

CHATHAM COUNTY PLANNING BOARD
MINUTES – Special Meeting
July 31, 2007

The Chatham County Planning Board met in special 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:

Chris Walker, Chair
Sally Kost, Vice-Chair
B.J. Copeland
Karl Ernst
Barbara Ford
Warren Glick
Clyde Harris
Jim Hinkley
David Klarmann
Judy Sharman
Delcenia Turner

Absent:

Planning Department:

Keith Megginson, Planning Director
Jason Sullivan, Assistant Planning Director
Lynn Richardson, Subdivision Administrator
Angela Birchett, Zoning Administrator
Kay Everage, Clerk to the Board

- I. CALL TO ORDER – Chair: Chairman Walker called the meeting to order at 6:34 p.m. He stated that all Planning Board meetings are open to the public under the open meetings law; that per the “Robert Rules of Order” the Chair determines who speaks, including Board members; that no one is guaranteed a right to speak; that the Public Input Session at the beginning of every meeting needs to be organized; that comments should be based on matters of fact and not just emotion; that the presentation needs to be a topic that the Board can act upon or should be made aware of; and that Board members and / or members of the audience can ask the Chair to declare speakers out of order if necessary. Chairman Walker referred to last month’s public input session and stated that this would not happen in the future.

- II. APPROVAL OF AGENDA: Ms. Kost made a motion; seconded by Mr. Ernst to approve the agenda as submitted. Discussion followed. Mr. Hinkley requested that the following two items be added to the agenda.

Report from Mr. Megginson or the county attorney regarding to the status of the recommendations to the Board of County Commissioners as follows:

- 1.) Indemnity, and
- 2.) Site inspection policy for the Planning staff.

The motion to approve the agenda as submitted, with the addition of the above items noted by Mr. Hinkley, passed unanimously. Chairman Walker stated that Mr. Hinkley's requests would be added under Item VII. New Business, A. Planning Director's Report (after discussion of cell towers).

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

- Joan Palmer Frazier, 670 Buckhorn Rd., Moncure, NC 27559
Ms. Frazier stated that she was present tonight to speak regarding the rezoning request by Carter Crawford for Paul Austin (Item VI. C.). Chairman Walker explained that this particular time is set aside for public input for issues that are not on the agenda; and that Ms. Frazier's could voice her comments and/or concerns during review of the Austin request scheduled later on tonight's agenda .

There were no other requests to speak at this time.

IV. SKETCH DESIGN APPROVAL:

A. Request by S & S Partnership for subdivision sketch design approval of "Larkspur", consisting of 22 lots on 46 acres, located off S. R. 1526, Andrews Store Road, Baldwin Township.

Postpone:

Ms. Kost made a motion; seconded by Ms. Ford to postpone this issue until August 7, 2007 Planning Board meeting. Discussion followed. Ms. Sharman inquired if this would count as two meetings of postponements. Mr. Megginson explained that the Board has 65 days for a subdivision review and that this request would be okay until September if needed. The motion for postponement until August 7, 2007 Planning Board meeting passed unanimously.

B. Request by James E. Dixon for subdivision sketch design approval of "Fieldstone Subdivision", consisting of 27 lots on 83 acres, located off SR-1532, Manns Chapel Road, Baldwin Township.

Ms. Richardson reviewed the agenda notes for this subdivision request. She stated that staff recommends granting approval of the application as submitted with the following condition:

1. Language on the preliminary and final plats read "50 foot water hazard setback / vegetative stream buffer".

Patrick Byker, Kennedy Covington Attorneys at Law, was present representing the applicant. Mr. Byker noted that George Retschel with Ballentine Associates, PA, engineer and designer for Fieldstone, was also

present tonight. Mr. Byker stated the following reasons for Board consideration in support of the request:

- boundary realignment with the Persimmon Hill neighbors
- additional stream buffering along lots on eastern side of project
- appropriate buffering along Manns Chapel Road (along lot #1)
- buffering any intermittent streams close to Persimmon Hill Road
- studying wetlands and protecting as warranted.

