



Chatham County Planning Board Minutes June 7, 2016

The Chatham County Planning Board met in regular session on the above date in the Agriculture Building Auditorium, Pittsboro, North Carolina. Members present were as follows:

Present:

George Lucier, Chair
Caroline Siverson, Vice Chair
Bill Arthur
B. J. Copeland
Jim Elza
Tony Gaeta
Cecil Wilson

Absent:

Brian Bock
Gene Galin
Allison Weakley

Other: Diana Hales, County Commissioner Liaison

Planning Department:

Jason Sullivan, Planning Director
Lynn Richardson, Subdivision Administrator
Hillary Pace, Planner II
Cara Coppola, Planner I
Kimberly Tyson, Clerk to the Board

- I. INVOCATION AND PLEDGE OF ALLEGIANCE:
Mr. Copeland, delivered the invocation and afterwards invited everyone to stand and recite the Pledge of Allegiance.
- II. CALL TO ORDER:
Chair Lucier called the meeting to order at 6:33 p.m.
- III. DETERMINATION OF QUORUM:
The clerk stated a quorum was present to begin the meeting (6 members were present at this time).
- IV. APPROVAL OF AGENDA:

No changes were proposed and the agenda was considered approved as submitted. Motion to approve agenda as submitted was made by Mr. Arthur and seconded by Mr. Elza. Motion passed unanimously.
- V. APPROVAL OF CONSENT AGENDA:

Minor changes to the minutes Ms. Siverson stated “Motion Failed” on page 56 under the Chatham County-Town of Cary Joint Land Use Plan should be changed to Motion Passed. Chair Lucier stated on page 53 “Board discussion followed about “imperious surface” to be changed to “impervious surface”. He also stated that a few people had spoken to him and he agrees that the minutes should have a little more details about the Planning Board discussions. Currently it states Planning Board discussion and a motion to vote, Chair Lucier stated especially when there’s cases of a split vote he thinks there should be a restatement about what the issues were either for or against. Mr. Copeland stated, “This be would okay if everyone would be clear about the issues, but most the time we don’t know what that is”. Mr. Copeland stated, “The board needs to be clear about the details” and Chair Lucier agreed. Chair Lucier stated, “In cases where there are split votes, there should be clear articulations of why someone voted for or against a request”. Ms. Siverson made a motion and seconded by Mr. Copeland.

Mr. Wilson present at 6:41 p.m.

VI. PUBLIC INPUT SESSION:

Speakers limited to three minutes each.

1. Jeffrey Starkweather, 590 Old Goldston Road, Pittsboro, NC – Mr. Starkweather stated, “he wanted to address the interim zoning that would be recommended” and gave a handout of his speech that he had from Board of Commissioners’ meeting held the night before June 6, 2016. He stated, “He first wanted to address why you are doing the zoning”. One is to provide protection to the areas while the land use plan is being developed which could take 2 years. Secondly he thinks that you want to have something that is very easy to transfer from interim to the zoning. Mr. Starkweather stated he gave two examples, as a guide, one from Pennsylvania and one from Randolph County, NC to Chair Lucier, Mr. Starkweather stated these two examples had a very interesting process. This process gives local citizens a lot of voice. In their rural agricultural zoning if someone wants to do a business or subdivision they would apply for rezoning, they do initial citizens meetings which are held in the community where the zoning is proposed, and impact studies and more. He stated the people in the community felt the process gave them more control. He believes the county should go to 5 acres.
2. Carl Pasoreck, 2323 Buckner Clark Road, Pittsboro, NC – Mr. Pasoreck stated he just moved to Chatham County on Saturday, June 4, 2016. He spent his entire life in New Jersey and saw irresponsible development. People failed to look at the end results, they put in large developments but missed the target on infrastructures, water pollutions, and echo the minimum 5 acres. In New Jersey they allocated under the farmland preservation areas that would those areas will never be developed.

Chair Lucier welcomed Mr. Pasoreck to North Carolina. He stated, we have a volunteer agricultural district in the county and farmers sign up for that. He asked Mr. Sullivan how many farmers or how many acres are in the volunteer agricultural program? Ms. Pace stated that the info would be in the comprehensive plan and would look for the info. When Ms. Pace located the info she stated, there are twenty-six thousand acres in Chatham County.

Board discussion followed. Mr. Gaeta asked that someone explain agricultural zoning. Mr. Sullivan stated that agricultural zoning you would need a bigger discussion on what the intent would be. Different jurisdictions have agricultural zoned districts and they vary in how

they are applied. Some districts are set up where agriculture is protected and the protection comes from limiting the development potential of the property by removing a lot of the development rights. Meaning, primarily the use of the property is agriculture and if you would like to do something else you would need to request a rezoning. Ms. Pace stated they are having an agricultural focus group in the comprehensive plan while involving the agriculture element, but this is private land use. Mr. Elza stated, the two counties that he worked for, the base zone was agriculture and then converted to something else or stayed agriculture. He stated, "In both cases they didn't do enough". He believes the agriculture should include the ability for farmers to have a secondary occupation.

