



Chatham County Planning Board Agenda Notes

Date: January 7, 2020

Agenda Item: VII-2

Attachment #: 12

- Subdivision**

 Conditional Use Permit

 Rezoning Request

 Other:

Subject:	Request by Mark Ashness, P.E. on behalf of Swain Land & Timber, LLC for subdivision First Plat review and approval of Seaforth Place , consisting of 17 lots on 64.71 acres, located off Seaforth Road, SR-1941, parcel #91403.
Action Requested:	See Recommendation
Attachments:	<ol style="list-style-type: none"> 1. Major Subdivision Application and checklist 2. Vicinity map 3. Report from the Chatham County Historical Association 4. Notification to Chatham County Schools 5. Copy of General Environmental Documentation approval letter dated October 18, 2019 6. Letter from North Carolina Department of Natural and Cultural Resources, Natural Heritage Program, dated April 29, 2019 7. Copy of Community Meeting Report Form dated May 1, 2019 8. Detailed Soil Scientist Report, Soils Map dated November 21, 2019 9. Road name approval from Chatham County Emergency Operations Office 10. Riparian Buffer Report, dated September 16, 2019 11. Email correspondence from Army Corp. of Engineers 12. First Plat titled 'Seaforth Place Subdivision', prepared by CE Group. Inc

Introduction & Background:	
Zoning:	R-1 and R-5
Water System:	Private Water
Sewer System:	Private on-site and off-site
Subject to 100 year flood:	No special flood hazard area within the development.
General Information: The subdivision process is a four (4) step process: Concept Plan, First Plat, Construction Plan, and Final Plat. The applicant has completed the community	

meeting and Concept Plan review. The minimum lot size requirement for the project is 40,000 square feet of useable area for R-1 zoning and 5 acre minimum lot size in the R-5 zoning. The Planning Board has two (2) meetings in which to act on the proposal.

Discussion & Analysis:

The request is for First Plat review and recommendation of Seaforth Place Subdivision, consisting of 17 lots on 64.71 acres, located at Seaforth Road, S.R. 1941. A vicinity map showing the property location, attachment # 2, is included in the agenda packet. Per the Subdivision Regulations, Section 5.2C(4), a Public Hearing shall be held at the first Planning Board meeting to receive comments on the proposed subdivision. Item (b) states that following the Public Hearing, the Planning Board shall review the proposal, staff recommendation, and public comments and indicate their recommendation for approval, disapproval or approval subject to modifications. As stated above, the Planning Board has two (2) meeting to act on the proposal.

Roadways: The road is to be built as a 20 foot wide travelway with a 60 foot wide public right-of-way and is to be state maintained.

Historical: The applicant contacted Bev Wiggins, Chatham County Historical Association. Ms. Wiggins corresponded by email dated November 18, 2019 and stated if anything is discovered to contact her. See attachment #3.

Schools: Notification of the proposed development was provided to the Chatham County School System. Randy Drumheller, Chatham County Schools Director of Maintenance and Construction corresponded by email dated April 3, 2019. See attachment # 4.

General Environmental Documentation: The developer submitted the General Environmental Documentation and a letter dated April 29, 2019 from North Carolina Department of Natural and Cultural Resources Natural Heritage Program to Chatham County Land & Water Resources Division for review. See attachments 5 & 6. The letter states “A query of the NCNHP database, indicates that there are records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. Rare species and natural communities have been documented within a one-mile radius of the property boundary. The proximity of these records suggest that these natural heritage elements may potentially be present in the project area if suitable habitat exists.”

Rachael Thorn, Watershed Protection Director, reviewed and approved the information submitted.

Special Buffers: Chatham County Conservation Viewer shows the proposed project is in a smoke awareness area and hunter safety buffer along the back portion of the land. These are not regulatory buffers, but notifications from the NC Forestry Service and Wildlife Resources Commission regarding activities that occur on the adjoining property owned by the Corps of Engineers.

