



Chatham County Planning Board Minutes October 6, 2020

The Chatham County Planning Board met in regular session on the above date as a remote meeting due to the current health restrictions for the COVID-19 virus. Members present via GoTo Webinar meeting were as follows:

Present

George Lucier, Chair	Caroline Siverson, Vice-Chair
Clyde Frazier	Jamie Hager
Gene Galin	Emily Moose
Jon Spoon	Franklin Gomez Flores
Allison Weakley	

Absent

Cecil Wilson
Bill Arthur

Planning Department

Kimberly Tyson, Subdivision Administrator, Angela Plummer, Zoning Administrator, Janie Phelps, Zoning Official, Hunter Glenn, Planner I, Chance Mullis, Planner I, and Daniel Garrett, Clerk to the Planning Board.

I. CALL TO ORDER

Chair Lucier called the meeting to order at 6:30 p.m.

II. VIRTUAL MEETING GUIDELINES

Mr. Mullis gave an overview of the virtual meeting guidelines provided by PowerPoint.

III. DETERMINATION OF QUORUM

Chair Lucier stated there is a quorum, 9 members present, Mr. Wilson and Mr. Arthur were absent.

IV. APPROVAL OF AGENDA

Approval of the Agenda - Chair Lucier stated the second Zoning item, 919 Storage, LLC has asked to move the item to the November 10th meeting. There were no objections and the agenda was approved.

V. APPROVAL OF THE MINUTES

Chair Lucier asked for consideration for approval of the September 1, 2020 minutes. There were minor corrections by Board members and the September 1, 2020 minutes were approved. Motion was made by Vice-Chair Siverson to approve; second by Mr. Spoon. Motion passed with a vote of 9-0.

VI. PUBLIC INPUT SESSION

No citizens were signed up to speak.

VII. SUBDIVISION

1. Request by F-L Legacy Owner, LLC for subdivision Final Plat approval of **The Legacy at Jordan Lake – Phase 6A1**, consisting of 27 lots on 22.52 acres, located off SR-1716, Big Woods Road, parcel #17378.

Ms. Tyson stated the Legacy at Jordan Lake Subdivision was approved by the Board of County Commissioners on March 15, 2004 as a Planned Unit Development for a cluster development. Modifications were made to the plan in 2005 to add 50.6 acres and change the number of lots to 463. The project is approved for 463 acres on 626 acres with an amenity center. Phase One received final plat

approval in December, 2005 for 105 lots. Phases Two and Three, consisting of 114 lots received preliminary / final plat approval in 2006. In 2011, the developer submitted a request to the Board of County Commissioners to relinquish the final plat approvals for Phases Two and Three (undeveloped); to recombine the 114 lots with the remaining undeveloped portion of the property into one parcel of land containing 402 acres; and to allow Phases Two and Three to revert to their approved preliminary plat status as of November 20, 2006. The BOC approved the request on November 7, 2011. The Resolution Accepting The Voluntary Relinquishment of Final Plat Approvals of The Legacy at Jordan Lake, Phase Two and Three is recorded in Deed Book 1593, Page 272. The recorded recombination plat can be viewed at Plat Slide 2011, Pages 199 & 200 and at Plat Slide 2012, Page 10. The resolution stated that the recreation fees and the water availability fees previously paid by the developer would be retained by the county and credited toward any similar fees incurred by the developer in future submittals until December 31, 2015 or any later date required by an amendment to the Permit Extension Act. The tennis courts, playground, clubhouse and pool have been completed. The clubhouse and pool opened to the residents on September 9, 2017. As part of a 2014 CUP revision, the completion date for the entire project is December 31, 2020, which was been extended to May 31, 2021 by the adoption of Senate Bill 704 by the General Assembly and approved by the Governor in response to COVID-19 crisis.

The request before the Board is for final plat approval of The Legacy, Phase 6A1 consisting of 27 lots on 22.52 acres with a financial guarantee. Phase 6A1 received preliminary plat approval from the Board of Commissioners on April 15, 2019. The final plat conforms to the approved preliminary plat. The pre-2008 Subdivision Regulations allow a final plat to be submitted with a financial guarantee when a minimum of 40% of the total cost of improvement have been completed and when the public health and/or safety will not be endangered. Mitch Craig, PE, CE Group, submitted a cost letter with the final plat submittal certifying that 95% of the required infrastructure has been completed; that all roadways are private and will be constructed to NCDOT standards; and that the roadways are accessible to emergency vehicles. An updated cost letter may be submitted if additional work has been completed prior to recordation of the final plat to reduce the amount of the financial guarantee. The county attorney will review and approve the form of the contract and financial guarantee.

Ms. Tyson also stated the roadways in The Legacy are private and to be constructed to meet NCDOT's Standards and Specifications, but not reviewed or approved by NCDOT. A third party testing agency has been retained to provide testing and certification. Those records will then be provided to the homeowners association. Per Note 12 on the plat, maintenance of the private roads is the sole responsibility of The Legacy at Jordan Lake HOA, Inc. Per Note 13 the maintenance of all park, common and meadow areas are the sole responsibility of The Legacy at Jordan Lake HOA, Inc. The Technical Review Committee met on September 16, 2020 to review the request. Staff discussion included if an easement was needed around the stormwater pond; if water lines have been installed; and whether as-builts for the water lines had been provided to the Utilities Department. Mark Ashness and Mitch Craig were present and stated the stormwater pond was located in open space and wouldn't need an easement. The waterlines were installed and the Water Dept. would be receiving as-builts soon. Staff had no other concerns or questions.

Ms. Tyson stated in closing it is staff opinion that the submittal meets the requirements of the Subdivision Regulations. The Planning Department recommends granting final plat approval of The Legacy at Jordan Phase 6A1 with the following condition:

1. The county attorney shall review and approve the contract and financial guarantee prior to final plat recordation.
2. The final plat shall not be recorded until the engineer has certified that the roadway providing access to the parcels are accessible to emergency vehicles.

