lots be prohibited from River Forest Road,

and 2.) drainage ditch issue be clarified at preliminary plat review by the developer (that it be protected) and that there is a possibility that at preliminary further land plan be shown for potential home sites and septic easements.

Mr. McBee made a motion; seconded by Ms. Andrews to grant sketch design approval of "Harrison Pond" as submitted and as recommended by staff with added conditions regarding Mr. Eliason's concerns stated above relative to River Forest Road access and the drainage ditch (see conditions 3 and 4 below). There was no discussion on the motion and the motion passed unanimously. (6 Board members). The four (4) conditions are as follows:

1. The area marked "Open Space / Permanent Access Easement" at the end of the cul-de-sac between Lots 14 and 15 shall be labeled as "public right-of-way dedication for possible future connection" on the preliminary and final plats.
 2. A utility easement shall be provided to the H. H. Mann property and other adjacent properties as recommended by Chatham County Public Works for possible future extension of water lines and shown on the preliminary and final plats.
 3. All lots fronting on SR-1532, River Forest Road shall be accessed from the interior roadway and shall not have driveway access onto SR-1532.
 4. The existing drainage ditch running along the northeastern boundary of proposed Lots 7 and 8 (common line with properties owned by Quimby/Trott and Lane/Ball in Hamlet Grove Subdivision) shall not become obstructed with construction debris possibly creating runoff problems.
- E. Request by Jim Anderson, Crosland, for subdivision sketch design approval of "Chatham Land and Timber Property", consisting of 169 lots on approximately 302 acres, located off S. R. 1711, Bynum Ridge Road, Baldwin Township.

Ms. Richardson reviewed the agenda notes for this request. She stated that staff received the following material late today and distributed the information to Board members earlier tonight:

- E-mail and letter dated June 6, 2006 from Roland McReynolds
- Letter dated June 6, 2006 from Amy W. Osborne, JD, CPA
- Letter dated June 6, 2006 from Haw River Assembly

Note: Copies are attached.

Seven (7) adjacent landowners voiced concerns as follows:

- Janet Colm, 44 Pokeberry Lane, Pittsboro, NC
 - well contamination
 - septic system issues
 - lighting
 - noise

- buffer along Bynum Ridge Road (don't touch the trees)
 - entrances and exits to the development, i.e. limited visibility from Bynum Ridge Road, on a hill, and curves in road.
- Ken Hamilton, 1530 Bynum Ridge Road, Pittsboro, NC
 - density
 - heavy traffic
 - maintenance of existing public roadway
- Janet Quesenberry, 113 Hudson Hills Road, Pittsboro, NC
 - traffic
 - blind curves and steep hills on the Bynum Ridge Road
- Amy Osborne, 101 Hudson Hills Road, Pittsboro, NC
 - curves and steep grades in road
 - dangerous traffic
 - entrance study by NCDOT, i.e. turn lanes
 - environmental impact assessment
 - density, i.e. 169 homes (pesticides, fertilizers, septic systems)
 - School Superintendent review, i.e. new schools needed
 - economic environmental assessments / impacts
 - high cost to tap onto Chatham County water
 - part of her land taken by the development
 - safety, i.e. thefts during construction
- Roland McReynolds, 1424 Bynum Ridge Road, Pittsboro, NC (submitted letter addressing concerns as referenced above – see copy attached).
 - recommend economic and environmental impact assessments
 - steep grades in areas of proposed property
 - intermittent streams that drain into Pokeberry Creek that drains into the Haw River
 - infrastructure
 - concerns from Haw River Assembly expressed in letter dated June 6, 2006, i.e. traffic, buffering (see copy attached)
- Sharon Garbutt, 595 Pokeberry Lane, Pittsboro
 - septic systems, i.e. developer states that buffer along Bynum Ridge Road could possibly serve as an emergency septic field
 - concern for wells along Bynum Ridge Road
 - retain 50 foot buffer along Bynum Ridge Road
 - hazardous road
 - lighting
 - widen road without taking area from existing property owners
- Tom Klein, 1718 Bynum Ridge Road, Pittsboro, NC
 - dangerous road
 - additional traffic
 - septic systems
 - well contamination
 - lighting

