

# BOC Public Input Signup & Comments

Submitted On: May 15, 2017 @ 7:38AM

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| <b>CONTACT INFORMATION:</b>  | Shelley<br>Colbert   |
| <b>Daytime Phone Number (optional)</b>   |  |
| <b>Email Address (optional):</b>   | miccolbert@att.net   |
| <b>RESIDENCY: Are you a resident of Chatham County?</b>  | Yes  |
| <b>MEETING DATE SELECTION</b>  | May 15, 2017   |
| <b>PUBLIC INPUT SELECTIONS:</b>  | Public Input (Regular Session - usually nights)<br>Public Hearing (note topic of hearing below)<br>Written Comments  |
| <b>LIST PUBLIC HEARING TOPIC(S) BELOW, if relevant:</b>  | CCO Text Amendment application 17-2165 and related CUP amendment application 17-2168. These are related items.   |
| <b>YOUR COMMENTS:</b><br>Additional information can be uploaded below or emailed to <a href="mailto:lindsay.ray@chathamnc.org">lindsay.ray@chathamnc.org</a> |  |
| <b>UPLOAD ATTACHMENT:</b><br>You may upload additional comments as a file in Word or PDF format.   | <a href="https://seamlessdocs.s3.amazonaws.com/attachments%2F016051000015177468%2Fk6buzpkkSLaiHeM1uBMg_Item+17+2165+and+17+2168+++Colbert+email+05122017.doc">https://seamlessdocs.s3.amazonaws.com/attachments%2F016051000015177468%2Fk6buzpkkSLaiHeM1uBMg_Item+17+2165+and+17+2168+++Colbert+email+05122017.doc</a><br><a href="https://seamlessdocs.s3.amazonaws.com/attachments%2F016051000015177468%2FQuOjQ8fFTYyO8MtO75EJ_Item+17+2165+and+17+2168+Colbert++email+04242017.doc">https://seamlessdocs.s3.amazonaws.com/attachments%2F016051000015177468%2FQuOjQ8fFTYyO8MtO75EJ_Item+17+2165+and+17+2168+Colbert++email+04242017.doc</a><br><a href="https://seamlessdocs.s3.amazonaws.com/attachments%2F016051000015177468%2FIKy9jZruTeOOZy5vLw6j_Item+17+2165+and+17+2168+Colbert+email+05152017.doc">https://seamlessdocs.s3.amazonaws.com/attachments%2F016051000015177468%2FIKy9jZruTeOOZy5vLw6j_Item+17+2165+and+17+2168+Colbert+email+05152017.doc</a><br><a href="https://seamlessdocs.s3.amazonaws.com/attachments%2F016051000015177468%2FO2JNRbgSj69sh9eNA1Ut_Item+17+2165+and+17+2168+Newland+Letter_20170412_0001.pdf">https://seamlessdocs.s3.amazonaws.com/attachments%2F016051000015177468%2FO2JNRbgSj69sh9eNA1Ut_Item+17+2165+and+17+2168+Newland+Letter_20170412_0001.pdf</a> |

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**From:** MColbert [mailto:miccolbert@att.net]

**Sent:** Friday, May 12, 2017 3:55 PM

**To:** 'Karen Howard'; 'mike.dasher@chathamnc.org'; 'Diana Hales'; 'James Crawford'; 'Walter Petty'

**Cc:** 'Jason Sullivan'; 'Angela Birchett'

**Subject:** Public Hearing Comments 5/15/2017 Newland CCO and CUP Amendments

Honorable Commissioners,

I write to you today in opposition to the following items on the May 15 public hearing agenda. The items are related. I would also respectfully ask that you consider the circumstances leading up to the hearing that have negatively impacted the ability of concerned citizens in the community to respond in greater detail to the requested changes in the CCO and amended CUP as submitted. The Newland correspondence that I previously forwarded to you promised changes without offering specific replacement language, and that letter is not part of the CUP application before you. (I'm also attaching my comments as a Word document)

**17-2165 A Legislative Public Hearing on a request by NNP Briar Chapel for a revision to the Chatham County Compact Community Ordinance, Section 6.2 Maximum Size, to increase the dwelling unit cap from 2, 500 to 2,650.**

This text amendment should be rejected because the request, by proposing yet another ad hoc, incremental expansion to the CCO, subverts the purpose and requirements of the original master plan. The original plan established a cap on total units of 2389, which was later approved for an increase to 2500 in late 2014.

