

CHATHAM COUNTY PLANNING BOARD

Minutes

February 5, 2008

The Chatham County Planning Board met in regular session on the above date in the multipurpose room of Central Carolina Community College in Pittsboro, North Carolina. A quorum was present to begin the meeting. The members present were as follows:

Present:

Sally Kost, Vice-Chair
B.J. Copeland
Karl Ernst
Barbara Ford
Warren Glick
Jim Hinkley
David Klarmann
Judy Harrelson
Peter Theye
Delcencia Turner

Absent:

Randall Sartwell

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: Ms. Kost called the meeting to order at 6:30 p.m. She stated that Mr. Sartwell would not be at tonight's meeting due to family matters; and that a requirement of the college is that we be out of the building by 9:00 p.m.

- II. APPROVAL OF AGENDA: Ms. Kost noted the following revisions to the agenda:
 1. *Item V. A. Sketch, Preliminary and Final Approval "Briar Chapel – Map 18"*
 - The applicant has withdrawn this request.

 2. *Item VII. C. Thomas C. Lewis – property rezoned*
 - The applicant has requested a postponement.

Mr. Hinkley made a motion; seconded by Mr. Glick to approve the agenda as submitted with the two revisions noted above. There was no discussion and the motion passed unanimously.

III. CONSENT AGENDA: These items were discussed as follows:

- A. Minutes: Consideration of a request for approval of Planning Board minutes for January 8, 2008 meeting.

The following correction to the minutes was noted:

- *Page 9, under B.J. Copeland nominated – sentence that states, “Mr. Ernst declared the nominations closed”.*

Mr. Ernst stated that he made a motion that nominations be closed and asked that the minutes be modified to reflect this.

Mr. Ernst made a motion; seconded by Mr. Copeland to approve the minutes as submitted with the one modification noted above. There was no further discussion and the motion passed unanimously.

- B. Final Plat Approval:

Request by Mann’s Chapel Properties, LLC for subdivision final plat approval of “Mann’s Crossing”, consisting of 41 lots on 60.50 acres, located off SR-1532, Mann’s Chapel Road and SR-1537, Tobacco Road, Baldwin Township.

100 Foot flood plain outside 50 foot stream buffer

Mr. Hinkley noted that the applicant’s plat map shows a 100 year floodplain outside the 50 foot stream buffer designations; and he asked how this could be justified. Mr. Megginson stated that this is a location decided by the State of North Carolina from their flood mapping efforts; that the flood plain exceeds where the protected stream buffer is; that our regulations do not allow any building within the floodplain; and that all the trees could be cut down since it is not a buffer area under our current regulations (but would be under the new regulations, i.e. protection of water quality and property from flooding). Mr. Hinkley stated that these need to be contiguous (maintain a 50 foot buffer around the entire floodplain area) before approval of final plat. Ms. Harrelson inquired if the developer would consider 100 foot stream buffers (regardless of floodplain area) like the new watershed regulations would require. Mr. Glick raised the question if there were plans to build in the area around the floodplain but not in it.

Mr. Theye asked if there had been any notice of violations issued.

Ed Weeks, builder, was present representing the applicant. Mr. Weeks stated that there had not been any violations issued; that he would contact the developer regarding the above; and that there were no plans to build in the area around the floodplain. Ms. Kost suspended discussion of this issue to provide Mr. Weeks time needed to discuss the buffer issue with the developer by phone (until after review of the Parker Springs request, Item VI. A.).

Discussion continued

Mr. Weeks stated that the application met all requirements at the original submission; and that it is the decision of the applicant to proceed with the 50 foot stream buffers as shown on the final plat map.

There was no further discussion. Mr. Klarmann made a motion; seconded by Mr. Ernst to grant approve of the plat as submitted and as recommended by staff. There was no discussion and the motion passed 8-1-1 with Klarmann, Ernst, Kost, Copeland, Ford, Glick, Theye and Turner voting in favor of the motion; and Hinkley voting against; and Harrelson abstaining. The five (5) recommended conditions are:

1. The roadways shall be graveled prior to final plat recordation allowing the lots to be accessible to emergency vehicles.
2. The septic supply lines to the off-site waste water systems shall be installed prior to final plat recordation or provisions for the installation shall be included in the financial guarantee.
3. The Certificate of General Approval for Installation of Subsurface Sewage Disposal Systems shall be removed from the final plat.
4. Flood elevations along Wilkinson Creek, as shown on Flood Insurance Rate Maps, dated February 2, 2007, shall be shown on the final plat.
5. A note shall be placed on the final plat designating the maintenance responsibility until acceptance of said roads by the North Carolina Department of Transportation.