Patrick Bradshaw, attorney, was present representing the applicant. Mr. Bradshaw stated that a neighborhood meeting was held by the applicant on May 31, 2006 and was well attended; that a few days after the joint meeting the applicant sent letters to various property owners outlining some of the issues discussed at the meeting; that traffic concerns have been raised and the applicant has retained Rynal Stephenson with Ramey Kemp and Associates, Inc. (who is present tonight) to address these concerns; that the developer has shown connections to the adjoining properties and committed to evaluate those further to whether it is practical or possible to attain access across other properties that have also stubbed out accesses to this property or might in the future as they are developed; that the applicant would follow up on the environmental and regulatory issues raised regarding drinking water quality; that the project would be required to comply with all applicable regulations at all levels related to the placement of septic systems in relation to any existing wells; that some concerns were raised at the May 31st meeting regarding the affect of this neighborhood on the community; that the applicant is extremely sensitive to this (with all the other developments going on in this community affecting the overall rural character of the area); that lighting plans throughout the project would comply with the draft Lighting Ordinance; that the applicant has discussed surface water quality concerns with Catherine Deininger of the Haw River Assembly; that low impact design guidelines were discussed and how these might be incorporated into the project; that an educational program for lot buyers is being explored; that the applicant has stated that local residents could continue the sampling and monitoring of Pokeberry Creek; that the plan complies with all required stream buffering (i.e. some required buffers are supplemented with additional open space); that the Chatham County Historical Association has been notified of the project; that an archeological assessment would be done on the property prior to preliminary review; and that the project is in compliance with zoning and subdivision regulations. Mr. Bradshaw asked that the Board extend the original development schedule by 6 months.

Jim Anderson, applicant, stated that Crosland is a private company and has been developing communities like this throughout the Carolina's sine 1937(i.e. over 200 have been completed); that their philosophy is to bring quality to all people; that the company has won several awards for innovative land use; that this project would be a showcase for anything that they have done in the Triangle (i.e. between \$400,000 – \$800,000 home price); and that Crosland is a responsible company that can be trusted to do a responsible development.

Rynal Stephenson, engineer with Ramey Kemp and Associates, Inc. addressed traffic concerns. Mr. Stephenson stated that his firm is preparing a traffic assessment of the driveway locations and traffic operations along Bynum Ridge Road; that he is meeting with NCDOT in the field tomorrow (Wednesday, June 7, 2006) to evaluate the driveway locations and sight distance; that he has prepared the following summary from traffic counts on Bynum Ridge Road with future projections as follows:

1,000 cars per day - existing
2,500 " " " - projected to year 2015

3,500 “ “ “ - with added sight traffic (Williams Corner and
new development and normal growth)
8,000 “ “ “ - capacity;

and that final analysis would be submitted after meeting with NCDOT.

10-Minute Break

Discussion among the Board followed. Mr. Harris voiced concerns regarding additional traffic on the existing dangerous roadway. Mr. McBee stated that residents did a good job tonight expressing their concerns. There was no further discussion among the Board.

Mr. McBee made a motion; seconded by Ms. Andrews to grant sketch design approval of the request as submitted and as recommended by staff with three added conditions (see conditions #3, 4, and 5 below) regarding, 1.) compliance with the draft Lighting Ordinance, 2.) any road widening be on the Crosland property, and 3.) extension of development schedule by 6 months. There was no discussion on the motion and the motion passed unanimously. (6 Board members) The Five (5) conditions are as follows:

