



## Chatham County Planning Board Agenda Notes

**Date: April 2, 2019**

**Agenda Item: VII-1**

**Attachment #: 4**

- Subdivision**
                 
  **Conditional Use Permit**
                 
  **Rezoning Request**  
                                 
  **Other:**

<b>Subject:</b>	Request by Sears Design Group, P. A. on behalf of Fitch Creations, Inc. for subdivision Preliminary Plat Revision review and approval of <b>Ferrington P.U.D. Section X, Area “D” Phase 1 Montgomery</b> , consisting of 15 lots on 10.2 acres, located off US 15-501 N, Weathersfield/SR-1807, Millcroft/ SR-1817, and E. Camden/SR-1813, Williams Township, parcel #18998.
<b>Action Requested:</b>	See Recommendation
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Major Subdivision Application. (page 6 of the booklet)</li> <li>2. Cover letter dated March 8, 2019 prepared by Dan Sears, ASLA, Sears Design Group, P.A. (page 2 of the booklet)</li> <li>3. Overall P.U.D. Plan, Phase 1 Plan of Montgomery, and Phase 1 Street Plan (sheet No. PP1)</li> <li>4. Preliminary plat titled “Ferrington, Section X, Area D, Phase 1” Montgomery prepared by Diehl &amp; Phillips, P. A., dated 3/8/2019 (sheet No. PP2)</li> </ol>

**Introduction & Background:**  
**Zoning:** Conditional Use Permit for Planned Unit Development (PUD)  
**Water:** Public water Chatham County  
**Sewer:** Private Wastewater Treatment Plant  
**Watershed District:** WSIV-PA  
**Within 100 year flood:** No

Ferrington PUD was originally approved in 1976 as a Planned Unit Development with a master plan allowing for mixed uses and has continued to develop over time. Ferrington PUD is reviewed under the pre-2008 Subdivision Regulations and the 1994 Watershed Ordinance.

Ferrington has 1602 approved residential units (includes Galloway Ridge) with 185 lots/units remaining to be developed. Ferrington is exempt from the Chatham County Stormwater Ordinance, but is not exempt from the Jordan Lake Buffer requirements. The project is subject to the Chatham County Soil Erosion and Sedimentation Control

Ordinance. In 2010, the Board of County Commissioners granted approval of a sketch design revision to a 1999 PUD plan which included all the remaining undeveloped land within the PUD and included Section X. In 2012 another sketch plan revision was approved for Section X. In 2016, the PUD was revised to add "Tyrell" street off Richmond, and to relocate six (6) lots. The 2016 revision did not add any additional lots.

The Planning Board has two (2) meetings to make a recommendation.

**Discussion & Analysis:**

The request before the Board is for preliminary plat review and approval of Section X, Area "D" Phase 1 – Montgomery, consisting of 15 lots on 10.20 acres and Phase One of Millcroft. A revised Sketch Plan was approved for Section X, Area "D" on February 18, 2019. See Attachment #4. Lots 5 -9 in Phase 1, will have ownership to the stream and there is a 30' voluntary stream buffer on lots 5-9. The proposed project has open space by lot 1 and lots 12-15. As part of this phase a section of Millcroft will be constructed up to Phase 2 of the residential project.

**Water:** County water is available and will be utilized. The Water Main Extension Permit and the Authorization to Construct, dated January 15, 2019 issued by NC Department of Environmental Quality (NCDEQ), Division of Water Resources have been provided.

**Sewer:** Sewer service is provided by the Fearington private wastewater treatment plant. Alan Keith, P.E., Diehl & Phillips, P. A. has provided a letter stating that the plant has sufficient capacity to serve Section X, Area D. Mr. Diehl's letter also states that "Fitch Creations, Inc. has Authorization to Construct an expansion to the wastewater treatment plan from the North Carolina Division of Environmental Quality". The Wastewater Collection System Extension Permit, issued by the NCDEQ, Division of Water Resources, dated February 6, 2019 has been provided.

**Roadways:** The main roadway in Phase 1, Millcroft, is to be constructed up to Phase 2. The cul-de-sac street, Montgomery, is proposed to be public, state maintained roads. The revised Road Plan Approval for Section X, Area D, dated February 21, 2019 issued by NC Department of Transportation has been provided. Additionally, there is no stream crossing in this area.

**Road Names:** The road name Montgomery and Millcroft have been approved by the Chatham County Emergency Operations Office as acceptable to submit for approval by the Board of County Commissioners.

The permits listed above can be viewed on the Planning Department webpage at [www.chathamnc.org/planning](http://www.chathamnc.org/planning) Rezoning & Subdivision Cases, 2019.

**Stormwater:** Fearington is not subject to the Chatham County Stormwater Ordinance.

**Water Features:** Fearington is subject to the 1994 Watershed Ordinance which requires a 50 foot riparian buffer along perennial and intermittent waters not within 2500 feet of

rivers. An ephemeral feature located in the open space of Phase 1 area has a voluntary 30' buffer.

**Open Space:** There are open space areas beside lots 1 & lots 12-15. The open space area will be transferred to a homeowners association. A portion of Phase 1 is adjacent to private property owned by T. H. Lingerfeldt and a 50' wide perimeter buffer is shown on the preliminary plat.

**Technical Review Committee:** The TRC reviewed the request on March 13, 2019. Discussion included the reconfiguration of Millcroft and 20' utility easement beside the 30' stream buffer. Tom Bender, Chatham County Fire Marshal, stated that the roads and water line needs to be in place before home construction begins. Other county staff were present and there were no issues noted.

The developer has provided two (2) sets of full construction plans which are available in the Planning Department if you would like a copy for review.

**Recommendation:**

The Planning Staff recommends granting approval of the road name Montgomery and approval of Preliminary Plat as submitted with the following conditions:

1. The final plat shall not show duplicate lot numbers within the Fearington P.U.D.