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

There were no requests to speak at this time.

V. SKETCH, PRELIMINARY AND FINAL APPROVAL:

A. Request by The John R. McAdams Company, Inc. on behalf of Cameron Properties, LTD & 5 Star Group for subdivision sketch, preliminary, and final plat approval of "Briar Chapel – Map 18", consisting of one (1) non-residential lot, consisting of 2.94 acres, located off SR-1532, Mann's Chapel Road and Great Ridge Parkway, Baldwin Township.

This request has been withdrawn by the applicant.

VI. PRELIMINARY PLAT APPROVAL:

A. Request by Parker Springs, LLC for subdivision preliminary plat approval of "Parker Springs", consisting of 50 lots on 87 acres, located off SR-1700, Mt. Gilead Church Road, New Hope and Williams Township.

Ms. Richardson reviewed the agenda notes for this request. She stated that the road names "Parker Springs Way" and "Newcastle Court" would be switched on the final plat; that the plat meets the requirements of the subdivision regulations as well as other agency approvals; and that staff recommends approval of the road names and preliminary plat with five conditions as listed in tonight's agenda notes.

Stream crossings and buffering

Discussion followed. Mr. Copeland asked what type structure is proposed for the two stream crossing. Ms. Turner inquired if there are plans to buffer wetlands (although not required under the old regulations).

Keith Roberts, civil engineer for the project stated that 96" concrete culverts would serve the Parkers Springs crossing and a 36" culvert for the next stream crossing; and that these structures are sufficient.

Scott Mitchell, professional engineer and soil scientist for the project stated that there are no current plans to add any buffers outside the limits of the jurisdictional wetlands on the property; and that the one linear wetland feature is contained inside the 100 foot buffer along Parker's Creek.

Septic easements

Mr. Klarmann asked if the Homeowners Association would be responsible for maintaining septic easements and areas.

Mr. Mitchell stated that the property that has the home on it is responsible for the maintenance of that particular parcel that has the off-site septic field serving that particular property; and that plans are to have all supply lines installed at once by one contractor.

Mr. Klarmann was concerned that prospective buyers are aware of any shared septic fields.

Adjacent Landowners / Board concerns

- Emanuel Diliberto, President, Monterrane POA, Inc., 586 Valley Lane
Pittsboro, NC 27312
 - a) Stream from Parker's Creek
 - b) Slope on properties – water flowing into intermittent stream
 - c) Density, and
 - d) Off-site Septic fields.

Mr. Hinkley voiced concern regarding:

- Steep slopes
- Stream crossings
- Utilizing bridge structures instead of pipe culverts
- Environmental Review Board [ERB] comments, and
- Cross-track line on plat map representing a trail should be labeled, i.e. in the Monterrane Subdivision.

Ms. Kost stated that ERB comments would be presented at March Planning Board meeting; and that it is her preference to not vote on this request tonight but to allow time to receive the ERB comments. Ms. Richardson stated that the final plat map would state, "Roads designed to the hilly standards" to address the cross-track line noted above.

- Kevin Flynn, 258 Canopy Dr., Pittsboro, NC 27312
 - a) Terrain
 - b) Slopes

Discussion

Ms. Harrelson stated that tabling the issue would allow additional time for the Board to receive the ERB report and to visit the site. Ms. Kost asked what happens to the easement for road access in the adjacent Monterrane Subdivision (Phase 2) since it is not planned to be used. Ms. Richardson stated that this is a private easement (although Monterrane has public roads); and that Monterrane could request that the easement be removed after final plats are approved.

Gray Styers, attorney, was present representing the applicant. Mr. Styers stated that this request is a continuation from the past year of a lot of work dealing with Chatham County and the State; that after receiving sketch design approval by the current County Commissioners (4 to 1 vote) all required permits are currently in place; that one lot has been moved away from Parker's Creek; that there has been some reconfiguration of lots and realignment of the road along the stream area; and that the applicant recently met with the Chatham County Historical Association and is working with the Chatham County Utilities Department. Mr. Styers noted that an environmental impact assessment has been completed and provided to Chatham County; and that the applicant has not received any comments.