1. Prior to preliminary submittal, the three dedications of public right-of-way to adjacent properties shown of the plat shall be evaluated for the best possible location for connectivity due to steepness of slopes, stream crossings and adjacent land configuration.
 2. The preliminary and final plats shall provide utility easements to the adjoining properties of “The Hamptons” to the east and Pace to the west.
 3. All lighting within the development shall conform to the Draft Chatham County Lighting Ordinance.
 4. If any additional right-of-way is necessary for potential turn lanes / roadway construction as determined by NCDOT, the developer shall make every effort to locate said right-of-way on the subject property.
 5. The development schedule submitted by the developer shall be extended by six (6) months for each stage of the development.
- F. Request by MAC Development, LLC for subdivision sketch design approval of “Cedar Grove Subdivision – Phase V”, (Lots 29 – 35), consisting of 7 lots on 23 acres, located off S. R. 1540, Jones Ferry Road, Baldwin Township.

Ms. Richardson reviewed the agenda notes for this request that is a continuation of the existing Cedar Grove Subdivision.

Chuck Lewis, developer, was present.

No adjacent landowners spoke.

There was no discussion among the Board.

Ms. Andrews made a motion; seconded by Mr. Mason to grant sketch design approval of "Cedar Grove, Phase V" as submitted and as recommended by staff with the following two (2) conditions:

1. The preliminary and final plats shall show a turnaround between Lots 31 and 32, on the west side of Meadow Branch.
2. The preliminary and final plats shall display a Voluntary Agriculture District certificate.

There was no discussion on the motion and the motion passed unanimously. (6 Board members)

VI. SKETCH and PRELIMINARY APPROVAL:

- A. Request by MAC Development, LLC for subdivision sketch and preliminary design approval of "Cedar Grove Subdivision, Phase IV", consisting of 11 lots on 43 acres, located off S. R. 1540, Jones Ferry Road.

Ms. Richardson reviewed the agenda notes for this request. She stated that the request is for sketch and preliminary approval since sketch approval ((November 7, 2005) expired due to difficulty in obtaining the creek crossing permit. Ms. Richardson noted that there are no changes to the plan that the Board reviewed previously and that all necessary requirements have been met.

Chuck Lewis, developer, was present.

No adjacent landowners spoke.

There was no discussion among Board members.

Ms. Andrews made a motion; seconded by Mr. Mason to grant sketch and preliminary approval of "Cedar Grove, Phase IV" with the following two (2) conditions:

1. The final plat shall designate individual off-site septic areas for Lots 18, 19, 21, and 28.
2. The final plat shall display a Voluntary Agriculture District certificate.

There was no discussion on the motion and the motion passed unanimously. (6 Board members)

VII. SKETCH, PRELIMINARY and FINAL APPROVAL:

- A. Request by Jordan Lake Preserve Corporation for subdivision sketch, preliminary, and final approval of "Heater Utilities, Inc.", consisting of four

(4) non-residential subdivision lots on approximately 22 acres, located off NC Hwy 87 N and S. R. 1520, Old Graham Road, Hadley Township.

Chairman Eliason recused himself from this issue. Mr. McBee, Vice-Chair, directed the discussion.

Ms. Richardson reviewed the agenda notes for this request.

Nick Robinson, attorney, was present representing the applicant.

No adjacent landowners spoke.

There was no discussion among the Board.

Mr. Mason made a motion; seconded by Ms. Andrews to grant sketch, preliminary, and final plat approval of "Heater Utilities, Inc." as submitted and as recommended by staff. There was no discussion on the motion and the motion passed 5-0-1 with Mason, Andrews, McBee, Harris and Wilson voting in favor of the motion; and Eliason abstaining.

Chairman Eliason returned to the Board.

VIII. ZONING AND ORDINANCE AMENDMENTS: - *Items from May 15, 2006 Public Hearing:*

- A. Request by Jesse Fearington, c/o Nicolas P. Robinson, Attorney, for a Conditional Use B-1 Business District on approximately 60 acres, located at the intersection of U. S. 15-501 and S. R. 1527, Morris Road, Baldwin Township.
- B. Request by Jesse Fearington, c/o Nicolas P. Robinson, Attorney, for a Conditional Use Permit for restricted B-1 uses, (see list of 48 requested uses out of possible 78 uses), on approximately 60 acres, located at the intersection of U. S. 15-501 and S. R. 1527, Morris Road, Baldwin Township.

