

CHATHAM COUNTY BOARD OF COMMISSIONERS

Legislative Public Hearing – Amendment to Chatham County Comprehensive Plan

(*We are not required to ask for your personal information, however, providing the information below ensures we maintain accurate records and can provide improved customer service and follow up on BOC related issues.)

JANUARY 21, 2020

	Name	Topic	Township	Address (optional)	Phone Number (optional)	E-mail (optional)
✓1.	John DiMiceli	Comp Plan	Briar Chapel	43 Bennett Mtn Trace	919-240-7695	jdimiceli94@gmail
✓2.	Jim Flood	"	" "	451 Cliffdale	910-624-0350	
✓3.	Michael Machikas	"	" "	267. Rosebank Pike.	919-900-0732	michael.machikas 2@gmail.com
✓4.	Halil Cakir	"	"	110 Birch Hollow Rd.	919-247-1581	hicakir75@gmail.com
✓5.	PATRICIA VANTY	"	Briar Chapel	120 MIDDLETON PL	512 970 1074	pat.vanty@gmail.com
✓6.	DENNIS HALL	"	BRIAR CHAPEL	274 CLIFFDALE RD	919-270-2459	dennisjhall@gmail.com
7.	BOB LIZARD					
✓8.	MARK WATSON	"	"	249 Tobacco Farm Pkwy		
✓9.	Stacey Jordan	text Amendment	Briar Chapel	112 Tregunna Lane		staceyjordan@gmail.com
✓10.	LIZ ROUSON	Exp of Briar Chapel Waste Water facility	Briar Chapel	1900 Briar Chapel Pkwy	919 270-0878	ROUSONLIZ1960@gmail.com
✓11.	Caroline Healy	Comp. Plan	Baldwin	312 Old Piedmont Circle		
✓12.	DIANE CRUMPTON	"	Briar Chapel	387 Tobacco Farm Rd	970-401-1663	
✓13.	Tony Zudich	"	Briar Chapel	1998 Briar Chapel Pkwy		
✓14.	Henry Coaling	"	"	230 Dark Forest		
15.	John DiMiceli	"	"	43 Bennett Mtn Trace		
✓16.	HENRY BRATHWAITE	"	"	91 WILLOW WIND DR		
✓17.	Carmille Stark			130 CARDINAL RIDGE RD		cbstark@gmail.com
✓	DONALD SWAN	"	"	489 Cliffdale Rd	703-2826994	

18.	Diane Ursano	Comp PLC	BMan Chapel	Old Piedmont Article	984-2346217	
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Chatham County Board of Commissioners
Chair Karen Howard, District 1
Vice Chair Diana Hales, District 3
Commissioner Jim Crawford, District 4
Commissioner Mike Dasher, District 2
Commissioner Andy Wilkie, District 5

January 21, 2020

Dear Commissioners,

I am here to voice my opposition to the Chatham County Comprehensive Plan Text Amendment, item 22-3379 on tonight's agenda.

You have heard and will hear from many individuals this evening who can express themselves better than I can regarding our opposition to this text amendment - and to how Old North State Water Company/EnviroLink/Chatham North's past performance and their application to the NCUC to expand the wastewater treatment plant located in the Briar Chapel community to become a regional wastewater treatment plant for Greater Northern Chatham County has not and does not align with Strategy 1.1 of the Comprehensive Plan. So, I will not repeat their many cogent points in my statement.

I would like to take a different tack tonight and look at the text changes proposed for Recommendation 1, Strategy 1.2 of the Comprehensive Plan.

The proposed text reads "Locate new public services AND PUBLIC SERVICE FACILITIES, such as governmental offices and schools, in growth areas identified on the Future Land Use and Conservation Plan, OR WHERE EXISTING INFRASTRUCTURE EXISTS AND PUBLIC SERVICES ARE NEEDED." The English language and its punctuation are wonderful. If we condense Strategy 1.2 after the text changes, the new text essentially reads "Locate ... PUBLIC SERVICE FACILITIES ... WHERE EXISTING INFRASTRUCTURE EXISTS AND PUBLIC SERVICES ARE NEEDED." This then can be directly interpreted to refer the existing ONSWC wastewater treatment plant within Briar Chapel. I hope you can see what a slippery slope these words, this amendment, is to those like ONSWC who are waiting in the wings to receive your tacit or direct permission to expand their practices.

I humbly request that you do not approve this text amendment, please.

Thank you.

Respectfully,

Stacey Donelan
112 Treywood Lane
Chapel Hill, NC 27516
Briar Chapel
Chatham County

My name is Caroline Healy and I have been a homeowner in Briar Chapel for the past 4 years.

I am here this evening to discuss the proposed text amendment to the Chatham County Comprehensive Plan and ask that in addressing this issue the Board give serious consideration to Chatham's unique natural resources, its rivers, streams and creeks, flora and wildlife, the horrendous damage done to these by a utility company in Briar Chapel and, moving forward, enforcement resources with the Planning and Watershed departments of Chatham County.

While understanding that development is necessary and in considered cases desirable, it must be weighed against the very real facts of the above. It is clear that as dedicated and expert as the current staff are, as of now, Chatham County simply does not have the staffing resources to enforce regulations.