Mr. Byker cited that these issues would be reviewed before preliminary plat submittal later this year. Some additional specifics were noted as follows:

- improved Manns Chapel Road with a turn lane to provide safe access to this new neighborhood (built within a 60 foot right-of-way)
- sketch design fits in well with the adjoining neighborhoods
- water impact fees in excess of \$90,000 paid to Chatham County
- worked hard to meet all obligations to the public sector, Persimmon Hill neighbors to the west and to Heartland Grove neighbors to the north for this project to move forward.

Mr. Byker asked that the Board approve the request.

Board discussion followed. Some particulars noted were:

- two adjoining properties (18 and 20 acre tracts) owned by Mr. Dixon would have access through this property
- protect old hardwood trees as much as possible
- consider 100 foot buffers on perennial streams
- speed limit and left hand turns, i.e. safety
- dangerous part of road, i.e. curve, signal, adequate signage needed
- investigate existence of intermittent streams in area of Persimmon Hill Road.

Mr. Byker noted that some specifics noted above would be addressed on the preliminary plat.

Ms. Ford stated that she and Ms. Kost recently met with Mr. Byker at the proposed site and that some things discussed were:

- identify and mark a potential stream on lot #27 (culvert goes underneath Persimmon Hill Road)
- potential wetland area on lots 25 and 26
- increase buffer on part of the stream on the eastern border – identify which part is perennial and buffer 100 feet (versus 50 feet)
- tree buffer at front entrance

Mr. Byker addressed these concerns. He distributed copies of letter dated June 27, 2007 from Kevin W. Whiteheart, County Attorney, regarding right-of-way at Manns Chapel Road (SR 1532). A copy of said letter is filed in the Planning Department.

Ms. Richardson stated that the application meets the ordinance requirements for sketch design; and that protecting the trees and increasing the stream buffers could be a recommendation but not a requirement.

Ms. Ford stated that she is not an adjacent property owner but does live across from the proposed property; and that she feels that she can be objective about the proposal.

- David Hackney, adjacent property owner was present.

Mr. Hackney stated that he personally feels that a conflict of interest exists with this proposal (not regarding the Planning Board Code of Ethics); that several years ago he turned down an offer from Mr. Dixon for a right-of-way across his property; that later Mr. Dixon would not negotiate with him for a small portion of his land; and that he intends to protect the rights of his family.

Mr. Whiteheart referenced letter noted above regarding right-of-way at Manns Chapel Road (SR 1532). He stated that his findings were that (provided this turn lane is constructed within NCDOT right-of-way) it would be permissible for NCDOT to allow a developer to construct a turn lane within its right-of-way. Mr. Whiteheart cited that it is his opinion that the current dispute between David Hackney and the applicant would still remain and would not prohibit the Board from carrying out sketch plan consideration.

Mr. Byker distributed a copy of plat #34-78 (recorded by H.B. Hackney in 1972 in the Chatham County Register of Deeds) showing the 60 foot right-of-way from Manns Chapel Road. A copy is filed in the Planning Department.

Motion to approve:

Mr. Klarmann made a motion; seconded by Mr. Harris to grant sketch design approval of "Fieldstone Subdivision" as submitted and as recommended by staff with the following condition:

1. Language on the preliminary and final plats read "50' water hazard setback / vegetative stream buffer".

There was no discussion on the motion and the motion passed unanimously.

Comments regarding staff recommendation for Fieldstone Subdivision:

Mr. Hinkley voiced concern regarding staff recommendation. He stated that the recommendation did not include or elude to the discussion that some Planning Board members had regarding the plat, drainage, wetlands and other items; and that this is indication that staff did not research and analyze this subdivision as expected.

Mr. Klarmann stated that, if reviewed, tonight's agenda packet contained ample information from staff; that if the developer does what he proposes the Planning staff has done a very good job in recognizing and understanding this subdivision; and that more information would be available at preliminary, i.e. water lines, perk sites. He expressed a need to possibly change the rules for sketch design plans.