Mr. Ernst voiced concern regarding the time frame of the ERB results. Ms. Kost stated that the ERB is working very hard and that the Planning Board has until the April, 2008 meeting to send a recommendation to the County Commissioners; and that the Planning Board needs to be flexible until revised Subdivision Regulations are received.

Motion to postpone further discussion

Ms. Harrelson made a motion to postpone a decision on this request until next month's Planning Board meeting or until comments from the ERB are received. Mr. Hinkley seconded the motion and the motion passed 9-1 with all Board members present voting in favor of the motion except Mr. Klarmann who voted against.

"Mann's Crossing" request – discussion continued

At this time, Board discussion reverted back to the "Mann's Crossing" request for final plat approval. - **See Section III. B. above**

VII. ZONING AND ORDINANCE AMENDMENTS: Items from January 22, 2008 Public Hearing:

A. Request by New City Design on behalf of CRCED Treatment, Inc. to rezone approximately 8.73 acres from Residential/Agricultural (RA-40) and 1.41 acres from Conditional Use B-1 to Conditional Use O & I, Parcel No. 73288, 10.14 acres located at 176 Lassiter Homestead Road, Williams Township.

Ms. Birchett reviewed the agenda notes for this request. She gave a brief history of the property as noted in tonight's agenda notes. Ms. Birchett stated that staff recommends approval of the rezoning request; that the Planning Board has up to

three meetings to make a recommendation to the Board of Commissioners; and that since this is a legislative decision the Board could entertain questions regarding the rezoning request.

Motion for approval

Mr. Hinkley made a motion; seconded by Ms. Harrelson to grant approval of the rezoning request as submitted and as recommended by staff. There was no discussion and the motion passed unanimously.

B. Request by New City Design on behalf of CRCED Treatment, Inc. for a Conditional Use Permit to accommodate congregate care facilities, family care homes, hospital, health and welfare centers, and nursing homes and/or convalescent homes located on 10.14 acres and to remove the conditional use permit on 1.41 acres on Parcel No. 73288 at 176 Lassister Homestead Road, Williams Township.

Ms. Birchett stated that this is the quasi-judicial section of the request; that Board members should be careful entertaining any further questions unrelated to this specific request; that the required five (5) findings (that need to be met before the permit is approved), have either been met, supported, or may be supported through conditions; and that staff recommends approval of the conditional use permit for the landscaping business to be removed and this application request be approved with the following ten conditions:

1. A vegetative screening, in front of the staff and overflow parking area, shall be maintained. Where there is little vegetative screening, plantings shall be made at the direction of the Planning Department during optimal planting seasons. Acceptable plantings shall be approved by the Chatham County Appearance Commission and the Planning Department prior to installation.
2. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Erosion & Sedimentation Control etc.) shall be obtained and copies submitted to the Planning Department prior to issuance of a certificate of occupancy to any other structures on said property that is not currently used for the treatment facility.
3. A new sewage treatment and disposal system shall be permitted, approved, and installed prior to increasing the numbers of patients at the facility.
4. Off-site improvements required by NCDOT or any other agency shall be constructed at no cost to Chatham County.
5. Appeal - The County shall be under no obligation to defend any action, cause of action, claim, or appeal involving the decision taken herein. In the event a response is authorized by the County concerning this resolution, or any action to enforce the provisions hereof, the applicant, its successors or assigns shall indemnify and hold the County harmless from all loss, cost or expense, including reasonable attorneys fees, incurred in connection with the defense of or response to any and all known or unknown actions, causes of action, claims, demands, damages, costs, loss, expenses, compensation, and all consequential

damages on account of or resulting from this decision. Nothing in this paragraph shall require the applicant to indemnify and hold the County harmless from any losses or costs associated with defense of the County's actions or procedures in considering and acting upon this application.

6. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspection, established from time to time.
7. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued Determination with the plans and conditions listed above.
8. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
9. Non-Waiver - Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.
10. This permit shall automatically expire on the first anniversary of its issuance unless (a) the increase in capacity has been established via the new sewage system and a certificate of occupancy is issued; or (b) a timely filed application for an extension of time has been approved by the county.

Discussion

- possible resident increase

Ms. Kost inquired if the applicant would have to come back through the county process if the number of allowed residents increased. Ms. Birchett stated that a new site plan would need approval if residents are increased.