Mr. Gaeta stated, maybe he was reading them wrong, from previous meetings, but the unzoned residents were stating you are taking away my property rights, why do you know better than I, and I want to protect my children, grandchildren, and have their ability to sell to a rock quarry or developer and make money on my land. Mr. Geata asked if agricultural zoning would in some way take that away. Chair Lucier stated "yes, if they wanted to sell to a developer for a subdivision it would add an additional step". Mr. Sullivan stated, what they hope to gain from the comprehensive plan is to have a discussion with the groups because it's more than a zoning piece. It's a more complex issue such as infrastructure, where water lines would run, where to run water systems, and the cost that's associated.

VII. SUBDIVISIONS:

1. **Request by Lee Bowman, Senior Project Manager on behalf of NNP Briar Chapel, LLC** for subdivision Final Plat approval of Briar Chapel, Ph 16 South, Section 1 consisting of 61 lots on 13.94 acres, located off Andrews Store Road, SR-1528 and Boulder Point Drive, Baldwin Township, parcels 82828 & 82829.

Ms. Richardson reviewed the agenda notes for Briar Chapel, Ph 16 South Section 1 consisting of 61 lots on 13.94 acres. Phase 16 South received preliminary plat approval on March 21, 2016 for 125 lots on 45.50 acres. This request is for a portion of the previously approved preliminary plat. The submittal includes a request for a financial guarantee for the completion of the infrastructure. Per Chris Seamster, RLA, McKim & Creed, 50% of the required infrastructure has been completed to date. The pre-2008 Subdivision Regulations requires that a minimum of 40% of the infrastructure be completed prior to submitting a final plat request. Mr. Seamster estimates that 75 % of the infrastructure will be completed prior to review by the Board of Commissioners. Staff recommends granting approval of the request for a financial guarantee. A contract and the form of the financial guarantee will require approval by the county attorney prior to final plat recordation. The engineer will provide a certification letter stating that the roadways are accessible to emergency vehicles prior to final plat recordation.

The Planning Department recommends granting approval of the request for a financial guarantee and recommends granting approval of the final plat titled Briar Chapel, Phase 16, South Section 1 with the following conditions:

1. The title of the final plat shall be Briar Chapel, Phase 16 South, Section 1
2. The final plat shall not be recorded until the county attorney has approved the contract and the form of the financial guarantee

3. The final plat shall not be recorded until the engineer has provided a sealed certification letter stating that the roadways are accessible to emergency vehicles and the Fire Marshal has approved.

Nick Robinson, Attorney, Lee Bowman, Project Manager, and Chris Seamster, P.E. was present.

Motion – Passed:

Mr. Elza made a motion; seconded by Mr. Wilson to approve as submitted with the three conditions. No board discussion followed. Motion passed unanimously.

X. NEW BUSINESS:

1. Discussion Regarding Liaisons to Pittsboro and Siler City Planning Boards.

Chair Lucier stated at the last meeting they had talked about making a recommendation to the commissioners to have a liaison to the Pittsboro, Siler City, and Cary Planning Boards and ask the other towns/city to do the same. Chair Lucier asked the members what they think. Mr. Copeland stated, “He thought it was a great idea, it was done two years ago and got no response, hopefully this time they will respond”.

Motion – Passed:

Mr. Copeland made a motion; seconded by Ms. Siverson to recommend to the Board of Commissioners to have liaisons to attend Pittsboro, Siler City, and Cary Planning Board meetings. Brief discussion about the responsibility of the liaisons (e.g. attend meetings, receive their agenda and view their materials ahead of the meetings). Motion passed unanimously.

XI. BOARD MEMBERS ITEMS:

Mr. Elza stated from the Board of Commissioners’ meeting that was held Monday, June 6, 2016, there were some against zoning and that some of the comments were unknown as to whether they were against or in favor, but he heard people saying they would like open space recreation district that should be concerned in the comprehensive plan.

Chair Lucier told Mr. Sullivan he did a good job with his presentation at the Board of Commissioners’ meeting the night before.

Mr. Gaeta asked when the next Planning Board meeting was and will the Zoning Initiative be on the agenda. Mr. Sullivan stated, the staff will need to compile the information that was received for Board of Commissioners’ meeting from the night before and business forms are continuing to be turned into Planning Department. He stated it would be by the middle of next week before he would know if the item would be on next month agenda. Mr. Sullivan stated, currently the Planning Board meeting is to be held in the Historic Courthouse, Courtroom.

