

BRADSHAW & ROBINSON, LLP

ATTORNEYS AND COUNSELORS AT LAW

HALL-LONDON HOUSE

128 HILLSBORO STREET

POST OFFICE BOX 607

PITTSBORO, NORTH CAROLINA 27312

PATRICK E. BRADSHAW
NICOLAS P. ROBINSON
ANDREW T. SLAWTER
TERESA G. HEATH

(919) 542-2400
FAX 542-0496

robinson@bradshawrobinson.com

April 19, 2017

James Crawford, Chairman
Chatham County Board of Commissioners
80-A East Street
Pittsboro, North Carolina 27312

Via Hand Delivery &
Electronic Mail

**RE: Briar Chapel: Request for Compact Community Ordinance (“CCO”) SD-West
Buffer Waiver by NNP-Briar Chapel LLC to Reflect Map Change**

Dear Board of Commissioners:

This letter serves as a formal request by NNP-Briar Chapel, LLC (“NNP”) to allow a waiver of a former stream buffer depicted on the 2014 Briar Chapel Master Plan Map for the Compact Community.

The original Briar Chapel Master Plan showed a stream buffer previously imposed by the U.S. Army Corps of Engineers (the “Corps”) in the 404 Permit and the North Carolina Water Resources Environmental Quality division (“NCDENR”) in the 401 Permit (collectively the “404/401 Permits”). The stream buffer is shown on Exhibit 1 as the “Former 404/401 Permit Buffer.”

In February of 2017, as part of the 404/401 Permits renewal process, the Corps and NCDENR each issued modified permits that allow NNP to impact the Former 404/401 Permit Buffer. The renewal process was a multi-agency process, including State and Federal agencies charged with the protection of water resources. The conclusion of that review was that impacts to this resource were minimal. Since that area is now allowed to be impacted pursuant to Corps and NCDENR authorization, NNP seeks to remove the visual depiction of the Former 404/401 Permit Buffer from the Master Plan. As part of the revision, NNP will relocate a stormwater pond in a portion of the Former 404/401/Permit Buffer area, as shown on Exhibit 1.

As I am sure you recall, the Compact Communities Ordinance (“CCO”), Section 15, authorizes the Board of Commissioners to adjust, modify, reduce or waive requirements applicable to the compact community. Given the multi-agency review and conclusions, there is a reasonable nexus between the request and the impact of the compact community, all of which have been addressed through the modification of the 404/401 Permit renewal.

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Based on the foregoing, the enclosed proposed Order of the Board of Commissioners allowing the relief requested is submitted to the Board of Commissioners for a vote at its meeting of May 15, 2017. This is to request of the County Manager that the request be placed on the Commissioners Agenda for their meeting on May 15, 2017, prior to the CUP Amendment Public hearing.

If the requested waiver is approved, the Briar Chapel CUP Master Plan map will be modified to reflect the change.

Please let me know if you have any questions or concerns regarding the above.

Very truly yours,

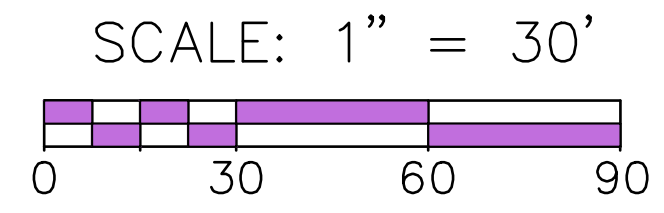
A handwritten signature in black ink, appearing to read "Nicolas P. Robinson", with a long horizontal flourish extending to the right.