The 2017 application is the third request in less than thirty-six months, and if approved would represent an 11% cumulative increase in units to the original master plan (an additional 261 total units) with no increase or adjustments to the required five findings in the accompanying CUP amendment. I will therefore incorporate my specific objections to the proposed CCO increase by reference below, with respect to the five findings in the companion CUP request 17-2168.

I would also like to make a general observation that I find it contradictory and not at all credible that the applicant-funded professional supporting assessments essentially rubber-stamp every single proposed change as having no impact to infrastructure, environment and facilities despite the significant proposed increases to demand, as well as numerous requests for buffer waivers. Since the applicant has not disclosed any persuasive factual details that would support those assertions in the public filings, I strongly urge the commissioners to question the basis for them, as I note more specifically below by reference to item 17-2168.

17-2168 A Quasi-Judicial Public Hearing on a request by NNP Briar Chapel for a revision to the Conditional Use Permit to (1) revise the civic site at the intersection of Andrews Store Rd and Parker Herndon Rd (possible Chatham County elementary school site) on master plan to allow for full development of the site (rather than just 2 acres as shown), (2) create the possibility of having up to 2,650 residential units (currently approved for 2,500), (3) revise the master plan map to reduce the perimeter buffer (a) from 100' to 50' along the frontage with Chapel in the Pines church (at the church's request); (b) from 100' to 50' along the short boundary with Duke Energy ROW at SD-N; and (c) from 100' to 75' along Phase 15-S boundary to eliminate the need to build a retaining wall within the perimeter buffer, and (4) revise the color key table on the master plan map to reflect adjustments to residential densities in particular locations.

I object to this application as follows, for failing to meet all requirements under the Conditional Use Permit Requirements (Five Findings). Below I quote the exact language that the county uses on its website and I have indicated (in caps) where the county version differs from the language submitted by the applicant under Tab F in the application:

1. "The use request is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located."
  - The applicant too narrowly construes the meaning of the word "district" to render this requirement a meaningless tautology by ignoring the uses applicable to sub-districts within the CCO and clearly identified in the site plan. This finding is not met or addressed specifically at Tab D, which describes significant changes to use, especially with respect to multi-family housing in an area where it was previously prohibited.
  - This application attempts to change a previously ineligible use to an eligible use within a specific portion of the master plan subject to the CCO.
2. "The requested conditional use permit OR REVISION TO THE EXISTING PERMIT is either essential or desirable for the public convenience or welfare." The applicant has not demonstrated the need or desirability for revisions as required under this finding except to assert it, without persuasive evidence, as follows:
  - A-2 Buffer Request, to which I again restate the objection as noted on the CCO to the incremental approach to key components of the master plan such as buffers. Buffer waivers are deserving of your highest level of skepticism and scrutiny because the cumulative effect can be environmentally significant.
  - A-3 Additional high density residential units are not desirable for public convenience or welfare in areas where they will negatively impact existing infrastructure, facilities, homes and residences. The

applicant proposed to put up to 350 apartments in areas either previously prohibited for such use, or for which such scale would exceed prior unit limitations. A large-scale project as specifically described is not essential or desirable in any location within the CCO, especially with respect to related/impacted Finding Number 5.