Ms. Ford stated that both Mr. Hinkley and Mr. Klarmann expressed valid points; that she agrees with Mr. Hinkley, if she had not visited properties on several occasions (this being one of them), she would not have known to ask for additional buffering of creeks not shown on the plat maps, a wetland not noted, or the need to slightly move a road; and that it is incumbent on staff to visit proposed sites.

Deferral of Fieldstone preliminary plat:

Mr. Byker requested deferral of the preliminary plat at this time.

V. ZONING AND ORDINANCE AMENDMENTS

- A. Discussion about request for a recommendation to the Board of County Commissioners about zoning additional areas of Chatham County specifically along major corridors.

Mr. Megginson reviewed the agenda notes for this request. He used the overview map to show the various proposed areas. Mr. Megginson stated that the Commissioners would be considering changes in the Subdivision Regulations such that all lots would have to be between 3 – 10 acres in size regardless of where tracts are in Chatham County (zoned or unzoned, outside ETJ of Pittsboro and/or Siler City, with or without county water); and that family subdivision of land would be excluded.

Board discussion followed. Mr. Ernst stated that there was a consensus endorsement of RA-40 zoning (but not on any particular footage) along the major corridors by the Major Corridor Task Force during their last meeting. Mr. Hinkley acknowledged that the Major Corridor Task Force endorsed that the RA-40 zoning would be the holding pattern. Mr. Glick stated that he was disturbed by the RA-40 zoning along these major corridors if all other lands would be zoned 3 – 10 acres; and that after hearing this tonight, he is withdrawing his position as part of this consensus. Chairman Walker noted that the Board has two issues to consider- 1.)

type of zoning, and 2.) distance, i.e. 1500 feet on either side of right-of-way. It was noted that some properties could have split zoning. Mr. Ernst stated that he has discussed this issue with Commissioner Thompson; that he (Mr. Ernst) feels that 1500 feet off each side of road is an unconscionable level of taking; that Moore County has a graduated setback; and that a more rational approach is needed.

Conditional use proposals were discussed. Mr. Megginson explained that within this distance is the most likely area that, 1.) if NCDOT does its strategic plan for US 64 it is most likely that frontage roads and etc. would be within this area, and 2.) if commercial development comes along these major roads, most likely it would be within this distance.

Ms. Ford stated that the corridors are being created to protect those areas; that defined nodes are being created to encourage commercial development; and that a conditional use could always be brought before the Board for zoning.

Discussion followed regarding consideration of the 3 – 10 acre zoning by the Commissioners, strategic planning, market value of land and making a decision tonight before the Commissioners' conclusion. Mr. Ernst was concerned that the 3 acre minimum would prohibit many citizens (especially young adults) from purchasing land. Mr. Hinkley suggested postponing a decision on this until after the Commissioners have decided on the issue in order for the Planning Board to respond. Ms. Kost stated that time is critical and that she would prefer going forward tonight with a recommendation to the Commissioners.

Motion:

Ms. Kost made a motion; seconded by Mr. Hinkley that the Planning Board recommend to the Board of Commissioners, contingent on their discussions and decisions about countywide lot sizes (3 – 10 acres), zoning all areas (identified tonight on the proposed map) along the major corridors, including areas identified along NC 87, and including 1500 feet either side of the right-of-way with a zoning of RA-40.

Discussion followed. Mr. Hinkley stated that to put the corridors in a hold pattern is a good idea; that the nodes would be identified eventually, i.e. Land Use Plan; and that the RA-40 zoning is a protective measure and is not necessarily the end zoning that may occur. Mr. Klarmann and Mr. Copeland voiced concern about the 1500 feet distance.

Amendment to motion:

Mr. Glick made a motion; seconded by Ms. Turner to amend the original motion to add that the time frame on this recommendation would be that it would have to be reconsidered at the end of the moratorium if not prior to that. Discussion followed regarding the possible conflict of proposed footage and zoning.

Vote on motion to amend:

The motion to the amendment failed 3-8 with Glick, Turner and Sharman voting in favor of the motion; and all other Board members voting against.