Nicolas P. Robinson

NPR:amm

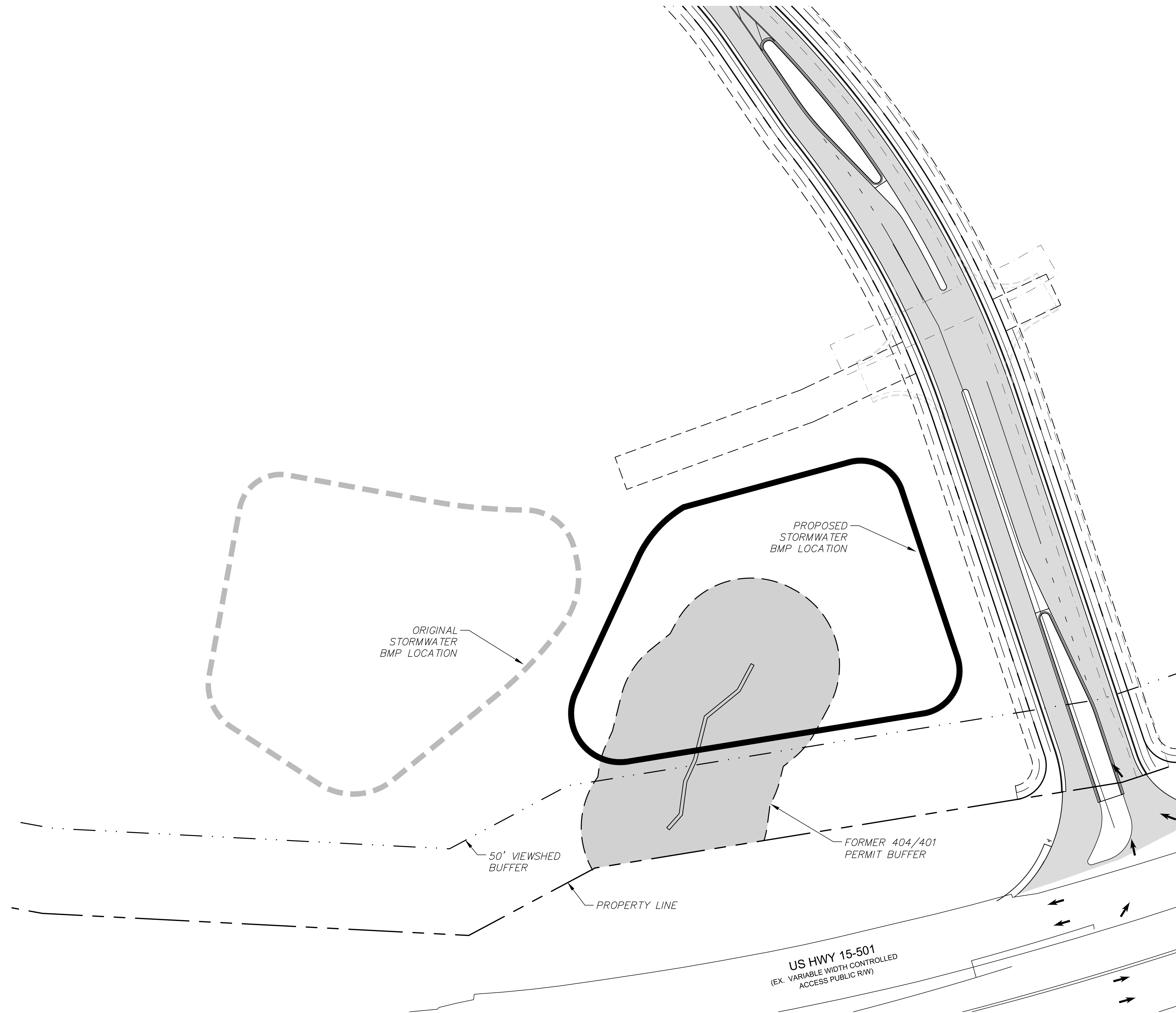
Enclosure

c: Renee Paschal, County Manager
Jason Sullivan, Planning Director
Lee Bowman



DATE: APRIL 18, 2017

**SD WEST
WAIVER EXHIBIT 1**



ORIGINAL/PROPOSED BMP LOCATIONS

1" = 30'



NORTH