- A-4 Revised Table of Uses should be rejected outright for reasons noted above under A-3 and below with respect to negative impacts under Findings 3, 4 and 5.
- The fact that there are no comparable high-density projects in Chatham shouldn't be much of an intellectual stretch in order for the applicant to consider negative impact given comparable examples available outside the county but within the commuting area/region. A large-scale apartment complex nearly double the size previously permissible (to 350 from 200) is incompatible with the character of Chatham County and would be a detriment to the public safety and welfare.

3. The requested PERMIT OR REVISION TO THE EXISTING PERMIT use will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community.”

- The applicant's statements under this finding do not address at all the impact of revisions and changes to the Table of Uses for current residents of Briar Chapel, Mann's Chapel and Fearrington who would be affected directly by an increase to the number and density of units. Despite the fact that the CUP /CCO total represents a cumulative 11% increase of units to the master plan, this finding indicates “no changes” for traffic, lighting, noise, chemicals and signage, and is simply not credible on the face of it. Noise, for example, is addressed only as to volume but not frequency. More specifically with respect to traffic under 3A, the Kimley traffic study letter specifically notes its impact assessment “for the development as a whole” [emphasis added] without noting that significant impact will occur in certain areas of the community and surrounding neighborhoods involving hundreds of existing residential units.
- This application will, with certainty, negatively impact the integrity and character of the existing homes and business in the surrounding community and will be detrimental to the health, safety and welfare of the community. I invite the commissioners to visit the community and see firsthand how the already-narrow streets will not be able to safely absorb activity of all kinds (vehicle and pedestrian traffic, parking, emergency services, etc) caused by increased density and total units.

4. “The requested permit will be OR REMAIN consistent with the objectives of the Land Conservation and Development Plan.”
- The CUP application is inconsistent with the land conservation and development plan and the “wild nature” setting for Chatham County. The proposed unit increase and densities revisions are not matched with ANY proposed increases to open space or recreational facilities. Putting a large apartment complex in the heart of (or adjacent to) an existing residential area, without adequate, identified access to public transportation subverts the planning requirements under this finding.
  - In addition, I have previously contacted the commissioners concerning the applicant’s poor stewardship of the existing Briar Chapel community on environmental issues, and its failure to execute its responsibilities for ensuring compliance with current CCO requirements for impervious surfaces, runoff, native plants, etc.
5. “Adequate utilities, access roads, storm drainage, RECREATION, OPEN SPACE, and other necessary facilities have been or are being provided consistent with the County’s plans, policies and regulations.”
- Astoundingly, despite a proposed cumulative increase to the CCO unit size by 11%, the applicant indicates “no change” to this requirement. I note that the applicant also changes the county’s language of Finding 5 to “other necessary facilities” and omits specific reference to “recreation” and “open space” “consistent with the County’s plans, policies and regulations” found on the planning website.
  - This is no small omission. These incomplete assertions are inconsistent with county requirements and will negatively impact current and newer residents alike in their access to all facilities, recreation, open space and infrastructure in the community.
  - This finding doesn’t come close to being met in the application, since it makes no additional provisions to support a significant increase of population that could reasonably be extrapolated from the proposed increases and usage changes. I couldn’t find any population projections in the application, but that’s something I urge you to question the applicant about. (261 additional units to the original master plan would add at least 652 people at 2.5 persons per household/unit- which I suspect is a low estimate.)

The related Newland CCO and CUP applications before you do not meet the requirements under the five findings. The application doesn’t adequately or completely explain the scope of changes and admits no foreseeable negative impact whatsoever (nor does it make any attempt to mitigate or address any negative impacts). The application(s) subverts the master plan with a piecemeal approach that threatens the quality of life for current and future residents, ignores

environmental impacts, and fails to address any need for a commensurate increase to facilities, recreation, open space and infrastructure.

If approved, the applications will ultimately result in shifting the cost of the applicant's inadequacies onto the citizens of Chatham County. I urge you to reject them.