I am grateful for the opportunity for this hearing. Residents of Briar Chapel did not have the opportunity for such a hearing and, through a series of covert moves we are now set to become residents of a regional wastewater treatment plant, not the green community we were sold and which falls under your jurisdiction. 4 years ago my husband and I purchased a premium wooded lot. We now have a view of an easement that was overcleared beyond its permitted width of 20ft to over 50ft in parts and still remains to be reseeded in accordance with the County's Soil Erosion and Sedimentation Control Ordinance. You have, and will be hearing much more about this as future planning and rezoning proposals come up.

Honorable Commissioners, I am asking you to exercise your authority and to slow things down for a moment. Please recognize the damage that has been done. Please do not allow proposals to get rushed through. Please do not allow such text amendments to be approved without careful consideration of the following: the health, safety and wellbeing of citizens of Chatham County, the natural resources that drew many of us here and the value of our homes and other property investments.

It's an unfortunate fact that the activities of one utility company, Old North State Water Company, has placed a such a filthy blot on this County's copy book.

Testimony before Chatham County Commissioners

January 21, 2020

County Court house.

I would like to address the text change cited in 1.2¹ of the Chatham County Comprehensive Plan. Stated in the discussion is a quote "**revision to the language in the Utilities Section should be able to locate public service facilities where needed in the County to serve the County.** While it is understood the county needs to plan for utilities for undeveloped areas, the language just quoted is very broad and could be interpreted by private companies, currently providing such services, that it is an invitation to expand current facilities they own.

While I was told by a County Commissioner **this has nothing to do with Briar Chapel**, we believe it leaves the door open for Old North State Water Company. Because we have recently seen the Briar Chapel Environmental Impact Assessment dated June 2004 and it specifically talks about bringing in sewage from outside BC.

It is worth noting that our Briar Chapel Community Association was controlled by Newland the developer until January of this year. Newland sold the treatment plant to ONS and worked in conjunction with ONS to expand the plant.

The homeowners had no knowledge of this partnership between ONS and Newland until our newly elected BCCA was in place.

ONS has proven to be incapable of operating the plant within the permit regulations. They have been cited for violations and fines. All of which are negatively impacting BC. The plant is located on a hill within 200 feet of homes. (earth map attached).

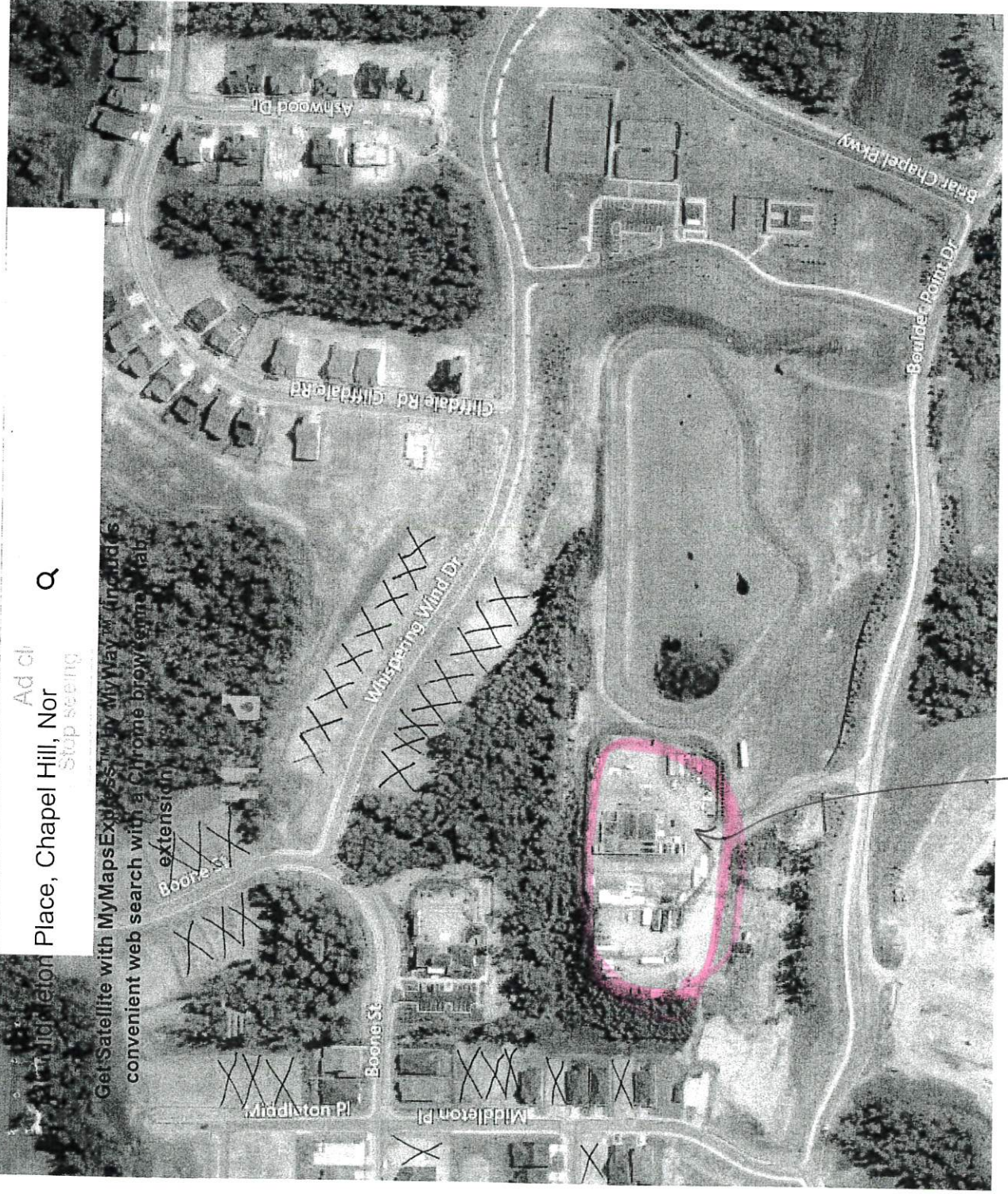
We cannot continue to allow ONS to expand beyond their current permitted capacity.

