

To: The Chatham County Planning Board
Re: Laurel Ridge 1B and 2B Final Plat and Application
Date: January 2, 2020

I would like to amend the comments I sent you on December 1, 2020 concerning the final plat and application before you for Laurel Ridge 1B and 2B, or The Estates at Laurel Ridge. I am a landowner in the Rock Rest community who will be impacted by the Estates at Laurel Ridge development.

Background

I have lived in Rock Rest Rd., for 45 years on a hill above Dry Creek, and have deeded pedestrian access to the creek. This part of the creek is well known and loved for a deep and wide pool that has been a historic fishing and swimming hole for many many generations (the Rock Rest community was settled in the late 1700's). Dry Creek is a very scenic stream, but has often been threatened by pollution. I have been part of the Haw River Assembly's stream monitoring team on Dry Creek since 1995, and have worked for solutions to various pollution problems that result from runoff in the Dry Creek watershed during storms. These problems have included algae blooms from upstream agriculture, industrial contamination from Burlington sludge applications on pasture land, and most frequently, sediment pollution from upstream development. The worst of these sediment pollution incidents was in 2005, during the initial development of Chapel Ridge, when a massive amount of mud from uncovered disturbed land was swept into Dry Creek during a storm, covering the creek bottom with up to 2 feet of sediment. It took over 5 years for the creek bottom habitat to show substantial recovery.

Violations and persistent issues with sediment and erosion control

I have been reading the 2019-2020 Sediment and Erosion Control inspection reports for Laurel Ridge 1B and for 2B. (Note that 2B is referred to as Phase 2A and 3 in the inspection reports.) The majority of inspection reports by Chatham County's Watershed Protection Dept. showed persistent insufficient regard by the developers to the required protections and processes, with long lists of maintenance and corrective actions required by the inspectors. This culminated in two Notices of Violation and revoking of the land disturbance permit in 2020. Photos are from the county inspections reports, and Notices of Violation.

Laurel Ridge 1B - this is the part of the development located on the south side of Dry Creek, and opposite properties in the Rock Rest neighborhood.

A summary of inspection reports shows the following problems:

10/28/19 Corrective actions include removing slope drains, removing debris from top of sediment basin riser (see photo below), and removing mud from street at construction entrance.



11/2/19 Corrective actions needed, work can only proceed if baffles are installed in the sediment basin and ditch within 7 days

11/5/19 Corrective actions needed include silt fence improvements, stabilizing and seeding slopes, and removing mud from street at construction entrance.

1/31/20 **Site is not in compliance with ordinance and rules, with failure to follow approved sediment and erosion control plan.** Corrective actions include stabilizing and seeding disturbed areas and sides of sediment basin, fix overburdened silt fences.

3/26/20 Site is now mostly in compliance, but sediment basin riser stature is clogged with debris and brush, spillway also clogged.

6/15/20 In compliance, and site now stabilized but needs riprap at basin outlet.

Laurel Ridge 2B - located on North side of Dry Creek (referred to as Phases 2A and 3 in inspection reports)

Phase 2A (the part closest to Old Graham Rd)

6/17/20 **At this initial inspection, the site was found not in compliance with the ordinance and SPCA rules.** There was no approved plan, inadequate riparian buffer zone, and clearing outside the limits of the disturbance area, with impacts to the buffer zone (see photos below).



6/19 20 Notice of Violation issued with all corrections to be in place by July 3, including submitting Land Disturbance permit application and S &E plan and stream buffer restoration plan. All lands outside of disturbance limit must be stabilized and seeded with native plant seed in buffer zone.

10/22/20 Site in compliance. *(Note: I did not find an earlier inspection report showing the site was in compliance by July 3 or whether all restoration had been done in the riparian buffers.)*

Phase 3 (2nd part of Laurel Ridge 2B)

3/26/20 Initial inspection showed sediment basin skimmer, spillway and baffle in different local than plan, additional large check dam needed.

5/20/20 Site is not in compliance with ordinance and rules. Land disturbance activities have occurred in 2 parcels (86857 and 86859 without permit of erosion control plan. *(Note: This is the property next to Daniel Amero, where land disturbance and tree cutting occurred on his adjacent property, along the boundary line from Rock Rest Road all the way to Dry Creek, creating a unauthorized access road)*

Photo shows land disturbance in Dry Creek riparian buffer zone.