Vote on original motion:

The original motion failed 5-5-1 with Kost, Hinkley, Ford, Turner and Walker voting in favor of the motion; and Copeland, Ernst, Harris, Klarmann and Sharman voting against; and Glick abstaining.

Discussion followed regarding the 1500 feet distance (as not a figure to consider for the entire county), the RA-40 zoning as a holding pattern, and the need to present a recommendation to the County Commissioners as soon as possible.

Motion – no second:

Mr. Klarmann made a motion to apply 1500 feet distance along the areas of US 64 from Wake County to Pittsboro ETJ; and that 500 feet apply to all other remaining corridors outside Siler City ETJ. The motion died for lack of a second.

Discussion followed regarding, 1.) 3-10 acres, 2.) major corridors and 3.) nodes.

Motion:

Mr. Copeland made a motion; seconded by Mr. Hinkley, to recommend to the Board of County Commissioners to zone the major corridors RA-40 as a holding pattern with the appropriate distances relating to the corridors themselves (as determined appropriate by the County Commissioners). There was no further discussion and the motion passed 9-0-2 with all Board members voting in favor of the motion except Ernst and Harris who abstained.

Mr. Megginson stated that appropriate distances would need to be determined before advertising for public hearing. It was the consensus of the majority of the Board to not apply any limited distances at this time.

5 Minute Break (8:30 p.m.)

Items from May 21, 2007 Public Hearing:

Chairman Walker stated that items A. and B. listed below have been withdrawn.

- A. Request by Carter Crawford for Paul Austin to rezone approximately 17.37 acres of Parcel No. 73961 consisting of 77.62 acres located within an RA-40 (residential/agricultural) zoning district to Conditional Use Light Industrial, located at 245 Buckhorn

Rd. (SR1921), Cape Fear Township. **Note: This item has been withdrawn by the applicant which has the effect of denial.**

- B. Request by Carter Crawford for Paul Austin for a conditional use light industrial permit for a multi-use building for uses including festivals, concerts, horse auctions, plays, and benefit sales on approximately 17.37 acres of Parcel No. 73961 consisting of 77.62 acres located at 245 Buckhorn Rd. (SR1921), Cape Fear Township. **Note: This item has been withdrawn by the applicant which has the effect of denial.**
- C. Request by Carter Crawford for Paul Austin for a conditional use permit for private & public recreation camps and grounds on approximately 20 acres of Parcel No. 73961 consisting of 77.62 acres, located within an RA-40 (residential/agricultural) zoning district, at 245 Buckhorn Rd. (SR1921), Cape Fear Township.

Ms. Birchett stated that the applicant has withdrawn their requests for rezoning and conditional use district (Items A. and B. above); that the application is currently only for a conditional use permit for private and public recreation camps and grounds; and that since this was a quasi-judicial public hearing, any additional information received after said hearing should not be considered (including tonight's hand-out titled: "Public Input for Austinville Proposal, Chatham County Planning Board, July 31, 2007, 6:30 P.M.") from residents of the Corinth Community, Southeast Chatham Citizen's Advisory Council. Ms. Birchett noted that the Board could ask questions for clarification only but that no new information should be discussed. Ms. Birchett reviewed the agenda notes for this request. She stated that it is the recommendation of staff that this application request has not met the five required findings (as explained in tonight's agenda notes) and should not be approved. The five (5) required findings are as follows:

Finding #1-The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located.

Finding #2-The requested conditional use permit is either essential or desirable for the public convenience or welfare.

Finding #3-The requested permit 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.

Finding #4-The requested permit will be consistent with the objectives of the Land Conservation and Development Plan.

Finding #5-Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided

Ms. Birchett reviewed twenty (20) conditions recommended by staff should the Planning Board's recommendation be a favorable one. (See agenda notes for recommendations.)

Several adjacent landowners were present. County Attorney, Kevin Whiteheart explained the quasi-judicial process that does not allow consideration of any new information submitted after public hearing.

Board discussion followed. Mr. Harris expressed concern about erosion and runoff.