Board Discussion followed and some items discussed were as follows:

- Mr. Spoon asked if there is a plan for on-street parking for visitors. Mr. Craig stated currently the roads are not and were not designed for on-street parking. Mr. Spoon asked if the driveways were long. Mr. Craig stated the driveways are fairly long.
- Ms. Weakley stated she did not vote in support of the preliminary plat for this phase. Parker's Creek is on the south side and a tributary on the north side and both of these tributaries lead directly to Jordan Lake. Every time Legacy comes before the Planning Board she asks about increasing the treatment for stormwater to 1 inch which is the current standard, Legacy is voluntarily treating ½ inch of stormwater and this whole site drains to the Parker's Creek recreation area of Jordan Lake. As we have seen, there are rainfall events that regularly exceed 1 inch, she can't vote to support this final plat either.
- Chair Lucier stated there is a significant amount of common area between Parker's Creek and the individual lots, and asked will that area be undisturbed. Mr. Craig stated yes it will be undisturbed. Ms. Weakley asked if that area is used for wastewater. Mr. Craig stated not in the area between the lots and Parker's Creek.
- Ms. Hager stated she also did not vote in favor of this item during the preliminary plat because of the same stormwater treatment issues Ms. Weakley stated and cannot vote to support this final plat as well.

Motion to approve this item made by Vice-Chair Siverson, second by Mr. Galin. Chair Lucier completed a roll call vote and the motion to approve this item passed 7-2, opposed by Ms. Weakley and Ms. Hager.

VIII. ZONING

1. A quasi-judicial public hearing for a request by the Chatham County Emergency Operations director, Mike Reitz, for a Conditional Use Permit for a new 325 foot communications tower to be located at 5224 Silk Hope Liberty Rd., Silk Hope Fire Department, parcel 84527, being approximately two acres.

A quasi-judicial public hearing was held September 21, 2020. Planning staff presented the application and Emergency Operations Director, Mike Reitz, also provided comments. No other comments were provided or have been received. Since this process has started, this parcel has been recombined with the adjacent tract and the new parcel number is 61605. In the Spring of 2019, the Chatham County Board of Commissioners approved a text amendment to the Communications Tower Ordinance to allow communication towers for purposes of emergency facilities to exceed the 300 foot limit up to 400 feet. The Board also approved a capital improvement budget item for five such towers to be located in various areas of the county where communication issues exist and to be able to upgrade radio equipment in order to keep up to date with the new technology for emergency services.

The applicant held the required community meeting and no concerns or oppositions were made. In reviewing and considering approval of the CUP, the Board must find that all of the findings of facts shall be supported. Per the Zoning Ordinance, "In considering an application for a conditional use permit or revision to a CUP, the Board of Commissioners shall give due regard that the purpose and intent of this Ordinance shall be served, public safety and welfare secured and substantial justice done. If the Board should find, after public hearing, the proposed conditional use permit or revision thereof should not be granted, such proposed permit shall be denied."

Findings are as follows:

Finding 1 – The use requested is among those listed as an eligible conditional use in the district in which the subject property is located or is to be located. The use under the Conditional Use Permit option is allowable in the R-1 Residential zoning district. No errors are claimed. **It is planning staff opinion this finding is satisfied.**

Finding 2 – The requested conditional use permit or revision to the existing permit is either essential or desirable for the public convenience or welfare. By allowing the new tower, emergency services communications will be enhanced to better serve the citizens of the county. The new tower is needed has part of the system upgrade for enhanced radio technology which in turn improves communications to emergency personnel. The taller towers are needed to provide adequate coverage that does not currently exist. The tower will also provide space for up to three colocations for telecommunications providers which will has the potential to enhance cell services in these areas as well. **It is planning staff opinion this finding is satisfied.**

Finding 3 – The requested permit or revision to the existing permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community.

There will be no noise generated from the tower site. The tower is proposed to be a total of 325 feet and will require all regulated lighting as controlled by the FAA which are red blinking at night and white blinking during the day. This project will replace outdated radio systems which no longer meet the need of public safety agencies in the county. These towers are vital and will provide coverage to all areas of the county to serve residents. Per the propagations map provided, the closet tower is three miles or more away. **It is planning staff opinion this finding is satisfied.**

Finding 4 – The requested permit will be or remain consistent with the objectives of the Plan Chatham comprehensive land use plan.

In November 2017, the Commissioners adopted Plan Chatham. The county is among the fastest growing counties in the state and the population increase is resulting increased government services. One area of most importance is emergency services. On page 21 of the Plan, it states the county is 708 square miles and takes at least one hour to drive from the southwestern corner to the northeastern corner. This is one reason emergency radio communications is vital. Page 43 Objectives encourages becoming more resilient by mitigating, responding, and adapting to emerging threats. One such way noted is to improve emergency response. These new communications towers are expected to significantly improve county-wide radio communications in order to dispatch emergency services personnel responding to various needs of its citizens. The system will also be able to better coordinate communications between different agencies.

Page 138 Utilities and Public Services, Recommendation 01, states under Utility Policy 1 to ensure adequate utilities and public services are being developed to support the desired development patterns. **It is planning staff opinion this finding is satisfied.**

Finding 5 – Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided consistent with the County's plans, policies, and regulations.

The WS-III Balance of Watershed drains to the Siler City water system intake at the Rocky River. The area limits impervious surface to 24%. With the addition of the tower, the site remains well below that limit. There will be no county water or septic needed for this site. Stormwater and Erosion Control will be coordinated through county and/or state regulations. No adverse traffic anticipated to be generated from this project. **It is planning staff opinion this finding is satisfied.**

Based on all five findings being supported, planning staff supports the conditional use permit request.

The Planning Board has up to three meetings in which to make a recommendation to the Board of Commissioners. The following conditions are provided for consideration if recommended for approval:

Site Specific Conditions

1. None

Standard Site Conditions

2. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.
3. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, Environmental Health Division, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department to the initiation of the operation/business.