Chairman Eliason stated that the above items (A. and B.) regarding the Jesse Fearington requests are being postponed for review during the July 11, 2006 Planning Board meeting.

- C. Request by Mitch Barron, Newland Communities, on behalf of NNP – Briar Chapel LLC, for a revision to the existing Compact Community – Conditional Use Permit (CC-CUP) at the intersection of Andrews Store Road and Parker Herndon Road.

Ms. Richardson reviewed the agenda notes for this request. She stated that the request is to remove one of the four (4) proposed entrances (from 4 to 3).

Sandra Tripp, adjacent landowner, was present and acknowledged that she was in favor of the request.

Mitch Baron, applicant, was present.

There was no discussion among the Board.

Ms. Andrews made a motion; seconded by Mr. Harris to grant approval of the request for a revision to the existing Compact Community – Conditional Use Permit (CC-CUP) at the intersection of Andrews Store Road and Parker Herndon Road, for the removal of the previously approved point of access off Andrews Store Road and aligned with Parker Hendon Road, as submitted and as recommended by staff. There was no discussion on the motion and the motion passed unanimously. (6 Board members)

- D. Request to consider proposed text amendments to the Chatham County Zoning Ordinance to comply with 2005 NC General Statute updates.

Mr. Sullivan reviewed the agenda notes for this request. He stated that this is a matter to make sure that text amendments approved by the Legislature are incorporated into our ordinances. He noted that we are currently practicing some of the activities addressed but that the appropriate language merely needs to be included in the ordinances.

There was no discussion among the Board.

Mr. McBee made a motion; seconded by Ms. Andrews to grant approval of the proposed amendments to the Zoning Ordinance as submitted and as recommended by staff. There was no discussion on the motion and the motion passed unanimously. (6 Board members)

- E. Request to consider proposed text amendments to the Chatham County Subdivision Regulations to comply with 2005 NC General Statute updates, make technical corrections.

Mr. Sullivan reviewed the agenda notes for this request. He noted that the bulk of the amendments relate to technical corrections; that one change relates to the definition of a subdivision; and that the other change is to extend sketch design approval (for subdivisions under 50 lots) from six (6) to twelve (12) months to allow developers additional time to obtain various required permits before preliminary review. Mr. Sullivan stated that staff has included in the proposed amendments one additional change to revise the definition for Flood Hazard Area, i.e. current language references old maps.

There was no discussion among the Board

Mr. Mason made a motion; seconded by Ms. Andrews to grant approval of the proposed amendments to the Subdivision Regulations with the additional changes to the definition for Flood Hazard Area, as submitted and as recommended by staff. There was no discussion on the motion and the motion passed unanimously. (6 Board members)

IX. OLD BUSINESS:
No reports were submitted.

X. NEW BUSINESS:
A. Planning Director's Report

a. Joint Meeting with Cary Planning Department
Mr. Megginson reminded the Board of the meeting scheduled for tomorrow night (June 7, 2006) at North Chatham Elementary School from 5 p.m. – 8 p.m. to discuss the joint plan for the eastern part of Chatham County (east of Jordan Lake). He stated that additional information is on our Planning Department website (under Joint Plan).

B. Planning Board Member's Report

At this time, thanks and goodbyes were expressed to Jennifer Andrews, Angela Brown, and Winifred Smith. It was noted that Sally Kost, new Planning Board member (as of July 1, 2006), was in the audience tonight.

XI. ADJOURNMENT: There being no further business, Mr. McBee made a motion; seconded by Ms. Andrews to adjourn tonight's meeting. The motion passed unanimously and the meeting adjourned at 9:40 p.m.

Charles Eliason, Chair

Date

Attest:

Kay Everage, Secretary to the Board

Date