5/21/20 Notice of Violation Issued for problems cited on 5/20/20. Corrections required by June 5, 2020 and no project activity until site is in compliance. After June 5, if not corrected, fines of up to \$5000 a day can be assessed by the county (from 5/21).

6/19/20 The Land Disturbance permit for Phase 3 was revoked. All problems must be fixed before applicant can reapply for new permit.

10/23/20 Re-instatement of Land Disturbing permit.

These numerous problems and violations show a very disturbing pattern of unconcern for the health of Dry Creek. They also show a lack of consideration for neighbors and especially the adjacent property owner, Daniel Amero.

The request by the Planning Board to the developer for a 100 ft buffer along Dry Creek, if agreed to, will certainly be more protective, but what guarantee is there that further encroachments into the buffer zone will not occur or that sediment erosion control plans will be followed? It does not appear that any fines were issued for the violations that occurred.

Recommendations:

1. Laurel Ridge 1B Tracts 12, 13, 14 and 15 all have considerable wetlands, small streams, floodplain areas and a spring that should be evaluated further for degradation that could be caused by building adjacent to them. The historic spring and large bamboo grove (near a long gone and very old house site) on Tract 13 was bulldozed during original land clearing by this developer many years ago. The regeneration of the surrounding bamboo grove should raise questions about its suitability as a house site. From the aerial map it appears that the spring is now a sediment basin or stormwater pond. I would suggest that in order to minimize pre and post construction impacts to Dry Creek that lots 12, 13, 14 and 15 be combined into one, or at most, two lots and that the land closest to the creek, which includes the small streams, floodplain and wetlands be put in a conservation easement.
2. The configuration of tracts in Laurel Ridge 2B have the same issue of excessive impacts to an unnamed tributary of Dry Creek. It would appear that multiple tracts, on the eastern side of Blufftonwood Drive, would require stream crossings to reach building sites. I would urge that the developer combine and reconfigure sites to minimize these stream crossings.
3. The developer should be required to compensate Daniel Amero, without conditions, for the replacement value of the trees that were illegally cut. The unauthorized road should be closed off so that it can no longer be accessed from either Rock Rest Road or internally, along the property line.

In closing I urge you, the Planning Board to not approve the Application and Final Plats for Laurel Ridge 1B and 2B until these issues have been addressed.

Thank you very much for your consideration of these comments,

Elaine Chiosso
1076 Rock Rest Road
Pittsboro NC 27312

From: JC Markatos <markatos@mindspring.com>

Sent: Monday, January 4, 2021 9:57 AM

To: Jason Sullivan <jason.sullivan@chathamcountync.gov>; jmehager@gmail.com;
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Subject: Re: photos and comments

These comments did not go the first time as the power went out during sending.

To the planning board, Jason Sullivan, Elaine Chiosso and Daniel Amero,

Jerry Markatos and I live close to the proposed Laurel Ridge and are neighbors directly across Dry Creek. We moved here in 1972, raised our children here and now have grandchildren who like to visit Dry Creek on visits here. We have read and heard comments by Elaine Chiosso and Daniel Amero and share their concerns.

The proposed subdivision shows paved roads that touch each of the properties in Laurel Ridge.

I want to address one issue which is the "road" made north to south on and over the eastern line of lots 46, 45, and 35R and the property of Daniel Amero and Laura Wall. The smaller former firelane was widened by a bulldozer in June of 2020. Two open spaces were made that look like potential housesites. This widened section that has since been driven on by numerous vehicles was not covered with hay and grass seed and is eroding especially on the southernmost hillside that empties into the creek.

What we have heard is that they are willing to plant trees so that it will not be used as a road. No detectable action has been taken.

One idea I have is to plant hollies, cedars, or other native trees found in this area and place the piled up debris now in the open areas of 46 and 45 to act as mulch and protect the plantings from being run over by vehicles. This would also reduce the piles in their current placement.

I am sending two photos taken the last week of December 2020. One is looking north toward Rock Rest Road showing vehicle tracks and the property line stakes showing clearing on both sides of the line. The second looks south on the last hill down towards the creek.

Do you want to allow this non-road, a north-south strip of bare ground -that is not on the Laurel Ridge Phase 2B survey to remain as it is? Correcting this before it is approved to be sold seems necessary to this neighbor.

Sincerely,
Cathy Markatos

On Jan 3, 2021, at Jan 3, 9:31 PM, Cathy Markatos <markatos@mindspring.com> wrote:

<IMG_3793.JPG><IMG_3791.JPG>