Standard Administrative Conditions:

4. 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 inspections.
5. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional listed above.
6. Non-Severability – If any of the above conditions is held to be invalid, this approval in it's entirety shall be void.
7. 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.

Board Discussion followed and some items discussed were as follows:

- Chair Lucier asked if there will be co-location capability on the communication tower. Mr. Reitz stated yes, it will be built to support three co-locators and will be used very quickly.

Motion to approve this item made by Mr. Spoon, second by Ms. Moose. Chair Lucier completed a roll call vote and the motion to approve this item passed 9-0, unanimously.

2. A Legislative public hearing for a request by Arylex Properties, LLC, for a conditional district rezoning from R-1 Residential to CD-CB, Conditional District Community Business, for Appliance Sales and Service, Automotive service stations (including tune-ups, minor repairs, washing facilities, & similar services, Bait and Tackle Shop, Boat, Trailer, and other utility vehicle sales & service, Cabinet Shop, Contractor's plants, storage yards, & staging areas, General, Professional, and Medical Offices, Hardware, appliances, electrical, and other similar retail sales, Landscape Design Business, Lock and Gunsmith, Office (Business & Professional), Parcel No. 17885 being 2.04 acres, located at 12927 US 64 E, New Hope Township.

Ms. Phelps stated a legislative public hearing was held on September 21, 2020. Planning staff presented the rezoning request, and the applicants Abel Figueroa and Zak Shipman were available to answer any questions virtually. No one signed up to speak. Conditional Zoning districts are districts in which the development and use of the property is subject to predetermined ordinance standards and rules, regulations, and conditions imposed as part of a legislative decision creating the district and applying it to the particular property. Some land uses are of such a nature or scale that they have significant impacts on both the immediate surrounding area and on the entire community, which cannot be predetermined and controlled by general district standards. The review process established in this Ordinance provides for accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions, which ensure compatibility of the use with neighboring properties. A conditional zoning district is not intended for securing early zoning for a proposal, except when that proposal is consistent with an approved land use plan or the proposal can demonstrate that public infrastructure needed to serve the development will be made available within a reasonable time period.

The property is currently zoned R-1 Residential, properties to the north and east are also R-1 Residential, the property to the south is CD-IL Conditional District Light Industrial, and the property to the west across are CU-B-1 Conditional Use B-1. The CD-IL property is Builders First Source, a contractor supply business. The CU-B-1 property to the west is Apex Self Storage. A community meeting was held on July 8, 2020. There were 3 attendees total, 2 being the applicants, and 1 adjoining property owner. The adjoining property owner stated they have no opposition to the proposed development.

A meeting with the Chatham County Appearance Commission (CCAC) was held on May 27, 2020. The final site plan is to be conditional if the conditional district request is approved and the following modifications are agreed to by the applicant:

- Arborvitae to wax myrtle
- Burford holly to Bordeaux vomitoria holly
- Buffer along 64 W will be thinned and replaced with ornamental type plantings. Trees over 15' tall would be retained if possible due to potential increased setback from NCDOT
- The already cleared area will be used as the primary field so that the repair field can be left wooded
- Try to preserve hardwoods with diameters of 18" or more and pines 12' or more

Zak Shipman presented the request to the TRC (Technical Review Committee) on September 16, 2020 on behalf of owner, Abel Figueroa. There is a current septic system and well on the property. The septic system will need to be properly crushed and well properly abandoned. A backflow preventer for a service connection will be installed for the proposed connection to the county water line. Mr. Shipman stated that at most the building will be two stories, approximately 25'-30'. If there is a second story, it was stated that it would most likely be office space and not encompass the full footprint of the warehouse. A sprinkler system is required if the square footage is over 12,000 square feet. The proposed size of the warehouse is 10,460 square feet. If there are combustibles stored on site with a ceiling height over 12', then a sprinkler system will be required. No

sign is proposed at this moment, but the applicant stated they will adhere to the Chatham County Sign Ordinance.

Ms. Phelps also stated at the public hearing, Commissioner Hales inquired about the current status of the site and what was proposed. A current and proposed site plan was presented to the Board. There were questions about the septic area which is shown on the site plan to be at the rear of the property. The closest residence to the proposed septic area is approximately 750 feet away. Commissioner Howard asked about the building size. The footprint of the building is proposed to be 10,460 square feet. The total proposed built upon area for the site is approximately 29,000 square feet, which equates to approximately 31% BUA. Commissioner Dasher inquired about parking, and it was stated that there are parking requirements set forth in the Zoning Ordinance. Depending on the tenants will determine the specific number of parking spaces required.

There are five standard items listed in the Zoning Ordinance that must be addressed by an applicant when submitting a rezoning application. The applicant has addressed those items in the application materials or in supplemental material and they are also discussed below.

Item #1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same. The applicant is claiming no errors in the Ordinance. **It is planning staff opinion this finding is met.**

Item #2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare.

The applicant states that given the location of this property, it does not match the spirit of the existing development in this area. A portion of this property is included in an Employment Center node on the Future Land Use Plan. There are multiple non-residential uses with frontage on 64 in this vicinity. Although the applicant does not have potential tenants at this time, it is expected that there will be several full-time jobs generated. The property to the west is D&H RV Center, to the south is Builders First Source, and other adjoining properties are R-1 Residential. Other non-residential properties in this area include The Extra Garage Storage Center and Highway 64 Boat & RV Storage. **It is planning staff opinion this finding is met.**

Item #3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.

The majority of the property is located in a rural designation, but there is a portion that is within an Employment Center node on the Future Land Use Map. The applicant references page 20 of the Comprehensive Land Use Plan, which states that the county collects more tax revenue on commercial over residential properties. From chapter three of the Comprehensive Land Use Plan, the applicant references Objectives 3 & 4 on page 41 which states: promote a compact growth pattern by developing in and near existing towns, communities, and in designated, well planned, walkable, mixed use centers; and diversify the tax base and generate more high-quality, in county jobs to reduce dependence on residential property taxes, create economic opportunity, and reduce out-commuting.