Carter Crawford, applicant, stated that before any construction is to occur an erosion control plan would be submitted to Chatham County; that any erosion control (runoff) would be handled with no problem; and that impervious surface of 6.7% is proposed for the 5.2 acre site that is far below the 36% allowed by the code.

Board discussion followed. Regarding required finding #5, Ms. Ford was concerned with the report that this area is unsuitable for waste water systems and that a plan has not been provided by the applicant. Mr. Klarmann asked what the number of bedrooms considered for a tent and what would be the necessary square footage to provide adequate septic fields.

Jeff Vaughan, Senior Soil Scientist, Agri-Waste Technology, Inc. was present representing the applicant. Mr. Vaughn cited that the State of North Carolina states that the flow for a RV camp ground is 100 gallons per day per camp site (does not differentiate between tent, RV, number of people); that camp sites could possibly be designated as week-end only that would allow for some flow changes; and that a maximum of 8,000 gallons / day is calculated for 100% usage. He noted that the systems could be shifted to another area if impacted.

For clarification, Ms. Kost stated that Environmental Health is usually notified and involved at this stage in the process. Mr. Megginson stated that it is up to the applicant to supply the information to support the findings and how much they wish to provide, i.e. various permit fees. Mr. Klarmann asked, 1.) type septic system proposed, i.e. spray or conventional, and 2.) initial and repair areas proposed.

Mr. Vaughn stated that a decision has not yet been made regarding the proposed septic system; that an overall evaluation of the entire property was done to see what type system would work; that a number of systems could function on the property given the suitable soils found; and that an appropriate system would be sited and permitted as the process moves forward.

Ms. Ford noted conflicting information from Mr. Vaughn' report and language in tonight's agenda notes (page 3, paragraph 3 regarding

suitable soils). Mr. Vaughn referenced last paragraph of his report that states various types of systems that could be used for this site. Ms. Birchett stated that tonight's staff notes were based on the understanding of the report and a lack of information provided by the applicant.

Mr. Hinkley was concerned with, 1.) two-year occupancy time period, 2.) number of people per unit and for how long, and 3.) determining if 100 gals./day/site is sufficient. Mr. Carter stated that the two year limit was recommended by the Planning Department; that this is a proposed camp ground and not a single-family residential subdivision; and that a facility for expensive RV's is planned. Ms. Birchett noted that the Board could reduce the two year occupancy time period to a lesser time frame if preferred. Board members discussed permitted uses for an RA-40 zoning district and conditional use permit with conditions for some control.

Mr. Carter proposed providing, 1.) a turn-a-round large enough in radius for an RV, 2.) additional landscaping, i.e. opaque buffer vegetative screen of the RV park, and 3.) appropriate signage, i.e. evacuating process. He stated that there are reasonable answers to the various concerns and that conditions placed on the application by the Planning Board could control some of these concerns.

Ms. Kost questioned whether finding #3 had been met based on the sworn testimony of residents who had concerns about trespassing onto their property, the issue of safety, road and driveway concerns, and etc.

- Joan Palmer Frazier, 670 Buckhorn Road, Corinth Community
Ms. Frazier stated that there have been rodeos, roping events and other type activities at this site; that there is an RV park within four (4) miles of this site and three (3) other RV parks in the Moncure area; that members of her community prefer permanent housing and more participation in their community.

Board discussion continued. Chairman Walker stated that Board members need to consider each finding seriously; and that he does not think findings #2 and #3 have been met. Mr. Ernst stated that opposition heard at the public hearing was primarily based on:

- un-neighborly conduct on this property in the past,
- horseback riding through game lands, and
- horseback riding in streams, creeks and rivers.

Mr. Carter stated that game lands are public access and are frequently used for horses; that controlled access would be sensible; and that his comment at the recent public hearing was that "the horses frequently ford the streams" (walk through them) instead of "avoid" the streams, as was mistakenly quoted.