Sincerely,  
Shelley Colbert  
Briar Chapel/Baldwin Township

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**From:** MColbert [mailto:miccolbert@att.net]

**Sent:** Monday, May 15, 2017 7:24 AM

**To:** 'Karen Howard'; 'mike.dasher@chathamnc.org'; 'Diana Hales'; 'James Crawford'; 'Walter Petty'

**Subject:** FW: Briar Chapel CUP Amendment Email from Newland to BCCA directors

Honorable Commissioners,

I am forwarding an email string I received Sunday morning (5/14) in which Newland employee Lee Bowman concedes that Newland will not be amending its pending CUP application in the manner promised to Briar Chapel residents in a letter dated April 12, 2017. This information was sent only to the two directors on the BCCA who aren't Newland employees, and it was not sent to the entire community as was the original letter, with less than one business day's notice prior to the public hearing.

[NB: I have redacted ONLY third-party email identification and addresses from the email string noted the redactions where they occur. The email is what I received in its entirety. One of the receiving directors forwarded it to exactly nine residents' email addresses, including mine- not to the entire community.]

You may recall that I previously contacted you to inform you of, and object to, what I consider to be an abuse of process with respect to the 4/12 Newland letter, as a procedural and ethical issue with the potential to suppress public input. Newland has now conclusively confirmed my misgivings, since they mass-mailed one promise but have chosen not to disclose to all the residents, in the same manner as the original, that they will not keep that promise. The last-minute surprise, without timely, transparent and full disclosure, makes it all but impossible to ensure that the entire community is fully informed prior to the hearing, especially for Briar Chapel residents.

You might also remember that in my correspondence to you on February 20, 2017 concerning Newland's environmental mismanagement, I made the following statement to you: "I understand very well that the County can't enforce private covenants. However: when the Newland-controlled BCCA fails to execute its responsibilities to enforce its CCO-aligned CC&Rs, that failure results in community noncompliance with county regulations and the CCO itself. That inaction then creates additional financial and administrative burdens to the

county and its taxpayers. That's the not-so-hidden additional cost to the county for Newland's questionable oversight of the day-to-day management of the BCCA, and that is something I believe is of critical importance for your consideration in evaluating Newland's "green" assertions with regard to the BC community.' [Emphasis in the original]

I'm not a lawyer, but even as a layperson I know that the county can't enforce private covenants, so Bowman's excuse below- essentially, "This was news to us and it's the county's fault" is completely without credibility.

In offering this information for your consideration, my purpose is to ask you to look at what the email really reveals about Newland's credibility, their attention to detail, how thoroughly they research and review documents before sending them out, how competent the advice they receive really is, the degree to which they consider impacts and alternatives in making decisions affecting a very large community, and ultimately, whether or not you can confidently rely on the veracity of what they submit to the county.

Respectfully,  
Shelley Colbert  
Briar Chapel/Baldwin Township

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**From:** [REDACTED}  
**Sent:** Sunday, May 14, 2017 9:18 AM  
**To:** [REDACTED}  
**Cc:** [REDACTED}  
**Subject:** Fwd: Briar Chapel CUP Amendment Update

Good morning, All,

Wishing everyone a very Happy Mother's Day!

I received this email yesterday and just received permission to pass it on to others at my discretion. I believe it is informative and may help homeowners who are attending tomorrow evening's hearings to have a "heads-up" on the process and the Developer's intentions based on the input the Developer has received from the County. Please accept this information in the positive spirit that it is provided. I'm sure you are welcome to pass it on to folks who would benefit from the knowledge.

Thank you and enjoy this beautiful day.



Billie

Begin forwarded message:

**From:** Lee Bowman  
**Subject:** Briar Chapel CUP Amendment Update  
**Date:** May 12, 2017 at 8:27:31 PM EDT  
**To:** [REDACTED]

Nilda/Billie,

-  
Just wanted to email you all as the developer regarding the upcoming CUP amendment public hearing. It is this coming Monday night at the Chatham County courthouse. The meeting starts at 6pm but we are on towards the back end of the agenda.