From chapter four of the Comprehensive Land Use Plan, the applicant references multiple policies: Economic Development Policy 2 Strategy 2.1 (page 53), Strategy 2.3 (page 55); Land Use Policy 6 Strategy 6.1 (page 67). These Economic Development strategies state that small-scale retail development, service, office, flex space, and other small businesses are encouraged, and to consider zoning to allow distribution and warehouse uses along major transportation corridors. The Land Use Policy strategy mentioned by the applicant's states: amend land development regulations to establish location standards for commercial development that pushes such development to nodes. **It is planning staff opinion this finding is met.**

Item #4: The requested amendment is either essential or desirable for the public convenience or welfare.

The applicant states that there will not be a large increase in traffic, estimating between 125-400 trips per day. The current AADT for US HWY 64 is 24,000 TPD. Peak traffic is anticipated to be during standard AM and PM peak hours due to employee movements at the facility. The applicant shows on their site plan that they will meet the landscaping requirements set forth in the Chatham County Zoning Ordinance. They are proposing a 20' Type A buffer on the eastern and northern property lines, and a 20' Type C buffer along HWY 64. No lighting plan has been submitted, but the applicant states to adhere to the lighting requirements in the ordinance. They state the lights are proposed to be LED with a maximum height of 30' for full cut off and 15' maximum for non-directional fixtures. No significant noise is anticipated, and no chemicals will be stored on site. A freestanding sign is proposed for the facility to be less than 30' with a 100 square foot maximum for the size. The sign has not yet been developed, but will adhere to the Chatham County Zoning Ordinance. **It is planning staff opinion this finding is met.**

Item #5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. (i.e. watershed classification, impervious surface, utilities, infrastructure, etc.).

There is an existing water line that the applicant intends to utilize. There has been a preliminary evaluation prepared to determine the suitability of the soils for a septic system. The septic system and repair area is proposed to be located at the rear of the property and it is anticipated that the demand will be less than 1,000 GPD (gallons per day). There is a planned stormwater device as a bioretention cell or wet-detention basin that the applicant states will meet the Chatham County Watershed Protection Ordinance. **It is planning staff opinion this finding is met.**

Planning staff recommends approval of the rezoning request based on all five standards can be met.

Ms. Phelps stated in closing it is the opinion of planning staff that the Planning Board recommend approval of the conditional rezoning request based on all standards being supported. The Planning Board has up to three meetings in which to make a recommendation to the Board of Commissioners. Should you recommend approval of the request, a consistency statement has been prepared for your consideration.

The request to rezone Parcel No. 17885, 2.04 acres, from R-1, Residential to CD-CB Conditional District Community Business for appliance sales and service, automotive service stations (including tune-ups, minor repairs, washing facilities, & similar services), bait and tackle shop, boat, trailer, and other utility vehicle sales & service, cabinet shop, contractor's plants, storage yards & staging areas, general, professional, and medical offices, hardware, appliances, electrical, and other similar retail sales, landscape design business, lock and gunsmith, office (business & professional), and complies with the Chatham County comprehensive plan, Plan Chatham. The comprehensive plan includes supporting the retail hubs along key corridors, and is complemented by local-serving commercial development within Community Center nodes.

The following conditions would apply to the approval as well:

Site Specific Conditions

1. The recommendations from the Chatham County Appearance Commission (CCAC) shall be followed as stated in the minutes and as shown on the submitted site plan or revised site plan as required that reflects the adopted design guidelines. The planning staff and CCAC may conduct routine inspections of the property to ensure compliance with the landscaping requirements.
2. A building permit shall be obtained and remain valid at all times within two years of the date of this approval or the conditional use permit becomes null and void.

Standard Site Conditions

3. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as

set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.

8. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Watershed Protection Division, Environmental Health Division, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department to the initiation of the operation/business.

Standard Administrative Conditions:

9. 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 inspections.
10. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional listed above.
11. Non-Severability – If any of the above conditions is held to be invalid, this approval in it’s entirety shall be void.
12. 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.

Board Discussion followed and some items discussed were as follows:

- Mr. Spoon asked if they will have their own driveway. Ms. Phelps stated there already is a driveway on the site because there is a residence, they would have to go through DOT to make it a commercial driveway. Mr. Spoon asked if they have talked to DOT about this yet. Mr. Shipman stated not yet, once this item is approved they will start the process with DOT.
- Chair Lucier stated the Chatham County Appearance Commission (CCAC) recommended that the septic area be located in the field so you can save the trees, and asked if that recommendation will be followed. Mr. Shipman stated, yes.
- Chair Lucier asked the Board if everyone was okay with the list of uses for this rezoning. Ms. Weakley stated she was concerned about a service station being used in this location, there are not any streams on this property, but Jordan Lake and the water intake for Chatham and Cary are not far away. Mr. Shipman stated the reason there are so many uses listed is because the owner intends to use this building primarily for his roofing business, but with the remaining footprint he would like to rent out to a potential tenant with open options. They did not anticipate a service station, there is not enough room for underground tanks and fuel pump islands. The reason that use is included is because it includes minor repairs or body shop where a mechanic might be able to use that remaining footprint.

Chair Lucier asked if there was any objection taking that use off the list. Ms. Shipman stated he would need to consult with the owner about that. Ms. Phelps stated the service station what Mr. Shipman was describing is an auto service and repairs use. A convenience store use would be considered a gas station and that is two different uses in the table of uses. Chair Lucier asked if this was approved as is, it wouldn’t allow for a gas station. Ms. Phelps stated correct, that is not one of the uses they requested. Mr. Shipman stated they would like to leave the auto repair use on the list

of uses tonight. Chair Lucier stated he doesn't have a problem with that. Ms. Weakley stated that is a use that worries her because of the potential pollutants.