Board discussion followed regarding, 1.) possible recreation other than horseback riding, 2.) open season for game lands, 3.) proposed area for shower houses (and number units) and laundry facilities, and 4.) findings #3 and #4. Mr. Carter addressed the previously listed items. He suggested formalizing 1.) allowed uses on the site, 2.) types of activities allowed on the site, and 3.) kinds of behavior allowed on the site. He stated that during special events, off duty Chatham County Deputies are hired to monitor activities, i.e. fund raising activities. He noted that the goal is to allow the owner to use his property without annoying the neighbors.

Motion to deny:

Mr. Copeland made a motion; seconded by Mr. Harris to deny the request primarily because required findings #2, #3, and #5 have not been met. There was no discussion on the motion and the motion passed 10-1-0 with all Board members voting in favor of the motion for denial, except Mr. Klarmann who voted against the motion. It was noted that staff conditions listed in tonight's agenda notes would be forwarded to the Commissioners for consideration should an approval be granted.

Items from June 18, 2007 Public Hearing:

- D. Request by David Amory, Chase Real Estate Services, on behalf of Sprint Nextel to locate a communication tower within Chatham County for the 2007 tower plan as follows:
190 FT. monopole on NC 42 IN Corinth area 3
- E. Request by Brenton W. McConkey, Parker Poe Adams & Bernstein LLP, on behalf of Crown Castle International to locate communication towers within Chatham County for the 2007 tower plan as follows:
- 199 ft. self supporting on NC 42 east of Corinth area 3
 - 199 ft. self supporting on west side of Big Woods Rd. near Hugh Stone's land area 3
 - 199 ft. self supporting on east side of Old Graham Rd. and north of Russell Chapel Rd. area 3

Mr. Megginson stated that during the recent public hearing some Board members presented various questions for the applicant to address; and that two of those specifics were:

- two towers proposed on Hwy. 42 - providing additional radio frequency information about whether both towers are needed and would not overlap (note: staff received this information this week); and,
- utilizing existing water tanks - one behind North Chatham School on Jack Bennett Road that belongs to Chatham County, and one in the Chapel Ridge development off Hwy. 87 North that is a private water tank (note: staff has not yet received this information).

Mr. Megginson explained that one purpose of the cell tower request is to provide Commissioners with one recommendation on all requests at one time. He noted that Item F. listed below is a request for collation only. Mr. Megginson stated that Dave LeGrys, who helped develop the Chatham County Communications Tower Ordinance, has not yet provided staff his input on these requests.

David Amory, applicant, Chase Real Estate Services, was present. Mr. Amory stated that some concerns were expressed at the recent public hearing regarding the relationship to the Sprint Nextel proposed search ring and the one from Crown Castle, i.e. Item E. below; and that the updated radio frequency (RF) maps show a need for both towers with no overlapping.

Rick Madoni, engineer with Sprint, used the large overview map to explain the needed coverage. Mr. Madoni stated that the two proposed sites are approximately two (2) miles apart; and that in this case both sites are warranted.

Henry Campen, attorney, was present representing Crown Castle. Mr. Campen stated that these two sites cover distinct areas; and that this is not a one tower solution. Mr. Campen showed the needed coverage from illustrated maps provided by Crown Castle.

Chairman Walker suggested tabling these issues to allow additional time for Board members to review new information submitted and to receive comments from Mr. LeGrys. Mr. Megginson noted that Mr. LeGrys has reviewed the requests and thinks both towers are needed but has asked for additional RF information for verification.

Board discussion followed.

Jon Chambers, engineer with Kimley-Horn and Associates, Inc. was present representing Crown Castle International. Mr. Chambers stated that additional research indicates that the proposed search ring is outside any Natural Heritage areas; that the existing water tank on Jack Bennett Road would not provide needed coverage; that Jack Bennett Road, Big Woods Road, and Gallup Road would not be sufficiently covered by utilizing the alternate water tank site; and that the proposal is to continue on with the search ring as identified. Mr. Chambers cited that the existing water tank at Chapel Ridge would not provide adequate coverage, i.e. Old Highway 87, US 64.