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In one of recent follow-up letters regarding the multifamily request, we committed to the residents that none of the apartment users would be allowed access to the clubhouse, pool, and sport court amenities at Briar Chapel. Since then, the County Planning Department informed us that the County would not IMPOSE A CONDITION OF THE PERMIT THAT INVOLVES ENFORCEMENT OF A PRIVATE COVENANT BECAUSE THEY ARE NOT INVOLVED IN PRIVATE COVENANT ENFORCEMENT. However, we want to provide as much assurance as possible to the residents that we are committed to following through and I have some details to share with you as to how we intend to do so.

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1) We WILL NOT submit any multifamily rental apartments to the residential declaration. If the apartments are not subject to the residential declaration, the owner of any multifamily parcel would not be a member of Briar Chapel Community Association and the residents of any multifamily parcel will have *no legal right* to access or use any of amenities of the residential association except the open space, park, trails, and related improvements which are “shared areas” under the Declaration of Easements and Covenant to Share Costs for Briar Chapel and which the commercial association contributes to maintenance of. In essence, they would be trespassers, unless Briar Chapel Community Association chooses to allow such access (for example, as the invited guest of a member, subject to the same guest policies as other non-members).

2) We WILL NOT use the Declarant’s control of the board of directors of Briar Chapel Community Association to cause the Association to grant any right of access to the pool, clubhouse, or sports courts to the owner or residents of any multi-family rental apartments (except as the invited guest of a member, subject to the same guest policies as other non-members).

3) We WILL RECORD a covenant in the land records on every multi-family parcel prior to conveyance by the Declarant providing record notice to the owners and occupants of the multi-family parcel that they are not members of Briar Chapel Community Association, Inc. and have no right to access or use the pool, clubhouse, or sports courts owned and operated by Briar Chapel Community Association, Inc. At the public hearing, we intend to submit the above information so it is made part of the record for our CUP submittal. While the County staff has determined it will not be involved with the enforcement of our covenants, we think that making the above commitments as part of the public record in this amendment request is the appropriate way to handle how we will subject the land that the apartments will be on in the future.

- Thanks for all you do for the community and don't hesitate to reach out to me if you have any other questions.

- Lee

- **Lee Bowman**  
**Senior Project Manager**  
**Newland Communities**  
1342 Briar Chapel Parkway  
Chapel Hill, NC 27516  
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**From:** MColbert [mailto:miccolbert@att.net]  
**Sent:** Monday, April 24, 2017 12:03 PM  
**To:** 'Diana Hales'; 'James Crawford'; 'Walter Petty'; 'Karen Howard';  
'mike.dasher@chathamnc.org'  
**Subject:** FW: Newland CCO/CUP Amendments submitted 03302017

## Commissioners,

I'm attaching a copy of a letter dated April 12, 2017 that Newland sent to residents of Briar Chapel concerning its pending CCO and CUP applications subject to public hearing on May 15, 2017. In the correspondence Newland indicates its intention to modify the applications without adequate details that identify where and how, in the language of the pending applications as filed on 3/30/17, the proposed changes or modifications would be made.

I provided a copy of the letter I received to the planning department, but through today I have been unable to obtain copies of ANY additional submissions to the planning department through direct contact with its employees. I have confirmed that Newland has not in fact submitted any additional details to the county, which means that if they are submitted at all, citizens, the planning department, and the commissioners have been denied the opportunity for meaningful and timely review prior to the public hearing, which is now only three weeks away.

I want to voice my objections to you in the strongest terms possible that I consider the Newland correspondence to be an egregious abuse of the public planning process. In my opinion it is misleading and wrong for any applicant to subvert the public's right to disclosure and input in this manner, by selectively targeting neighbors with private correspondence that suggests significant changes not in evidence in the public record.

In order to ensure that all valid community concerns are heard at the public hearing, it is critical that we insist that applicants submitting CUP amendments are specific, transparent and timely in their disclosures. The Newland correspondence fails at all three elements.