- Vice-Chair Siverson stated at the public hearing it was stated there would be no outdoor storage and all of the roofing materials will be stored inside the building, is that correct. Mr. Shipman stated that is correct. Vice-Chair Siverson asked if that would also pertain to any other uses, they would all be contained completely in the building? Mr. Shipman stated correct, that is their intention at the moment. Chair Lucier asked if that was specified as a condition. Mr. Shipman stated it was not included as a condition. Chair Lucier stated this would be a site specific condition and we could just add a third condition about the storage of materials to be located inside the building. Mr. Shipman stated that will be an acceptable condition.

Motion to approve the consistency statement made by Vice-Chair Siverson, second by Mr. Galin. Chair Lucier completed a roll call vote and the motion to approve the consistency passed 9-0, unanimously.

“The request to rezone Parcel No. 17885, 2.04 acres, from R-1, Residential to CD-CB Conditional District Community Business for appliance sales and service, automotive service stations (including tune-ups, minor repairs, washing facilities, & similar services), bait and tackle shop, boat, trailer, and other utility vehicle sales & service, cabinet shop, contractor’s plants, storage yards & staging areas, general, professional, and medical offices, hardware, appliances, electrical, and other similar retail sales, landscape design business, lock and gunsmith, office (business & professional), and complies with the Chatham County comprehensive plan, Plan Chatham. The comprehensive plan includes supporting the retail hubs along key corridors, and is complemented by local-serving commercial development within Community Center nodes.”

Motion to approve this item with the condition that all materials for all uses will be stored inside the building made by Vice-Chair Siverson, second by Mr. Galin. Chair Lucier completed a roll call vote and the motion to approve this item passed 9-0, unanimously.

3. A Legislative public hearing for a request by Campbell Towing and Recovery, Inc, for a general use rezoning from R-1 Residential to IND-L, Light Industrial, Parcel No’s. 9599 and 61012 being 2.47 acres, located at 128 Vernie Phillips Rd, Gulf Township.

Ms. Phelps stated a legislative public hearing was held on September 21, 2020. Planning staff presented the request to the Board of Commissioners and Dwayne and Angela Campbell, applicants, were present to answer any questions. No one signed up to speak. Campbell Towing & Recovery has been in business for 29 years (14 at its current location). Their current location, parcel 9503, was included in the 2007 corridor rezoning. At the time, the B-1 zoning classification matched the use of the property. In 2013, the properties, parcels 9599 and 61012, were purchased by Camco Holdings. Recently, the applicants had called into the planning department to inquire about placing a structure on the property. After further review, it was discovered that the property had been developed at some point from 2013-2015 and was being used for non-residential purposes while zoned R1 Residential. The properties were placed under Notice of Violation on June 30, 2020, and a discussion was held with the applicants on how to remedy the situation. The applicants opted to go through the rezoning process.

Commissioners Hales and Howard questioned the clearing of the property and the current use. The use of the property currently is for hauling and storage yards and the property has been developed to support this use. Please note that the rezoning request is for a general use Light Industrial zoning classification and the Planning Board and Commissioners must consider all of the uses that are allowed within this district.

When considering a general use zoning classification, the boards must consider all of the uses that are allowed within the district. The properties are currently zoned R-1, Residential, the property to the west is zoned B-1, Business, and all other adjoining properties are R-1, Residential. The B-1 property is the current shop for Campbell Paint & Body. The property is in the Local Watershed district, there are no water features identified on USGS or NRCS maps, and there is no special flood hazard area. In considering a general use rezoning request Section 19 of the Chatham County Zoning Ordinance includes four standards that must be addressed and supported in order for a rezoning application to be approved. The standards are:

Standard No 1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment. No error in the ordinance is being alleged. **It is planning staff opinion this standard is met.**

Standard No 2: The changed or changing conditions, if any, in the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare.

The Town of Goldston municipal limits are within approximately half a mile from the property and water and sewer service are available. The applicants have relationships established with many of the businesses and work together to support one another. Because of the availability of water and sewer from the town of Goldston, there is future growth potential for the business being near the HWY 421 corridor. **It is planning staff opinion this standard is met.**

Standard No 3: The manner in which the proposed amendment will carry out the intent and purpose of the adopted land use plan, or part thereof.

The properties are located in close proximity to existing infrastructure, including major highways and compatibility with the surrounding environment. This also has excellent access to existing transportation infrastructure as well as sewer and water from the Town of Goldston. Economic Development Strategy 1.2 (page 55) recommends to modify zoning regulations to allow for more flexibility for rural businesses that have minimal impact on adjacent properties, traffic, and rural character. Economic Development Policy 2 (page 55) encourages growth in designated Employment Centers, towns, and other appropriate locations. These properties are located within a Town Center on the Future Land Use Plan Map. Economic Development Strategy 4.4 recommends permitting existing commercial and industrial uses to continue and allow reasonable expansion (page 56). Land Use Strategy 7.4 (page 68) states to provide flexibility for rural businesses. Modify zoning regulations to allow for more flexibility for rural businesses that have minimal impact on adjacent properties and rural character. **It is planning staff opinion this standard is met.**

Standard No. 4: All other circumstances, factors, and reasons which the applicant offers in support of the proposed amendment.

It is the applicants desire to have the land be in a conforming use classification. They wish to meet their business growth needs while also conforming to Chatham County regulations. The Comprehensive Land Use plan definition for Town Centers states that they are intended to be established centers of commerce in the County. The applicant's business is a paint & body shop, as well as a towing company. They are on a rotation with the NC Highway Patrol to provide towing and recovery services. Although the property is currently being utilized by the applicants, a general use rezoning to IL, Light Industrial, is in line with the Comprehensive Land Use Plan. **It is planning staff opinion this standard is met.**

Ms. Phelps stated in closing the planning staff recommends approval of the general use rezoning request. The Planning Board has up to three meetings in which to make a recommendation for approval or denial to the Board of Commissioners. A proposed consistency statement has been provided below in support of the rezoning request: It is the opinion of the Planning Board the rezoning request is consistent with the Chatham County Comprehensive Land Use Plan based meeting ED Strategy 1.2 and 4.4 and Land Use Strategy 7.4 of the Comprehensive Plan, and therefore is recommended for approved.