Motion to postpone:

Mr. Ernst made a motion; seconded by Ms. Sharman to postpone consideration of above items 6D and 6E until September 4, 2007 Planning Board meeting (at which time a decision would be made and a

recommendation forwarded to the Commissioners) to allow additional time for review. There was no discussion on the motion and the motion passed 10-1-0 with all Board members voting in favor of the motion except Mr. Copeland who voted against.

- F. Request by Micah E. Retzlaff, Excell Communications, Inc., on behalf of Verizon Wireless for collocation on the existing SBA 300 ft. lattice tower located on north US 421.

Motion to approve:

Mr. Megginson stated that this request is for a collocation on an existing tower on US 421. There was no discussion among the Board. Ms. Kost made a motion; seconded by Ms. Ford that the Verizon Wireless collocation be approved (as submitted and as recommended by staff) to be located on existing SBA tower located off US 421 N. There was no discussion on the motion and the motion passed unanimously.

VI. NEW BUSINESS:

A. Planning Director's Report

Mr. Megginson stated that the Planning Board had three (3) motions from last month's Planning Board meeting (July 10, 2007) for the Commissioners; that the Commissioners' agenda was already set for their July 16 meeting; that the agenda review was July 9th; that next week's meeting is the first opportunity staff has had to forward the recommendations on to the Commissioners; that two of the items (items 1 and 3 as noted below) are scheduled for the August 6 Commissioners' meeting; and that the Commissioners chose not to discuss item 2 at this time. The three (3) motions are as follows:

1. That the Planning Board recommends that the Planning Department and the environmental Health Department reinvestigate the site to determine if there are existing violations at the site (soil, erosion control and conditional use permit for Booth Mountain, i.e. Westfall).
2. To request the Board of County commissioners to adopt policy to require Planning Department staff to conduct comprehensive field inspections and analyses before making recommendations on any and all land use applications to the Planning Board.
3. To request the Board of County Commissioners to indemnify members of the Planning Board and other official representatives of the county.

B. Planning Board Member Items

1. Motion to appoint Delcenia Turner to the Affordable Housing Task Force

Ms. Kost made a motion; seconded by Mr. Walker to appoint Ms. Turner to represent the Planning Board on the Affordable Housing Task Force. There was no discussion on the motion and the motion passed 10-0-1 with all Board members present voting in favor of the motion except Ms. Turner who abstained.

2. Letter from Dr. Ann Hart, Superintendent, Chatham County Schools

Chairman Walker read a letter (with an enclosed resolution to the Planning Board) from Dr. Ann Hart that he received last month. He stated that the letter was regarding concern for the construction of schools to meet the needs in Chatham County; and that the resolution requests that the Chatham County Planning Board formally include the Chatham County Board of Education in the process of planning and approving plans for new housing subdivisions in Chatham County.

Board discussion followed. Ms. Ford stated that the Subdivision Review Committee is currently addressing what the Board of Education involvement would be. Ms. Kost stated that unless there is an adequate public facilities ordinance in place the Board could not deny a subdivision based on the lack of school capacity. Mr. Megginson stated that this issue is scheduled to be addressed during Monday's Commissioner's work session (August 6th); that one issue for review is possibly having major subdivisions (more than 5 lots) go through a conditional use permit; and that one of the findings would be that there are adequate facilities available.

3. Next Month's Meeting

Chairman Walker stated that he would not be able to attend next month's Planning Board meeting (August 7, 2007); and that Ms. Kost, Vice-Chair would chair the meeting.

4. Zoning Ordinance Review Subcommittee

Mr. Ernst stated that he needs to trim his schedule somewhat and would step out of the zoning subcommittee; but that he would attend this week's meeting. Chairman Walker asked that members consider the vacancy. Other members of the zoning subcommittee are: Delcenia Turner
Jim Hinkley, and
Warren Glick.

VII. ADJOURNMENT: Ms. Kost made a motion; seconded by Mr. Klarman to adjourn tonight's meeting. There was no discussion on the motion and the motion passed unanimously. The meeting adjourned at 10:45 p.m.

Chris Walker, Chair

Date

Attest: _____
Kay Everage, Clerk to the Board

Date