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The correspondence lacks meaningful details that would otherwise be required as part of an application but suggests significant changes may be made, which is inadequate in terms of public disclosure and has the potential to depress attendance at public meetings. By sending correspondence to affected Briar Chapel residents prior to the public hearing, the Newland assertions are not subject to public scrutiny and analysis prior to the hearing, and as far as I know, the letter was not offered to the rest of the surrounding communities and neighbors in Baldwin and Williams impacted by the proposed amendments. As I have indicated to my neighbors, the Newland correspondence is merely a statement of intentions which, I note, are the same building materials that the proverbial road to Hell is paved with.

I ask that you consider, separately and apart from the CCO/CUP application, implementing some remedy to address situations like this one, where a unilateral action by the applicant itself injects a significant change into the public debate outside of the formal requirements of planning process. One suggestion would be to require a delay of any public hearing to the following month so that the public never has less than thirty days to review all documents submitted by the applicant.

Let me give you a tangible example of how Newland's action has disrupted the public input process with respect to my community's efforts to review the application as filed: I am the meeting organizer for an informal planning issues group of about one hundred residents in Briar Chapel and the surrounding communities. At the time I received the Newland letter on April 15, I delayed a community meeting for the week ending 4/21 to see what, if anything, Newland would submit to the county so that our group could review the impact and formulate our responses based on actual public submissions.

Nothing was submitted through Friday 4/21, so I went ahead and scheduled the initial neighborhood meeting for this Wednesday 4/26, based on the current filing. If Newland were to submit significant changes as they suggest they will, we will need to meet again, compare those changes to the original, and revise our impact assessment for the five findings. That needs to include any cascaded or new impacts, leaving us less than three weeks to meet, analyze,

compare and respond to them. I imagine this might also present challenges for the planning department employees and the commissioners.

For Briar Chapel residents in particular, I would respectfully remind you that there is no independent HOA representing their interests in this matter, so residents have to organize themselves. The BCCA did not even inform residents of the CCO/CUP applications- concerned residents got the word out through social media.

Many people can't make the public hearing but want to be able to contact you beforehand with thoughtful input based on the requirements of the five findings. It's all but impossible to do that if an applicant is allowed to subvert the process by denying the public adequate, transparent and timely disclosures. I ask you to consider that if the means are tainted, the end is suspect.

It's the residents in Chatham County who will have to live with the consequence of planning decisions long after Newland leaves it, so I plead with you to ensure the integrity of the process itself, and to scrutinize any actions by any applicant that have the effect of suppressing public input.

Respectfully,  
Shelley Colbert  
Briar Chapel/Baldwin Township

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**From:** Jason Sullivan [mailto:jason.sullivan@chathamnc.org]  
**Sent:** Monday, April 24, 2017 9:51 AM  
**To:** MColbert  
**Cc:** Lynn Richardson; Angela Birchett  
**Subject:** RE: Newland CCO/CUP Amendments submitted 03302017

Shelley,  
We haven't received any additional information regarding the conditional use permit application and I'll try to remember to send you a copy of any information we receive. We usually post additional information online either the day it's received or day after. We did receive an application for a waiver request within the SD-West portion of Briar Chapel and I've attached

that for your reference. This is within the footprint of the Briar Chapel conditional use permit approval and is also scheduled for discussion on May 15 by the Board of Commissioners. I've attached a copy for reference and the item should be posted online in the next few days. Newland Communities previously submitted a different waiver request for remove a perimeter buffer adjacent to Phase 15S and that information is posted at the following link - <http://www.chathamnc.org/government/departments-programs/planning/rezonings-subdivision-cases/2017-items/briar-chapel-perimeter-buffer-waiver-phase-15s> . That waiver was scheduled for discussion by the Commissioners during their April 17 meeting, but was postponed at the request of the applicant.