- signage

Ms. Kost asked if signage could be included in conditions for any potential signage application. Ms. Birchett noted that the application states that there would be no signage.

- operation maintenance requirements for new septic system

Mr. Klarmann asked if the county is to be informed who would be responsible for monthly inspections.

Stacie McIntyre, Executive Director, Carolina House, stated that James Taylor (contractor, licensed plumber and electrician) is currently maintaining the septic system with inspections twice a week.

Motion to approve

Mr. Ernst made a motion; seconded by Ms. Harrelson to grant approval of the request as submitted and as recommended by staff. There was no discussion and the motion passed unanimously. The ten (10) conditions are listed above.

C. Request by Chatham County to rezone property located at 1310 Old US 1, Moncure, NC, a portion of Parcel No. 62655 (1 acre), Haw River Township, owned by Thomas C. Lewis, from Business (B-1) to Residential/Agricultural (RA-40).

Mr. Lewis has postponed this request until next month's Planning Board meeting (March 4, 2008).

D. Request by Chatham County to rezone properties located at 1334 and 1352 Old US 1, Moncure, NC, Parcel No. 11554 (.25 acres), a portion of 11531 (2 acres), and a portion of 11557 (.49 acres), Haw River Township, owned by James & Rachel Brady, from Business (B-1) to Residential/Agricultural (RA-40).

Ms. Birchett reviewed the agenda notes for this request. She gave a brief history of the proposed and adjacent parcels.

Motion to approve

Mr. Ernst made a motion; seconded by Mr. Copeland to grant approval of the rezoning request as submitted and as recommended by staff. There was no discussion and the motion passed unanimously.

IX. OLD BUSINESS:

A. Request by the Chatham County Board of Commissioners for a revision to the following sections of the Chatham County Ordinance Establishing a Planning Board: Section 1.B to change the date for Planning Board member appointments and make technical correction, Section 2.A to specify that the procedure for electing the Chair and Vice-Chair is defined in the Planning Board Rules of Procedure. *No action needed – for information only.*

Mr. Megginson stated that this item reflects revisions made by the Planning Board.

B. Major Corridor Ordinance Task Force. **Note:** *Supplemental material included in agenda packet - Board members were asked to review report distributed for the January 8, 2008 Planning Board meeting.*

The following were present representing the Major Corridor Ordinance Task Force (MCOTF):

- John Graybeal, Chair
- Carolyn Siverson
- Michael Gapin
- Rita Spina
- Karl Ernst

- Barbara Ford
- Sally Kost, and
- Paul Black, Triangle J Council of Governments, facilitator of the (MCOTF).

Supplemental material distributed

Ms. Kost distributed material that better showed the proposed changes. A copy is filed in the Planning Department.

Tonight's goal

Ms. Kost suggested that:

- all proposed changes get incorporated into the ordinance
- all changes do not have to be approved tonight
- need general consensus to get changes in one document (i.e. have all the changes in one place)

She explained that after the final Task Force meeting (December 12, 2007) a subcommittee of that group met to edit the final product; that during that meeting some needed revisions were noted; that staff later suggested some changes; that one additional change was suggested by an individual Task Force member; but that she would need to consult with Paul Black before bringing that proposed change to the meeting.

Summary of changes

By consensus, the following changes were made during joint discussion of the Planning Board and members present representing the Major Corridor Ordinance Task Force.

Section 10.9.1 – Purpose and Intent

- *Leave bullet one and renumber the remaining bullets*
 - *Edit specific language as shown below*
1. Preserving and protecting the identity and character of Chatham County.
 2. Encouraging the proper use of the land by promoting an appropriate balance between the built environment and preservation/conservation of open space (note that some places may be appropriate for more urban type development and less open space, such as the nodes or crossroads designated in the Land Conservation and Development Plan);
 3. Promoting air and water quality by preserving **the natural landscape whenever possible, in part** by placing the built environment behind existing tree cover, which is of paramount importance to maintaining rural character in the presence of such **development**;
 4. Providing proper standards that ensure a high quality appearance for **development and while promoting** good design allowing individuality, creativity, and artistic expression;
 5. Encouraging connectivity for developments, thoroughfares, and streets;
 6. Enhancing the business economy by promoting tourism, associated industry, and commerce;