I ask that the text change include statement that "**Regional treatment plants shall not be located in densely populated neighborhoods and Briar Chapel will not become a Regional Waste Water Treatment facility.**"

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TREATMENT PLANT

X = Homes

Exhibit A Briar Chapel

Ferrington Village 10.6 °C - 14 °C

(Aerial view of a residential area with a central building highlighted in pink)

Good evening Commissioners

I am James Flood and I live at 451 Cliffdale Rd. Chapel Hill, in Briar Chapel — which is ~ 1250' as the geese fly from the mixing tanks of our community Waste Water Treatment Plant.

I am here tonight to express my strong opposition to the changes proposed to the Chatham County Comprehensive Plan as defined in agenda item 20-3379. Words matter, so we urge you to amend the text of the Comprehensive Plan to specify: **REGIONAL WWTPs SHOULD NOT BE LOCATED IN DENSELY POPULATED AREAS. The BC Community WWTP should not be designated as a “regional” plant.**

4 short years ago Granite Mill Parkway ended and Boulder Point Road began — as a mostly unpaved road — and sort-of 'over-there' a few hundred yards away was the BC community WWTP. I knew it was there when I built. I also knew our treated effluent would be land-applied on ~ 450 acres of BC rights-of-way, common areas and acceptable parts of our woodlands as described in the 2004 BC Environmental Assessment. I knew in the future some homes would be built down from and across from the plant. At the time, maybe 100 homes were ¼ mile from the plant, including mine.

I also know well-managed 21st century WWTPs don't smell and properly-treated land-applied reclaimed effluent does not stink, is safe, and this process is an environmentally sound means of discharging, especially in the nutrient-sensitive Jordan Lake/Cape Fear watershed. You have heard from my neighbors and will hear from more of them regarding these issues.

What was described and defined as BC in the 2004 Environmental Assessment continues to grow towards ~2500 homes, hundreds of apartments, schools, additional retail, commercial and professional, enhancing the quality of life in NE Chatham, generating huge tax revenues for CC and waste that will be treated at our community plant. Today, nearly 1,000 BC homes are within ~ 2600' radius (1/2 mile) of our community plant, some as close as 4-500'. This can accurately be described as “densely populated”.

Let me close by simply saying 1,000's of CC residents in a neighborhood of 6,000 voters have for a couple of years endured the stink from an under-managed WWTP and spray-field system, therefore this community plant should not be designated as a “Regional Plant” and be made to accept waste from distant neighborhoods. **It is the wrong plant, in the wrong location, at the wrong time.**

We ask you as Commissioners to courageously explore alternatives ASAP. Thank you.

Dennis J Hall
274 Cliffdale Rd
Chapel Hill, NC 27516

January 21, 2020

TO: Chatham County Board Of Commissioners

Thank you, Commissioners, for the opportunity to speak to you this evening. This past Sunday I forwarded to you an e-mail outlining my objection to Agenda item #20-3379 on proposed changes to the Chatham County Comprehensive Plan. Shortly thereafter I received a response from Commissioner Hales on this issue. I was quite surprised at the very quick reply from the Commissioner and encouraged that our elected officials are working 24/7 on constituent concerns!

As a resident of Chatham County and the Briar Chapel community my concern centers around current plans by our WWTP service provider Old North State Water Company (ONSWC). ONSWC, fails to perform in accordance with State and Federal regulations. Briar Chapel continuously experiences sewage spills, excessive odors, over spraying, erosion, sink holes, etc., Old North State currently processes approximately 200,000 gallons per day. They are proposing to increase the capacity to 1,000,000 gallons per day integrating sewage from Fearrington Village and other developments both residential and commercial. ONSWC is actively pursuing the Briar Chapel Community as a REGIONAL SEWAGE FACILITY FOR ALL OF NORTH CHATHAM COUNTY.

IF BRIAR CHAPEL BECOMES A REGIONAL WASTE WATER TREATMENT PLANT ALL OF OUR HOME VALUES WILL IMMEDIATELY PLUMMET.

In Commissioner Hales response she indicated that “There were no issues dealing with regional waste water on our agenda” . the changes

being proposed in the Comprehensive Plan were meant to address Public Facilities (County Owned) and not Public Utilities like ONSWC which is a private company.

The changes proposed in the Comprehensive Plan while minor in wording might be interpreted to support Regional Like utilities to support future Chatham County Growth. If this change were to be adopted ONSWC might say they were supporting the County's strategy in providing regional facilities. As a Briar Chapel and Chatham County resident I am opposed to locating any Regional Facility, such as a WWTP, in any densely populated area.

I would propose that the language in the Comprehensive Plan be amended to state that public utilities and or public facilities like a WWTP SHOULD NOT BE LOCATED IN DENSELY POPULATED AREAS.