Jason Sullivan  
Planning Director  
Chatham County  
P.O. Box 54  
80-A East St.  
Pittsboro, NC 27312  
Office: 919/542-8233  
Fax: 919/542-2698



Chatham County's 25-year vision plan is underway! Check out more information at [www.chathamnc.org/comprehensiveplan](http://www.chathamnc.org/comprehensiveplan)

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**From:** MColbert [mailto:[miccolbert@att.net](mailto:miccolbert@att.net)]  
**Sent:** Monday, April 24, 2017 9:26 AM  
**To:** Jason Sullivan  
**Cc:** Lynn Richardson  
**Subject:** RE: Newland CCO/CUP Amendments submitted 03302017

Jason,

Have you received any additional details from Newland as they indicated to residents in the 4/12 correspondence I sent you last week? Could you please provide a copy of any additional documents they have submitted to the county?

Many thanks,  
Shelley colbert

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**From:** Jason Sullivan [mailto:jason.sullivan@chathamnc.org]  
**Sent:** Tuesday, April 18, 2017 8:08 AM  
**To:** MColbert  
**Cc:** Lynn Richardson  
**Subject:** RE: Newland CCO/CUP Amendments submitted 03302017

Shelley,  
We haven't received a letter from Newland Communities notifying staff of any changes to the application. If we do receive a letter it wouldn't change the status of the pending application, but they would have to explain the changes during the public hearing.

Jason Sullivan  
Planning Director  
Chatham County  
P.O. Box 54  
80-A East St.  
Pittsboro, NC 27312  
Office: 919/542-8233  
Fax: 919/542-2698



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[www.chathamnc.org/comprehensiveplan](http://www.chathamnc.org/comprehensiveplan)

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upon request for inspection and copying.

**From:** MColbert [mailto:miccolbert@att.net]  
**Sent:** Tuesday, April 18, 2017 7:20 AM  
**To:** Jason Sullivan  
**Cc:** Lynn Richardson  
**Subject:** Newland CCO/CUP Amendments submitted 03302017

Jason,

Over the weekend I received the attached correspondence dated 4/12/17 from Newland, indicating their intention to modify the pending applications submitted to your office on 03-30-2017.

In the attached letter they indicate “we will soon submit a letter to the planning staff specifically itemizing the two changes listed above and asking that the letter be posted online with the applications as part of the public record.”

First: Has the department received such a letter yet from Newland? If yes, could you please send me a copy?

Second: If such a letter were to be received by the department, what effect would it have on the pending applications and the approval process?

Many thanks for your assistance,

Many thanks,  
Shelley Colbert  
919-869-7777





April 12, 2017

Greetings residents of Briar Chapel,

Thank you for your input from the recent resident meetings regarding the proposed Briar Chapel Conditional Use Permit amendment application that was recently submitted. The input was much appreciated and very helpful to our deliberations. This letter is also to update you on our decisions and the next steps in the process.

**Decisions:** As a result of your input and our internal review, we have determined that: (1) the request to add multi-family units to the Briar Chapel North portion of the project (the portion of the project along Great Ridge Parkway between the current starting point of the gravel portion of Great Ridge Parkway and Manns Chapel Road) will be eliminated; and (2) language in the Conditional Use Permit will be incorporated so that residents of any of the new multi-family units constructed within the Special Districts (North, South or West) located along Hwy 15-501 will have no right to use the existing swimming pool facilities, clubhouse or sport courts.

**Next Steps:**

1. We will soon submit a letter to the Planning Staff specifically itemizing the two changes listed above and asking that the letter be posted online with the Application as part of the public record
2. The public hearing date has been changed to the May 15, 2017 Board of Commissioners meeting at 6:00 p.m. (Please Note: In our prior letter we stated that the public hearing on the application would be on April 17, 2017.)

As always, thank you for your input. We look forward to continuing to help create and sustain Briar Chapel through the next phases of development.

Sincerely,

NNP-BRIAR CHAPEL, LLC

Laurie Ford  
Senior Vice President