7. Preserving and improving property values and protecting private and public investment.

Section 10.9.3 Procedure

- *Eliminate the requirement for renderings due to the financial costs to the developer and instead required perspective drawings.*
- *Moved provisions dealing with landscaping and buffering to this section based on staff comments (highlighted in yellow below).*

Pursuant to §15.2 of the Chatham County Zoning Ordinance, all projects in the corridor shall submit plans as part of the conditional use process. In the case of corridor projects, these shall be to scale except renderings, which should be reasonably close to scale and include:

- Site plan;
- Landscape plan;
- Drainage plan;
- Sign plan;
- Parking and Access plan;
- Lighting Plan;
-
- **Perspective drawings, or an acceptable equivalent of the project from four (4) surrounding elevations showing as many proposed improvements as possible, in a way that accurately conveys a sense of what those improvements will look like when constructed;**

To ensure efficient application of the landscaping provisions of this district:

- **At the conceptual stage of development an informal walk-through of the site be scheduled with the Planning Department, so the developer has an idea up front as to the Planning Department's assessment of the site conditions and surrounding area.**
- **A landscape plan shall be submitted to the Planning Department for review. Buffer areas where plant material will be preserved or installed shall be marked on the landscape plan, as well as location of all utilities. Photographs depicting all relevant site conditions are required.**
- **A clearing permit from the Planning Department is required for projects "**not subject to**" Conditional Use requirements of this overlay (small residential subdivisions and residential building permits).**

Section 10.9.5.1 Crossroads Activity Center (CAC)

- *Add language that Cross roads Activity Centers are allowed as "floating"*
- *Edits as below changing the buffer requirements*

Crossroads Activity Centers are allowed as "floating" areas within the scenic corridor overlay district. The site footprint is not to exceed two (2) acres for the purpose of local convenience shopping—i.e., gas station, convenience store, ancillary grill or restaurant (with residential encouraged as an ancillary use). The site may be

larger provided the non-residential uses, excluding septic field, do not exceed 2 acres. Crossroads centers **are** ideally around five (5) miles apart, but are not allowed within three miles (measured on the corridor) from each other. Once one CAC exists at **any** crossroads **location**, any further development would require a reclassification of the node as a Land Conservation and Development Plan map change by the BOCC.

Development in the CAC is subject to the following building and site design standards that differ from the standards in the other nodes;

Any structures in the CAC are subject to a 50 foot vegetated buffer depth **which runs concurrent with and is limited to the frontage of the improvements. Frontage beyond the footprint of improvements will abide by the standard depth of buffers given herein.** Where applicable, a building shall screen any refueling areas or car washes from view; flat or parapet roofs are prohibited; refueling station canopy roof pitch and materials shall match the main building; any outbuildings or ancillary buildings will follow the same architectural styles and materials as the main building; All other provisions of the general standards— architectural requirements, parking, signs, access, and landscaping standards shall apply.

Section 10.9.5.5 Special Node Overlay District

The Special Node Overlay District is for nodes that do not fit a standard mix of non-residential uses, but would be primarily non-retail, i.e., corporate campus, research campus, industrial use, or a node with a significantly different character. Architectural guidelines may be modified if done as part of an overall corporate or research campus or for industrial uses. Retail uses would remain subject to the architectural guidelines.

Section 10.9.5.6

The Scenic Overlay Districts are locations along the corridor **where preservation and conservation of open space is paramount.** Standards for intensive development are higher in the scenic overlay district to lessen the impact of the intensity in the rural or natural surroundings.

Section 10.9.6.1 Acceleration and Deceleration Lanes

- *Change reference to “Department” to “Planning Department”*

Section 10.9.6.5 Bike Access

On local streets low traffic speeds and volumes allow bicyclists and motorists to safely share the road. Where improvements are made to public streets that front the development property, wide outside lanes or bike lanes shall be incorporated based on input from NCDOT and/or Chatham County Staff. Sidewalks are not acceptable as substitutes for bike lanes, but multi-use paths can be used provided they provide a safe alternative for bicycle through traffic, merging them safely on and off the road or connecting to adjacent paths. When used, bike lanes shall be a minimum of **five (5)** feet in width (excluding adjacent curb and gutter).