I hope you, the Chatham County Commissioners, can support these revisions to the proposal before you.

Testimony to Chatham County Commissioners Meeting – January 21st, 2020

I'm Liz Rolison and I have been a Briar Chapel resident since 2014. When I purchased my home, I was told Briar Chapel had their own waste water treatment facility owned and operated by Old North State/EnviroLink.

What I and my neighbors weren't told was that Old North State had plans underway since 2012 to expand Briar Chapel's waste water treatment facility to Fearrington Village. I have a document showing that the owner of Old North State approached Fitch Creations (the waste water facility owner in Fearrington) in 2012 proposing that Fearrington's waste water could be processed in Briar Chapel's facility. Despite this plan being set in motion over 7 years ago, Old North State did not notify Briar Chapel residents.

Our developer, Newland Communities, was likely aware of these plans from the start since they provided the easements within Briar Chapel to allow pipe to be laid between the Briar Chapel waste water facility and 15/501 and who documentation shows signed off on an easement for connecting the Fearrington Village and Briar Chapel wastewater system in July 2019. Yet, Newland did not notify Briar Chapel residents.

Chatham County officials were likely involved in the early planning stages and later for permits and approvals. Documentation shows that the Chatham County Board of Commissioner's approved a request for an easement waiver to allow Old North State to complete the pipeline between Briar Chapel's facility and Fearrington's facility in July 2019. Chatham County Commissioners and officials clearly knew this was planned, but you did not notify Briar Chapel residents.

The only notification we received was from the NC Utilities Commission who sent a notice for the public hearing held last week about pending applications from Old North State that would allow them to expand operations to include Fearrington and other surrounding communities and commercial development. In addition, they are requesting to increase the plant's capacity to a million gallons a day.

How can a plan that has been in progress for over 7 years involving all these parties not be communicated to the Chatham County residents who are most



FEARRINGTON VILLAGE

FITCH CREATIONS, INC

COPY

October 5, 2017

Dear Fearington Utilities customer,

About five years ago, a utility executive approached me with an idea – to combine Fearington’s wastewater system with the one he was managing at Briar Chapel. This would allow Briar Chapel’s state of the art facility to treat Fearington’s wastewater, taking advantage of new treatment standards, expertise and cost efficiencies. As we kept talking, I grew to value Mike’s extensive operating experience, his industry reputation and personable manner. Mike serves as president of Raleigh-based Old North State Water Company, LLC (“ONSWC”) and Envirolink, Inc.

Last year, ONSWC acquired the wastewater system at Briar Chapel. Effective January 1, 2018 and pending state approval, Fearington Utilities will also be transferred to ONSWC to create one system serving both communities. ONSWC has agreed to maintain the current rate level for Fearington Utility customers for at least two years.

In the past few years, Fearington Utilities has been particularly challenged by its aging facility and by the rules enacted in 2009 to improve the water quality of Jordan Lake. This transfer allows us to avoid spending substantial capital investment to upgrade the plant to address both issues, which would have resulted in significant rate increases to our customers.

When we started developing Fearington in 1976, the first homes relied on septic systems, but within a few years homes were connected to a central wastewater system. The system offered a more reliable and consumer-friendly alternative to septic. It was also a commitment to the future of our village. Similarly, this transfer is a commitment to the future of our village. Our private system should be entrusted to a professional utility, and I believe Mike and his team are best equipped to do this.

The attached information sheet may answer many of the questions you may have. The North Carolina Utilities Commission will also give the public the opportunity for feedback regarding this transfer and will mail you further information under separate cover.

Best,

R.B. Fitch

Fitch Creations Inc.

2000 Fearington Village | Pittsboro, NC 27312 | P: 919.542.4000 | F: 919.542.4020 | www.fearington.com

BRADSHAW ROBINSON SLAWTER LLP

ATTORNEYS AND COUNSELORS AT LAW

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July 30, 2019

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

Via Hand Delivery &
Electronic Mail

RE: Request for Compact Community Ordinance ("CCO") Waiver for Fearington
Utility Easement

Dear Board of Commissioners:

This firm has been engaged by Old North State Water Company ("ONSWC") to assist in formally requesting a waiver to allow a 30' utility easement within the 300' perimeter buffer between the Briar Chapel SD-East commercial area and Fearington Village. ONSWC seeks this waiver with the joinder and consent of:

1. NNP Briar Chapel, LLC as the holder of the Conditional Use Permit subject to the CCO;
2. Liberty Healthcare Properties of Chatham County, LLC, the owner of a portion of the property over which the easement will run;
3. Mr. William Thomas Ferris, owner of the Fearington Village lot over which a portion of the easement will run;
4. Fearington Homeowners Association, Inc.;
5. Mr. R.B. Fitch as developer of the Fearington Village Subdivision; and
6. Fitch Creations, Inc. as the owner of the land upon which the Fearington wastewater plant is situated.

Location and Description of Waiver/Easement Area: See green crosshatched area on Exhibit 1 attached hereto. The run of the easement is specifically designed as a "Z" shape so as to prevent sightlines between Fearington Village and the SD-East commercial site. The approximate full routing location of the easement is shown on Exhibit 2. The total amount of space taken up by the portion of the easement within the 300' buffer is likely to be less than a one-third of an acre.