Board Discussion followed and some items discussed were as follows:

- Chair Lucier stated the land was cleared between 2013 and 2015, is that correct. Ms. Phelps stated that is correct. Chair Lucier stated asked when that part of the County was zoned in 2017 it was already cleared and being used for that purpose, why wasn't that part of the rezoning when the County gave the opportunity for business properties to be zoned for their current use. Ms. Phelps stated this property was included in the 2007 corridor rezoning because it is within 1500 feet. The owners had not acquired this property until 2013 and it had already been zoned residential since 2007. This property wasn't included in the mailings because it was already zoned. Chair Lucier stated the property across the street was rezoned in 2007. Ms. Phelps stated that business has been there for 14 years, since 2006. Vice-Chair Siverson stated it wouldn't have been considered a non-conforming use during the County wide zoning, is that correct. Ms. Phelps stated, that is correct.
- Chair Lucier asked, has the CCAC has seen this item yet? Ms. Phelps stated CCAC has not seen this item because it is a General Use rezoning. Vice-Chair Siverson asked if there are residences around this property. Ms. Phelps stated the closest residence is 175 feet away. Ms. Plummer stated she did receive one phone call from the property owner from the south and they just wanted to know what they were doing and informed her that they are good neighbors and they are fine with the rezoning. Chair Lucier confirmed nobody spoke at the public hearing. Ms. Phelps stated the Chair is correct.
- Vice-Chair Siverson asked what the impervious surface on this property is because it looks like it is all cleared. Ms. Phelps stated she is not sure because that is not part of the General Use rezoning and the Watershed Protection department has already reviewed the impervious surface. Ms. Weakley asked, what was the outcome? Ms. Plummer stated they were under a notice of violation for operating without the correct zoning and when we do that, we bring in other departments and as you can see it is well over the 36% impervious surface that would be allowed. In the discussions with Watershed Protection team, they will be working with the Campbell's to develop stormwater measures and they are probably going to qualify for Special Non-residential Intensity Allocation (SNIA), it will be reduced somewhat, but they will probably be allowed over the 36% being on SNIA. Watershed Protection will have to review the official submitted stormwater erosion control plans for that and make the determinations on what they will have to do.
- Mr. Spoon stated this is established as a business and the neighbors understand what they do there and don't have a problem with it, seems like an oversight in the other rezoning processes, this is a way to correct it and is in support of this item.
- Ms. Moose asked how long it might take to answer the questions about the impervious surface issues. Ms. Plummer stated it will take about two months. They still need to go through the official site plan review to meet all the guidelines to the ordinance and will go before the CCAC with their official site plan as well.
- Vice-Chair Siverson stated she agrees with Mr. Spoon and would like to support this business in that location near Goldston. Vice-Chair Siverson stated she is not thrilled with the look of the site, but trusts the process that it will be acceptable.

Motion to approve the consistence statement made by Mr. Spoon, second by Mr. Galin. Chair Lucier completed a roll call vote and the motion to approve the consistency passed 9-0, unanimously.

“It is the opinion of the Planning Board the rezoning request is consistent with the Chatham County Comprehensive Land Use Plan based meeting ED Strategy 1.2 and 4.4 and Land Use Strategy 7.4 of the Comprehensive Plan, and therefore is recommended for approved.”

Motion to approve this item made by Mr. Spoon, second by Mr. Galin. Chair Lucier completed a roll call vote and the motion to approve this item passed 9-0, unanimously.

4. A Legislative public hearing for a request by JNNJ, LLC, for a conditional district rezoning from R-1 Residential to CD-O&I for office – business, professional, and governmental, Parcel No. 69884 being 5 acres, located at 10441 US 15-501 N, Baldwin Township.

Ms. Phelps stated a legislative public hearing was held on September 3, 2020. Planning staff presented the rezoning request, and the applicants, Chris and Yomi Adigun, their development team that includes Wesley Mize, John Hoy, and Jeff Vaughn presented to the board. One person signed up to speak and 3 provided comments prior to the public hearing in support of the project and rezoning request. Conditional Zoning districts are districts in which the development and use of the property is subject to predetermined ordinance standards and rules, regulations, and conditions imposed as part of a legislative decision creating the district and applying it to the particular property.

Some land uses are of such a nature or scale that they have significant impacts on both the immediate surrounding area and on the entire community, which cannot be predetermined and controlled by general district standards. The review process established in this Ordinance provides for accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions, which ensure compatibility of the use with neighboring properties. A conditional zoning district is not intended for securing early zoning for a proposal, except when that proposal is consistent with an approved land use plan or the proposal can demonstrate that public infrastructure needed to serve the development will be made available within a reasonable time period. The property is currently zoned R-1 Residential, properties to the north and west are also R-1 Residential, the property to the south is CD-NB Conditional District Neighborhood Business, and the properties to the east across 15-501 are CU-B-1 Conditional Use B-1. The CD-NB property was approved for the rezoning on February 17, 2020. The CU-B-1 properties to the east is the Chatham Downs shopping center.

A community meeting was held on June 17, 2020. There were 11 attendees total, 2 that are working with the applicant for the rezoning, and 4 attendees declined to sign the roster. Some residents showed support for the project. There was an inquiry about who would manage the second floor office space. The applicants stated that there is no intended tenant at this time. A meeting with the Chatham County Appearance Commission (CCAC) was held on June 24, 2020. The final site plan is to be conditional if the conditional district request is approved. Before development begins, a final landscaping plan is required and the following modifications were agreed to by the applicant:

- Winterberry to replace Otto Luyken Laurel
- Chinese Fringe tree to Native Fringe tree
- Red Maple, Sycamore, and Bald Cypress in the retention pond

At the public hearing, Commissioner Hales asked about the size of the facility. John Hoy stated it is a total of 18,000 square feet, with a 9,000 square foot footprint, making this a 2 story building. The applicant intends to save as many trees as possible. Wes Mize stated the entrance has been determined by NCDOT. There are 80 parking spaces, proposed 21% Built Upon Area, the building is approximately 300+ feet from the property line to the west, and the lighting is around 0.5 FC 100-200 feet from the property lines, which exceeds ordinance

requirements. This creates a significant buffer to the adjoining residents, as well has limited hours of operation (7 am - 6 pm). The building is two stories and is designed to meet current and future needs of the applicant. The first floor will be for the dermatology office, and the second floor will be leased to a tenant.