Section 10.9.6.6.1 Sidewalks

- *Paths can be installed in place of sidewalks along the frontage roads*

Sidewalks a minimum of **five (5)** feet wide shall be installed within and along the frontage of all new development or redevelopment except where a path (**see §10.9.6.6.2) is used in-lieu of a sidewalk to preserve rural character. Paths should be used along any roads subject to the corridor buffer landscaping and preservation requirements. Paths must approximately parallel the course of the sidewalk they are "replacing" and must be approved by the Planning Department.** On local roads, sidewalks shall be required on only one side of the street. Loop streets and/or residential cul-de-sacs are not required to have sidewalks, unless the street is located within 1.5 miles of a school, or 0.5 miles of a greenway, park, or shopping area, in which case a sidewalk shall be required on one side of the street only.

Section 10.9.6.6.2 Paths and Multi-use Greenways

While not encouraged to substitute for a good system of on-street **facilities within a development**, multi-use paths may be used to enhance pedestrian and bicycle travel **along the corridors or where an on-street system would adversely impact the preservation of rural character**, where the existing circulation system does not serve these patrons well, or where abandoned railroads or other open spaces provide corridors free of obstacles. However, all paths shall connect to the street system in a safe and convenient manner, and shall meet the following requirements in addition to other applicable standards:

Section 10.9.7.1.4

- *This language below had previously been considered by the Task Force but was inadvertently deleted between drafts.*
- *Also – Reference needs to be made to the Tree and Shrub Design Standards in the Landscaping and Buffering Section of this document.*

Fifty percent (50%) of the paved parking lot surface shall be shaded with tree canopies within 15 years of acquisition of building permit; development of such canopy shall be in accordance with the landscaping section of this district. (See Section 10.9.9.5.1 Tree and Shrub Design Standards.)

Figure 15 – replace this photo with one that illustrates the point dealing with the first floor being taller than the upper floors.

Mr. Glick raised the issue of who would be responsible to check on such growth. He stated that this problem could be solved by having a specific plant and tree list for plantings to accomplish the 15 year goal.

Section 10.9.8.4 Window and Door Proportions and Design

- Allow faux windows

(B) Highly reflective or highly tinted glazing, and awning-type windows are prohibited anywhere on the building. Shutters, if used, shall be sized to provide full coverage of the window they flank. **Faux windows, if they are used, must closely replicate the fenestration pattern and detailing used elsewhere on the building.**

Section 10.9.9: Application

- *The first sentence stricken as redundant (covered in 10.9.2) and was residual from earlier process done with standalone sections. The second sentence is moved to 1.3 Procedures.*

Section 10.9.9.2. Permitted Uses within the Buffer Area

Driveways or walkways shall cross the buffer approximately at a diagonal angle, if practical, to minimize the visual opening from the corridor or any other fronting road. Excavating or grading within the buffer area is discouraged, but if necessary, or if there is inadequate existing vegetation within the buffer to screen the view from the corridor or any other fronting road. **these issues must be addressed in the submitted plans to the satisfaction** of the Planning Department in advance of site plan approval, to ensure compliance with the intent of this section.

Section 10.9.9.4.2

- *Strike Reference to fees.*

The prepared planting pit shall be protected from compaction by outlining the area with colored surveyors ribbon after soil preparation, until the planted area has been finish planted, inspected and accepted. Pits will be probed to a depth of 36" during final inspection to verify that the soils contained within them are soft and friable. The percentage of organic matter in the soil profile will be verified by the Planning Department at the discretion of the Inspector if field testing indicates that soils appear to be unacceptable within the 36" depth profile. Soils found to be unacceptable will be rejected, and remedial work will be required. **Section 10.9.9.4.3. Exceptions**

- *Last two paragraphs added to correct a gap in explaining the configuration of new buffer plantings; this gap was made evident at the 12/12/07 meeting when the CAC buffer requirement was set at 50' and not to half the underlying requirement.*
- *Change Detention to Retention*
- *Label Figure*
- *Add on recommendation of staff*
- *Strike "rather than a triple row"*

If a condition should exist whereby a unique topographical or landscape feature and/or historic or culturally significant buildings provide for the requisite screening for a node from the corridor view, said topography or structure may be used in lieu or as part of the screening requirement. The Board of County Commissioners **(on the recommendation of staff)** can waive or alter the vegetative buffer requirements in these cases if the stated goals of 10.9.1 (Purpose and Intent) are met.