Community Meeting: A community meeting was held on May 1, 2019 at Seaforth Landing Sales Office, 39 Lakes Edge Lane, Pittsboro. Approximately seven people attended the meeting. Items/issues discussed included if county water would be available, number of lots, whether the neighborhood be significantly different from Seaforth Landing, whether there were plans for trails, the impact of 17 new wells on the existing wells, and timing of the subdivision process. See attachment # 7.

Technical Review Committee: The TRC met December 18, 2019 to review the First Plat submittal. The applicant/developer was not present. Staff had no concerns.

Septic: A soils report and map, attachment #8, was submitted to Thomas Boyce, Chatham County Environmental Health, LSS, REHS, Chatham County Environmental Health, for review. Mr. Boyce stated that the report and map were adequate for a First Plat review. Lots 16 and 17 are proposed to have off-site septic.

Water: Private well water will serve the each lot.

Road Name: The road name Seaforth Place has been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval. Attachment #9 A mail kiosk is proposed to be located between Lots 15 and 16.

Water Features: Steven Ball of Soil & Environmental Consultants (S&EC), submitted the Riparian Buffer Review Application along with a riparian buffer map, dated April 2015, to Drew Blake, Senior Watershed Specialist for review. Mr. Blake and Mr. Ball completed an on-site riparian buffer review on July 29, 2019 to verify the consultant's findings. Mr. Blake issued a confirmation letter of his findings dated September 16, 2019 and revisions to the findings made. The confirmation letter stated three (3) ephemeral streams were removed E-1, E-2, and G-eph. One (1) ephemeral stream, three (3) intermittent streams and one (1) perennial stream were found. The ephemeral stream requires a 30-ft buffer measured from top of bank, the intermittent streams require a 50-ft buffer from top of bank, and the perennial stream requires a 100-ft buffer from top of bank. All buffer widths apply to both sides of the feature and are measured from the top of bank of the feature. See attachment #10

Email correspondence from Andy Williams, Regulatory Project Manager US Army Corps of Engineers, dated September 12, 2019, states the updated maps are consistent with his notes from the site visit on April 8, 2015.

Stormwater and Erosion Control: Two stormwater devices are proposed and will be placed on open space between Lots 15 and 16 and on Lot 11 in the subdivision. As part of the stormwater permitting process additional information will be provided to the Watershed Protection Department. A Stormwater Permit and Sedimentation & Erosion Control Permit will be obtained from the Chatham County Watershed Protection Department prior to Construction Plan submittal. No land disturbing activity can commence on the property prior to obtaining Construction Plan approval.

Site Visit: Site visits were scheduled for December 11, 2019 and December 18, 2019 for Planning Department staff and various Board members to attend. Mark Ashness was present to walk the property with staff and Board members and discuss the project. Pictures of the site visit can be viewed on the Planning Department webpage at www.chathamnc.org/planning, Rezoning and Subdivision Cases, 2020.

Plan Chatham Evaluation:

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. This property is located in a split area of the county identified as rural and conservation in the Conservation on the Future Land Use and Conservation Plan Map. The description for rural includes low density, single family homes on large lots, agriculture, home-based & small scale businesses, regional greenway trails, and conservation easements. The description for conservation includes single family and attached homes, low density, protect natural resources, passive recreation areas, and greenway trails.

Although the proposed subdivision is not a conservation residential design, it is a low density design and meets the adopted riparian buffer and stormwater control standards of the county. The developer also contacted the NC Natural Heritage Program to review their database for any rare species, important natural communities, natural areas, or conservation/managed areas within the project boundary and rare species were identified in their records. It should be noted that Plan Chatham is not intended to be used as a regulatory tool, but is a policy document. When reviewing subdivision applications the boards can use the plan as a tool to identify future regulatory changes.

Recommendation:

The Planning Department recommends granting approval of the road name Seaforth Place Drive and granting approval of subdivision First Plat for **Seaforth Place** with the following conditions:

1. Approval of the First Plat shall be valid for a period of twelve (12) months following the date of approval by the Board of Commissioners and the Construction Plan approval shall be valid for a period of twenty-four (24) months from the date of approval by the Technical Review Committee or Board of Commissioners.