Purpose of Waiver/Easement Area: The purpose of the easement area is to allow wastewater utility lines to efficiently interconnect the Briar Chapel and Fearington wastewater treatment facilities. ONSWC is the owner of the Briar Chapel wastewater treatment facilities and will soon be the owner of the Fearington wastewater treatment facilities. This interconnection will facilitate treatment of Fearington wastewater to the significantly higher standard of the Briar Chapel plant and will also allow for discharge of effluent treated to a much higher standard through the Fearington discharge permit.

Consent and Support: ONSWC has sought and obtained the consent and support for the requested waiver of the impacted parties as indicated by the signatures below and the letters attached.

As I am sure you recall, the CCO, Section 15, authorizes the Board of Commissioners to adjust, modify, reduce or waive requirements applicable to the compact community. Given the design, consent and benefits of the requested easement, there is a reasonable nexus between the request and the impact of the compact community, all of which have been addressed through the design of the easement area.

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 August 19, 2019. **This is to request of the County Manager that the request be placed on the Commissioners Agenda for their meeting on August 19, 2019.**

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

Very truly yours,



Nicolas P. Robinson

NPR:amm

Enclosure

c: Dan LaMontagne, County Manager
Jason Sullivan, Planning Director
Lee Bowman



FEARRINGTON
HOMEOWNERS ASSOCIATION

599 Fearington Post
Pittsboro, NC 27312
Phone: 919-542-1603
Fax: 919-542-1543

office@fearingtonfha.org | www.fearingtonfha.org

Mike Dasher
Chairman
Chatham County Board of Commissioners
80A East Street
Pittsboro, NC 27312

July 26, 2019

Dear Mr. Dasher:

I am writing to confirm that the Fearington Homeowners Association supports and consents to the Compact Community Ordinance buffer waiver requested by Old North State Water Company. As you know, this waiver is to allow a 30' utility easement within the 300' perimeter buffer so that wastewater utility lines may efficiently interconnect the Briar Chapel and Fearington Village wastewater treatment facilities.

We are mindful of the timeline for this project and therefore respectfully ask that this matter be placed on the Agenda before the Board of Commissioners at their meeting on August 19, 2019. Thank you.

Yours sincerely,

Judith Andersson
President

July 26, 2019


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

Re: Request for Compact Community Ordinance ("CCO") Waiver for Fearington Utility Easement

Dear Mr. Dasher.

This letter is to confirm that NNP-Briar Chapel, LLC supports and consents to the CCO perimeter buffer waiver requested by Old North State Water Company, LLC for the purposes of connecting the Fearington Village system to the Briar Chapel wastewater system. We have reviewed the proposed request and fully support the approval of the waiver for the same. Also, we agree that time is of the essence and respectfully request that this matter be placed on the Board of Commissioners agenda for its meeting on August 19, 2019.

Sincerely,


Mike Sciscione
Vice President

ATT: Chatham County Commissioners

Related to approval of merger of Old North State Water Co. into ONSWC – Chatham North and resultant creation of regional wastewater treatment plan in Briar Chapel

If the proposed amendment strategy 1.2 of Utility Policy 1 in the Chatham County Comprehensive Plan (2017) supports the development of a Regional Wastewater Treatment Plant (WWTP) in Briar Chapel, the result will put the health of our population and water quality at risk. A regional wastewater treatment plant, managed by an incompetent service provider like Old North State in particular, can place North Carolina residents, wildlife and natural resources in a vulnerable position to contaminants of emerging concern such antibiotic resistant bacteria (ARB), antibiotic resistant genes (ARG) and pharmaceuticals. A Regional WWTP receives sewage from diverse communities compared to a small community based WWTP. The influent that goes to a regional plant is comprised of more diverse and concentrated pharmaceuticals and microbes. The pharmaceuticals, ARB and ARG in the reclaimed water effluent should not be released via irrigation spray fields in a densely populated area like Briar Chapel as the impact of this exposure has not been established. Furthermore, expanding treatment capacity of the WWTP will hinder Chatham County's progress toward achieving at least 4 of the 10 goals that are outlined in the **Chatham County Comprehensive Plan**. The goals and the strategies used to attain them are outlined in the plan. These include Goal 5 (*Conserve natural resources*) and Goal 10 (*Foster a healthy community*), in addition to Goals 7 (*to mitigate and respond to emerging threats*) and Goal 8 (*and support environmental objectives*). Pharmaceuticals, antibiotic bacteria (ARBs) and antibiotic genomes ARBs are “contaminants of emerging concern” (citation) will impede the county's progress toward the Plan goals.

Foster a Healthy Community (Goal 10)

A regional sewage plant in Briar Chapel is not desirable because it favors economic development at the expense of Public Health. The Centers for Disease Control, National Institute of Health and the World Health Organization identify WWTPs as potential “hot spots” for promoting the spread of antibiotic resistance. WWTPs receive sewage containing residual antibiotics that are either excreted by patients or dumped down the drain as well as corresponding antibiotic resistant bacteria, including human pathogens. The effluent of sewage from a large and varied population source, such as nursing homes, hospitals and retirement communities, should not be distributed in spay fields such as yards and parks that cover a densely populated neighborhoods like Briar Chapel. The amount of pharmaceuticals in sewage that enters the WWTP vary by type of community. And, while WWTP design has been mastered for the removal of solids, organic matter, and nutrients, they have not been intentionally designed for removal of antibiotics or ARGs. Newer WWTP technology may reduce ARB, ARG and pharmaceuticals from effluent, but small amounts of ARB and ARG get through and generate antibiotic resistance downstream. The literature suggests that the high growth rates and high microbial densities that are fundamental to conventional WWTP design,

along with the presence of residual antibiotics, may represent the perfect storm for promoting horizontal gene transfer (movement of genetic information between organisms) and multi antibiotic resistance among resident bacteria. From a public health point of view, pathogens carrying resistance genes against multiple classes of antibiotics, often referred to as 'superbugs'. In 2019, the Centers for Control (CDC) published the Antibiotic Resistance Threats United States, 2019 (2019 AR Threats Report) that states more than 2.8 million antibiotic-resistant infections occur in the U.S. each year, and more than 35,000 people die as a result.