Jeff Vaughn, president of Agri-Waste Technology, Inc, informed the Board about the proposed septic system. It will be a small conventional system. The system will be at least 30 feet from the property line, and only trees less than 6" in diameter will need to be removed. None of the vegetation within the repair area is proposed to be disturbed. Commissioner Hales asked if this was a standard system. Vaughn said yes, it will be a pump and an equalizing flow system. Commissioner Crawford asked if there will be a tank, and Commissioner Howard asked if the system takes into account the second floor. Vaughn answered yes to both questions.

Scott Christner spoke remotely. He lives at the southwest corner of the property, and had moved here about 6 months ago. He attended the community meeting and appreciates the applicant's efforts to reduce exposure to light and sound. Although the septic is proposed to be as close as 30 feet from the property line, he trusts the contractor. He asked what happens in the buffer area, and Mize responded that it will be undisturbed and keep the existing vegetation.

George Lucier, Chair of the Planning Board, asked how many GPD (gallons per day) and the size of the area. Hoy stated the system is sized for 750-1,000 GPD, which will be equalized over 7 days, and in turn is calculated to be approximately 580-590 GPD. The size of the system is approximately 15,000-20,000 square feet for the drain area and repair. Lucier asked if the properties to the north had been purchased, and if connectivity was planned. Yomi Adigun replied that they did purchase both properties, but there are no intentions to develop the property at this time. John Hoy also made the statement that they intend to keep as much vegetation as possible and will not go in and clear cut the property.

There are five standard items listed in the Zoning Ordinance that must be addressed by an applicant when submitting a rezoning application. The applicant has addressed those items in the application materials or in supplemental material and they are also discussed below.

Item #1: The alleged error in this Ordinance, if any, which would be remedied by the proposed amendment with a detailed description of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same. The applicant is claiming no errors in the Ordinance. **It is planning staff opinion this finding is met.**

Item #2: The changed or changing conditions, if any, of the area or in the County generally, which make the proposed amendment reasonably necessary to the promotion of the public health, safety, and general welfare.

Currently, the applicant has a medical office located within The Veranda of Briar Chapel off 15-501. This is a commercial area of Briar Chapel, contains multiple business, and has shared parking. The practice has outgrown its current location, and the shared parking has in turn become restricting. Because of this, the Adigun's wanted to remain in the community, but offer a space to fit the size of their business and provide enough parking for their clients and employees. The proposed location is located approximately a mile north of the current location. There are non-residentially zoned properties adjoining and adjacent to the project area. To the south, the property is zoned Conditional District Neighborhood Business, to the east across 15-501 it is zoned Conditional Use B-1 (Chatham Downs). All other properties are zoned Residential 1. **It is planning staff opinion this finding is met.**

Item #3: The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof.

The property is located within a Community Center node on the Comprehensive Land Use Plan Map. This node includes retail hubs along key corridors, and is complemented by local-serving commercial development. The applicant references supporting goals from the Comprehensive Land Use Plan. They intends to diversify

the tax base and generate more high-quality, in-county jobs...reducing out-commuting (Primary Goal of Economic Development, page 53). Additionally, they are locating their practice on a parcel that is completely located within a development node on the Future Land Use and Conservation Plan Map. Economic Development Strategy 2.2 states, "Direct larger-scale retail (and complimentary uses such as professional and medical offices) to locate to existing towns and at designated Community and Neighborhood Centers as well as in Employment Centers (page 55). **It is planning staff opinion this finding is met.**

Item #4: The requested amendment is either essential or desirable for the public convenience or welfare.

The applicant states that this project would allow their medical practice to stay within the County and continue to provide essential medical services to Chatham County residents. This project is consistent with Plan Chatham and compatible with adjacent land uses that include retail, restaurant, daycare, office and medical office tenants. This project will increase the non-residential tax base, keep jobs in Chatham County and provide necessary services to residents. **It is planning staff opinion this finding is met.**

Item #5: All other circumstances, factors and reasons which the applicant offers in support of the proposed amendment. (i.e. watershed classification, impervious surface, utilities, infrastructure, etc.).

The project proposes to have a BUA (Built Upon Area) of approximately 21%, with the maximum allowable BUA of 36%, without curb and gutter. The site is designed to provide the most buffer possible for the adjoining residential properties. The parking lot is focused towards 15-501, which creates approximately 225-375 feet of distance. The stormwater controls will meet Chatham County regulations. The applicant's also have purchased the property directly to the north (parcel 2720) of this project. At this time, there are no intentions to develop, but Planning Staff suggests showing proposed connectivity to this property. This will alleviate turning lanes and access directly off 15-501 which increases safety. **It is planning staff opinion this finding is met.**

Planning staff recommends approval of the rezoning request based on all five standards can be met.

Ms. Phelps stated in closing it is the opinion of planning staff that the Planning Board recommend approval of the conditional rezoning request based on all standards being supported. The Planning Board has up to three meetings in which to make a recommendation to the Board of Commissioners.

Should you recommend approval of the request, a consistency statement has been prepared for your consideration.

The request to rezone Parcel No. 69884, 5 acres, from R-1, Residential to CD-O&I Conditional District Office and Institutional for medical clinics – inpatient and outpatient care; office – business, professional, and governmental; general, professional, medical, and governmental offices, and complies with the Chatham County comprehensive plan, Plan Chatham. The comprehensive plan includes supporting the retail hubs along key corridors, and is complemented by local-serving commercial development within Community Center nodes.