If a **retention** pond, not visible from the major corridor, is created within a new development to address storm water runoff from impermeable areas, and is done in such a way as to be considered a positive architectural visual element to the development, then the Planning Department may accept a thinning of the peripheral vegetative buffer under-story between neighboring uses (including residential). If

thinning is to be done it must conform to the American National Standards Institute, Inc., ANSI A300-(Part 1)-2001 Tree Care Operations - Tree, Shrub and Other Woody Plant Maintenance - Standard Practices (Pruning). The specific operation that would be deemed appropriate is "Elevation", or "Thinning". "Vista Pruning", "Topping", and "Pollarding" are not appropriate practices. Relevant portions of this document may be reviewed by contacting the Planning Department) In that case, the neighboring property would share the view of the pond. Nothing here shall be construed to permit a thinning of the buffer that would result in a negative effect on the neighboring property.

In the case of small lots (lots (see 10.9.9.4.1)er) or in the CAC a newly created planted vegetative buffer shall be configured as a staggered double row of shade trees rather than a triple row. The total number of underplantings will also be adjusted downward by approximately 50%. All other related specifications (spacing, plant sizes, etc.) would continue to apply.

In the case of the larger buffer required in the Scenic Overlay District, if newly planted, would be configured as a staggered quadruple row of shade trees rather than a triple row. The total number of underplantings would also be adjusted upward by approximately 50%. All other related specifications (spacing, plant sizes, etc.) would continue to apply.

On Page 43 Section 10.9.10.1.1

Typo – last bullet should read “progress” not process.

Directional signs not exceeding 16 square feet in area (beyond which a permit is needed, not to exceed 32 square feet) referring only to organizations, which are non-profit in character, or to construction projects in ~~process~~ progress.

CCEC (Chatham Citizens for Effective Communities) Forums

Ms. Kost stated that CCEC is sponsoring three forums from 7 pm – 9 pm as follows:

- Tuesday, March 11 – Moncure (Liberty Chapel Church or United Methodist Church)
- Tuesday, March 18 - Silk Hope School
- Monday, March 24 - Chatham Central High School

X. **NEW BUSINESS:**

A. Planning Director’s Report

1. *Commissioner’s Summit – update*

Mr. Megginson stated that the County Commissioners did not set priorities as far planning issues are concerned (countywide zoning and etc.); that the Commissioners agreed that they would like the Lighting Ordinance to be effective countywide.

2. *March Planning Board Meeting - CCCC*

Board members were reminded that next month’s meeting would also be held at Central Carolina Community, building #2, and multipurpose room.

3. *Tax Increase / Recreation Fee*

Mr. Megginson stated that the Commissioners discussed a 4 cent tax increase for this year and an additional 2 cent increase next year; that our budget begins July 1st; that the County is currently going through a re-evaluation; and that property values could have an effect on the tax increases.

B. Planning Board Members Items

1. Election of officers

Nominations were as follows:

Chair

Ms. Ford nominated Sally Kost as Planning Board Chair. There were no other nominations and Mr. Hinkley moved that the nominations be closed. The vote was unanimous. Ms. Kost thanked the Board for the vote of confidence and accepted the position as Planning Board Chair.

Vice-Chair

Ms. Harrelson nominated Warren Glick as Vice-Chair. Ms. Turner seconded the nomination. Dave Klarmann nominated Karl Ernst as Vice-Chair. Mr. Ernst declined the nomination. Del Turner nominated Dave Klarmann as Vice-Chair. Mr. Klarmann declined the nomination. Mr. Copeland moved, seconded by Mr. Klarmann, that the nominations cease and that Warren Glick be elected as Planning Board Vice-Chair. The vote was unanimous and Mr. Glick accepted the position as Planning Board Vice-Chair.

2. Distribution of Annual Report

This report was included in tonight's packet and a copy is filed in the Planning Department.

3. Site visit to Briar Chapel

Ms. Kost stated that she has scheduled a site visit to Briar Chapel for Saturday, March 29, 2008 at 10:00 a.m.; that she would provide more details at next month's Planning Board meeting; that this would be an open meeting; and that she would be sending details of the meeting to the Environmental Review Board (ERB).

XI. ADJOURNMENT: There being no further business, Mr. Hinkley moved to adjourn the meeting at 8:52 p.m.

Sally Kost, Vice-Chair

Date

Attest: _____
Kay Everage, Clerk to the Board

Date