Conserve natural resources (Goal 5)

A regional sewage plant in Briar Chapel is not desirable because favors economic development at the expense of Natural Resources. The purification systems measure microbial reduction and nutrient standards like those required at Jordan Lake, but these standards do not specifically address removal of ARBs and ARGs. More recent studies show that low-level antibiotic concentrations persist in reclaimed water like that used in Briar Chapel for irrigation, especially when it is stagnant. The health implications for humans and wildlife are unclear at this time. Although the concentrations of antibiotics in wastewater effluent are relatively low, the combination of antibiotics, nutrients, and bacteria in reclaimed water and in soil and plants that are subsequently exposed with reclaimed water released into tributaries could potentially result in the selection of antibiotic resistance among bacterial populations present in these environments.

Provide infrastructure to support desired development and support economic and environmental objectives (Goal 7)

Utility Policy 1, Strategy 1.2 is a subheading of Goal 7 in the Plan. Utility 1 states that it will ensure adequate utilities. Old North State (ONS) officials overseeing the WWTP may not be experienced or financially solvent enough to manage the larger project ahead. ONS is not an adequate service provider because it repeatedly fails to perform in accordance with State and Federal regulations. Briar Chapel continuously experiences sewage spills, excessive odors, over spraying, erosion, sinkholes, etc. The creation of a new Chatham North Regional wastewater treatment plant will provide infrastructure to support economic development, but it will do so at the expense of natural resources.

Become more resilient by mitigating and responding and adapting to emerging threats (Goal 8)

Pharmaceuticals, ARBs, and ARGs released in the reclaimed water effluent from the WWTP are clearly an emerging threat. There are many questions about mode of transmission (aerosol, skin, ingestion), dose, frequency of exposure contaminants of concern in reclaimed water. The final report of the California Resources Science Advisory Panel ([Monitoring Strategies for Constituents of Emerging Concern \(CECs\) in Recycled Water](#)) recognized an emergent need for metrics to measure the impacts of ARBs and ARGs on health and the environment. A regional sewage plant in a dense

community, like Briar Chapel is not desirable, especially because there is a lack of simple to use and inexpensive tools for investigating the occurrence and removal of, and risks associated with, ARB and ARG at the present time. Research is underway at a rapid pace to better measure the occurrence, fate and risks associated with ARB and ARG in effluent leaving the WWTP and emerging in the waters and soils downstream. For example, January 8, 2020, The National Institutes of Allergy and Infectious Diseases (NIAID) awarded [Phase Genomic](#) a 1.5 million dollar grant to develop a low-cost platform for targeted detection of antimicrobial resistance mobile elements in wastewater treatment plants. In May 2019, the European Commission funded a low cost means to remove emerging pollutants like ARGs from wastewater (<https://cordis.europa.eu/project/id/645551>). There will be new metrics. In the meantime, it is premature to go forward with this regional WWTP, especially since it is managed by an incompetent Management group and its irrigation subcontractor.

In conclusion, amendment to strategy 1.2 in Utility Policy 1 can significantly impair progress toward several of the **Chatham County Comprehensive Plan** goals if it supports the construction of a regional treatment plant in a densely populated community like Briar Chapel. If the treatment plant goes forward, it will proceed to improve the Chatham County economy by supporting rapid development, but it will do at the expense of North Carolina residents. The pharmaceuticals and microorganisms that enter the plant encourage the growth of ARB and ARG. ARG escape the plant and contaminate bacteria in soil and tributaries that lead to communities downstream from the WWTP through a process called horizontal gene transfer. These emerging contaminants of concern may be hard to mitigate in the future, but the technology is evolving. In the meantime, caution is imperative. Do not use reclaimed water from diverse communities likely nursing and medical facilities to distribute in irrigation spray fields in Briar Chapel. Hire a utility company that is more competent than a company Old North State. Keep abreast of scientific advances related to prevention methods and risk assessments. Kraemer et al. (2019) noted that WWTPs may provide a pivotal point of intervention to curb resistance evolution and horizontal transmission. A study workgroup <http://www.nereus-cost.eu/working-groups/wg-1/> recommended the following for creating a model WWTP that protects communities near and downstream as technology becomes available.

- Propose the standardization of the procedures used for ARB & ARG detection and quantification in water and soil samples
- Identify most prevalent and/or hazardous ARB&ARGs with ability to persist, spread and proliferate after wastewater disposal, including under wastewater reuse scenarios
- Assess the fate, whenever possible quantitatively, of ARB & ARG discharged in treated wastewater and released in surface water or soils
- Identify the conditions favoring ARB & ARG persistence or proliferation

Closer to home, Chatham County should take advantage premier academic programs like the UNC Gillings Institute and the Duke Nicholas Institute to help develop a model

community WWTP in Briar Chapel. In the meantime, please protect the residents of Briar Chapel and North Carolina.