The following conditions would apply to the approval as well:

Site Specific Conditions

1. The recommendations from the Chatham County Appearance Commission (CCAC) shall be followed as stated in the minutes and as shown on the submitted site plan or revised site plan as required that reflects the adopted design guidelines. The planning staff and CCAC may conduct routine inspections of the property to ensure compliance with the landscaping requirements.
2. A building permit shall be obtained and remain valid at all times within two years of the date of this approval or the conditional use permit becomes null and void.

Standard Site Conditions

3. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.
4. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Watershed Protection Division, Environmental Health Division, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department to the initiation of the operation/business.

Standard Administrative Conditions:

5. 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 inspections.
6. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional listed above.
7. Non-Severability – If any of the above conditions is held to be invalid, this approval in it's entirety shall be void.
8. 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.

Board Discussion followed and some items discussed were as follows:

- Chair Lucier asked if this was one of the properties the Publix had requested at one time. Ms. Phelps stated the Publix was the three parcels adjoining this property. Chair Lucier stated it looks like the property falls 20 feet short of Polks Landing Rd on the map. Ms. Phelps stated it comes off of Polks Landing, but the other property behind it does not. Chair Lucier stated the back of the property that is up for discussion tonight adjoins the houses on hidden Valley Dr. and that is why having the septic area as far to the east as possible so then the repair area will be to the west and that area will not be disturbed unless it is absolutely necessary to create a larger buffer for the residents on Hidden Valley.
- Mr. Spoon stated they did a really good job considering the neighbors and trying to make this site plan as noninvasive as possible. Chair Lucier stated there have been a lot of discussions about this area and the idea of having a medical office facility is what most of us thought would be a good idea opposed to retail, which would generate a lot more activity next to a residential area.
- Vice-Chair Siverson stated this is just north of the Bold Development project which she did not support because she really wanted to see something more like this project in that location. Vice-Chair Siverson stated this is a good project and likes the way they designed it and very sensitive to the community and the natural attributes of that piece of land.
- Mr. Spoon asked about the upstairs office and the hours of operation. Ms. Adigun stated the office upstairs will have the similar hours as the medical practice downstairs, 7am to 6pm.

Motion to approve the consistence statement made by Ms. Hager, second by Vice-Chair Siverson. Chair Lucier completed a roll call vote and the motion to approve the consistency passed 9-0, unanimously.

“The request to rezone Parcel No. 69884, 5 acres, from R-1, Residential to CD-O&I Conditional District Office and Institutional for medical clinics – inpatient and outpatient care; office – business, professional, and governmental; general, professional, medical, and governmental offices, and complies with the Chatham County comprehensive plan, Plan Chatham. The comprehensive plan includes supporting the retail hubs along key corridors, and is complemented by local-serving commercial development within Community Center nodes.”

Motion to approve this item made by Ms. Hager, second by Vice-Chair Siverson. Chair Lucier completed a roll call vote and the motion to approve this item passed 9-0, unanimously.

IX. NEW BUSINESS

X. BOARD MEMBERS ITEMS

Update from the Planning Board liaisons.

- Chair Lucier stated the Pittsboro Planning Board has three items on their agenda. Northwood’s Mixed Use plan development has a master plan for their signs and the largest sign could be 50 feet. That was approved. There was an item for 99 townhomes on 17 acres with 8 acres as open space. That item tied 3 to 3, they felt it was too dense in that residential area and those for it, felt it would be nice for affordable housing in that area of town. Chatham Park, 164 homes on 63 acres, average lot size of 6100 sqft and was passed.

The Briar Chapel Phase 13 and 14 deliberation document has been finalized and posted on the County website. It has been provided to the Commissioners and all other pertaining parties including the residents. October 5th BOC meeting had an agenda item for a presentation by Briar Chapel and their wastewater system with Old North State, but it was removed from the agenda because Old North State, Briar Chapel NNP, Briar Chapel HOA, and Stop Chatham North are all meeting together to negotiate a solution to the wastewater issues. Hopefully they will come to an agreement and the final plat approval or denial will be at the October 19th BOC meeting.

- Vice-Chair Siverson stated Siler City are making small changes to their UDO and want to start discussing stormwater and watershed regulations. They are also holding in person meetings at the court house.
- Ms. Moose stated the Agriculture Advisory Board have selected two new members to fill out the Board and they have put three people on the Well subcommittee.
- Ms. Weakley stated the Chatham Conservation Partnership will have its first virtual meeting October 15th 9am to 11am. The topic is spiders and should be very interesting and the link was in the announcement that was emailed.
- Chair Lucier and Vice-Chair Siverson will be meeting very soon with the Chair and Vice-Chair of the Environmental Review Advisory Committee to discuss liaisons between the two Boards.

XI. PLANNING DIRECTOR’S REPORTS

Ms. Plummer reported on the following:

1. Minor Subdivisions/Exempt Maps - Information was included in tonight’s agenda packet for your review.

- Ms. Plummer stated we are hoping to come out of this bottleneck we have been in for the last 5 months and hope by January things will be back to a normal pace. Currently working on a plan to reopen some services in the building. There have been partitions installed in the lobby and a lot of other ideas with the other departments.
- Vice-Chair Siverson stated the well subcommittee will have the first meeting on October 14th in the morning with Zoom. Meetings will be held every two weeks to get through this topic. There will also be some presentations from the North Carolina Geological Survey and from the Division of Water Resources.
- Mr. Spoon stated he will not be able to attend the next meeting and asked what items will be on the agenda. Chair Lucier stated the 15/501 storage item will be in November. Ms. Plummer stated December will be a heavy agenda, but November should be pretty light.

XII. ADJOURNMENT

There being no further business, the meeting adjourned at 8:05 p.m.

Signed: _____ / _____
 George Lucier, Chair Date

Attest: _____ / _____
 Daniel Garrett, Clerk to the Board Date