References

- CDC. Antibiotic Resistance Threats in the United States, 2019. Atlanta, GA: U.S. Department of Health and Human Services, CDC; 2019.
- Kraemer SA, Ramachandran A, Perron GG. Antibiotic Pollution in the Environment: From Microbial Ecology to Public Policy. *Microorganisms*. 2019 Jun 22;7(6). pii: E180. doi: 10.3390/microorganisms7060180.
- Pazda M, Kumirska J, Stepnowski P, Mulkiewicz E. Antibiotic resistance genes identified in wastewater treatment plant systems - A review. *Sci Total Environ*. 2019 Dec 20;697:134023. doi: 10.1016/j.scitotenv.2019.134023. Epub 2019 Aug 22.
- Pruden A. Balancing water sustainability and public health goals in the face of growing concerns about antibiotic resistance. *Environ Sci Technol*. 2014;48(1):5-14. doi: 10.1021/es403883p. Epub 2013 Dec 11.
- Prachi Kulkarni, Nathan D. Olson, Greg A. Raspart. Antibiotic Concentrations Decrease during Wastewater Treatment but Persist at Low Levels in Reclaimed Water. . *J. Environ. Res. Public Health* 2017, 14, 668; doi:10.3390/ijerph14060668
www.mdpi.com/journal/ijerph

Compiled by Briar Chapel resident, Kathy Tawney
Presented by Briar Chapel resident, Diane Crompton

Tuesday, January 21, 2020 – 6 PM – Chatham County Board of Commissioners
Regular and work sessions:

I am opposed to having a **regional** sewer plant, in the Briar Chapel densely populated neighborhood. Please postpone any decision on this matter until additional options are fully explored.

The Briar Chapel homeowners had no knowledge of a plan to expand the Briar Chapel sewer treatment center into a regional sewer treatment plant until November of 2019.

Unfortunately, neither the builder or developer was forthcoming with that important information. If known I certainly would not have chosen to purchase my home with such a close proximity to a regional sewer treatment plant. We do not want to expose our children, grandchildren or ourselves to the inevitable health and quality of life issue. I also believe there are too many schools that are too close to this sewer plant to even consider pumping a million gallons of sewerage through our community.

We understand that the existing sewer treatment plant is not adequate and needs substantial upgrades to correct odors issues, leaks, health concerns. We also need the environmental damage done in our green community repaired and encourage Chatham County require ONSWC to address all of the issues immediately.

Old North Gate (ONSWC), Enviorlink and Michael Meyers have not earned the trust of the Briar Chapel residents, due to their poor planning and lack of action thus far, destroying our yards, common grounds and trails and plant life; issues that have gone on for years.

While I can appreciate the county's rational in providing a regional sewer facility, a proper location is vital; an area that does not directly impact the quality of life and health of the residents.

I would hope that any major construction including sewer plants would require an RFP, a performance bond as well as a reserve fund to cover upgrades as the plant ages.

Thank you for providing another opportunity for the community to share our views. Please postpone your decision until a better solution can be found.

Respectfully,
Camille Stark
132 Cardinal Ridge Road, Chapel Hill NC
Chapel Hill, NC 27516

North Carolina Licensing Board for General Contractors:

1. Public Utilities Contractor. This classification includes operations that are the performance of construction work on water and wastewater systems and on the sub classifications of facilities set forth in G.S. 87-10(b)(3). The Board shall issue a license to a public utilities contractor that is limited to any of the sub classifications set forth in G.S. 87-10(b)(3) for which the contractor qualifies. A public utilities contractor license covers work done under the specialty classifications of S (Boring and Tunneling), PU(Communications), PU (Fuel Distribution), PU (Electrical-Ahead of Point of Delivery), PU (Water Lines and Sewer Lines), PU (Water Purification and Sewage Disposal), and S (Swimming Pools).

*North Carolina Onsite Wastewater Contraction Inspector Certification Board

NICOWCICB

PO Box 132

Lawonville, NC 27022

QUESTION: What kind of system can I install if I have a grade level IV certification?

ANSWER: Grade III plus: Systems equal to or greater than 3000 gpd, Multiple Off-Site Systems, Industrial Process Wastewater, Residential Wastewater Treatment Systems (RWTS), TS-I and TS-II System, Drip Dispersal Systems, and Wastewater Reuse Systems or any Pretreatment Component.



January 21, 2020

Chatham County Board of Commissioners
12 East Street
Pittsboro, NC 27312

Dear Board of Commissioners:

I am contacting you as the current President of the Orange Chatham Association of Realtors (OCHAR) regarding the public hearings labeled 20-3379 and 20-3381.

In general, OCHAR supports the reasonable regulation of Recreational Vehicles (RV's) and RV parks. In addition, we support the County's effort to diversify its tax base and create higher quality jobs in the County--especially if the effort decreases the County's reliance on residential property taxes as its main source of funding. Furthermore, the County's goal is to "provide infrastructure to support desired development and support economic and environment objectives" which is laudable and also supported by OCHAR.

The current utility policy has been formulated to support the adopted land use plan in an effort to achieve "smart growth". The stated policy is to "ensure adequate utilities and public services to support the desired development pattern" with the following suggested strategies:

Strategy 1.1

Support well-designed, decentralized wastewater systems in order to support land use goals and objectives, particularly:

- Growth in designated, well-planned, walk able, mixed use centers
- Conservation subdivisions that conserve sensitive natural resources while protecting property rights

Strategy 1.2

Develop utilities policies, systems and services that facilitate compact development and support economic development in defined areas.

- Adopt an Urban Service Area (USA) and update utility and public service policies to reinforce the USA.
- Locate new public services and public service facilities, such as governmental offices and schools, in growth areas identified on the Future Land Use and Conservation Plan, or where existing infrastructure exists and public services are needed.

OCHAR supports your effort and respectfully requests that the Commissioners consider the following:

- Consider locating important public infrastructure such as school buildings as close to existing population density as can be reasonably accomplished.
- Consider locating public infrastructure within the defined urban core areas of the county and/or its municipalities.
- Consider amending the zoning and/or subdivision ordinance to account for the availability of sanitary sewer in its urbanized zones. For example, land that can be served by county water and sanitary sewer in these areas should be allowed to have density calculations that reflect the availability of public water and sanitary sewer as opposed to well and septic.

Respectfully,

Pat Serkedakis
President, OCHAR



BOC Public Input Signup & Comments

Chatham County, NC

Submitted On:

January 21st, 2020 @ 11:59am

CONTACT INFORMATION:	Michael Machikas
Daytime Phone Number (optional)	9199000732
Email Address (optional):	michael.machikas@gmail.com
RESIDENCY: Are you a resident of Chatham County?	Yes
MEETING DATE SELECTION	January 21, 2020
PUBLIC INPUT SELECTIONS:	Public Hearing (note topic of hearing below)
LIST PUBLIC HEARING TOPIC(S) BELOW, if relevant:	Briar Chapel WWTP expansion on Tuesday January 21, 2020 - 6:00 pm

YOUR COMMENTS: Additional information can be uploaded below or emailed to lindsay.ray@chathamnc.org

January 20, 2020

My wife and I purchased a home in the Briar Chapel community in July 2018. At that time, we were unaware of plans to expand the current, "community waste water treatment plant," to include waste water treatment for the Fearington Village community, whose current waste water treatment facility was beginning to fail. It has more recently been brought to our attention, the plans have been expanded further, to include a larger area of Chatham County and moreover be in fact, a Regional waste water treatment facility.

Aside from the obvious environmental concerns, being in such a densely populated location, this will also directly affect our home values.

My husband and I own and operate our own real estate firm and know the market well. As realtors, we will have to disclose this proposed change to all our buyers. Working with buyers for over 13 years, we are confident how they will respond to this disclosure. Simply put, we won't be able to give these homes away.

There are many homeowners in Briar Chapel who have retired or plan to soon retire and this is a large source, if not the only source of finances for their retirement. If they cannot sell their homes, their entire retirement is lost. Everything they have worked all their lives for- GONE!!! Not to mention, other homeowners who will never be able to purchase a larger home, smaller home or anything in between because they will have the inability to sell their home.

There is a great deal of open space in Chatham County(Including an approved WWTP to support the new Chatham Park Mix Use Development). How did it even become option to expand a community treatment plant to a regional treatment plant? Who thought in any way this could be a good idea?

- Planning Commission - Zoning does not allow for the Regional WWTP in a Residential District
- Proposed Chatham Growth Plan does not mention Private Regional WWTP
- Text Amendment is not specific for the purpose of allowing a Private Regional WWTP in a densely populated residential zoning
- BC Developer(Newlin), Private Residents and Fearington Village Developer are granting Utility Easement's for the Regional WWTP. This is for their best interests, not those of the 1,600 plus residents of the BC community.
- BC Developer & BC Builder have not disclosed to current or prospective BC Home Buyers the proposed plan to build a Regional WWTP in the community, nor disclose the current issues of the current WWTP (Odors, spills & holding ponds). They understand new home sales would drop significantly. Per RE Commission Rules, they must disclose this Material Fact.
- Chatham Park - Logical Answer for a Regional WWTP.

Please reconsider what you are doing in approving this project and know, we the people of probably the largest community in Chatham County, NC will be the same people coming out to the polls to vote.

This is a horrible situation and I hope you hear us and proceed accordingly.

Thank you for your time.
Michael Machikas
Michael.machikas@gmail.com
919-900-0732

UPLOAD ATTACHMENT: You may upload additional comments as a file in Word or PDF format.

<https://seam.ly/u9pieBlh>



BOC Public Input Signup & Comments

Chatham County, NC

Submitted On:

January 19th, 2020 @ 8:25pm

CONTACT INFORMATION:	Robert Mergliano
Daytime Phone Number (optional)	919 240 7049
Email Address (optional):	merglian@gmail.com
RESIDENCY: Are you a resident of Chatham County?	Yes
MEETING DATE SELECTION	January 21, 2020
PUBLIC INPUT SELECTIONS:	Written Comments
LIST PUBLIC HEARING TOPIC(S) BELOW, if relevant:	Change to the text of the comprehensive plan for Chatham county.
YOUR COMMENTS: Additional information can be uploaded below or emailed to lindsay.ray@chathamnc.org	Facilities like large or regional sewage plants should not be located in the midst of high density residential developments. There are too many potential negative consequences for home owners in the community including physical nuisances and loss of property value.