

# Chatham County Planning Board Minutes June 1, 2021

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:

<u>Present</u> <u>Absent</u>

Jon Spoon, Chair George Lucier, Vice-Chair Dustin Mauldin

Caroline Siverson Jamie Hager
Allison Weakley Brittany Harrison
Eric Andrews Bill Arthur
James Fogleman Clyde Frazier

#### Planning Department

Jason Sullivan, Planning Director, Kim Tyson, Subdivision Administrator, Hunter Glenn, Planner I, and Daniel Garrett, Clerk to the Planning Board.

#### I. CALL TO ORDER:

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

### II. VIRTUAL MEETING GUIDELINES:

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

#### III. DETERMINATION OF QUORUM:

Chair Spoon stated there is a quorum, 10 members present. Mr. Mauldin was absent.

## IV. APPROVAL OF AGENDA:

Approval of the Agenda - Chair Spoon asked the board members if there were any issues with the Agenda. There were no objections, and the agenda was approved.

#### V. APPROVAL OF THE MINUTES:

Consideration of the April 6, 2021, Planning Board minutes. Motion made by Vice-Chair Lucier to approve the minutes with minor corrections, second by Ms. Siverson. The April 6, 2021, minutes were approved 8-0, Mr. Frazier and Ms. Harrison abstained because they were not present at the April meeting.

#### VI. PUBLIC INPUT SESSION:

Chair Spoon asked that each citizen who wished to speak to raise their hand after the staff notes at each item. There were no citizens to speak on a topic not related to the agenda.

VII. <u>COUNTY ATTORNEY, BOB HAGEMANN:</u> CLOSED SESSION PURSUANT TO G.S. 143-318.11(A)(3) TO CONSULT WITH AN ATTORNEY IN ORDER TO PRESERVE THE ATTORNEY-CLIENT PRIVILEGE. PLANNING BOARD MEMBERS WENT INTO CLOSED SESSION AT 6:41PM AND RETURNED AT 7:33PM.

#### VIII. SUBDIVISION:

1. Request by Zachary Fuller, PE on behalf of Swain Land & Timber, LLC for subdivision **First Plat** review and approval of **McBane Park Conservation Subdivision**, consisting of 149 lots on 161.97 acres, located off Old Graham Road, SR-1520, parcel #85448.

Ms. Tyson stated the request is for First Plat review and recommendation of McBane Park, consisting of 149 lots on 161.97 acres, located off Old Graham Road, S.R. 1516. A vicinity map showing the property location, attachment # 2, is included in the agenda packet. As stated above, the Planning Board has two (2) meeting to act on the proposal. Section 7.7 of the Subdivision Regulations, Conservation Subdivision - Alternative Standards for Development states in part "As an alternative to conventional layouts, Chatham County encourages the preservation of large, contiguous blocks of land. When a project voluntarily preserves Conservation Space in accordance with this Section, a project can increase the number of units that would be allowed on the overall property by ten (10) percent. Calculations of the density bonus shall be based on the applicable underlying land use regulations(s) dictating allowable development density." Section 7.7 J. states in part "conservation subdivisions proposed for the purposes of sustaining existing on-site bona fide agricultural operations are entitled to a five (5) percent increase in permitted density (this in addition to the ten (10) percent density bonus)...." Please read the entire Section 7.7, Items A – N for a complete understanding of Conservation Subdivisions. Also, please refer to the Chatham County Conservation Subdivision Guidelines for Conservation Space Selection which is available on the Planning Department webpage under Ordinances and Regulations. A conservation subdivision requires that a minimum of 40% of the project area be retained as Conservation Space. A minimum of 80% of such Conservation Space shall be Natural Space and a maximum of 20% of the Conservation Space may be Open Space.

The land required to be protected within a Conservation Subdivision under other regulatory provisions, i.e., riparian buffers and floodplain, is 12.46 acres. This amount (12.46 acres) was deducted from the total acreage of 161.97 acres to arrive at the net land available consisting of 149.51 acres. Based on the net land area the lot yield would be 137 lots and with the 10% density bonus would increase to 150 lots. The proposed project is 149 lots. Conservation Space: Of the total project area of 161.97 acres, 64.79 acres is required to be in Conservation Space and the site plan indicates that 64.79 acres will be set aside. See the site plan for the breakdown and location of the Conservation Space. The developer allowed NC Natural Heritage Program to visit the proposed project prior to designing the subdivision layout. The area set aside for Conservation Space meets the requirement that 40% of the project area be retained as Conservation Space.

Natural Space: 80% of the Conservation Space is required to be Natural Space. The Conservation Space Guidelines states "Natural space is unimproved land in its naturally occurring state, or preserved to regenerate to its naturally occurring state, unaltered by human activity, and preserved to maintain or improve the natural, scenic, ecological, cultural, hydrological, or geological values of an area." The site plan indicates this requirement will be met.

Open Space: A maximum of 20% of the Conservation Space may be Open Space, of the 64.79 acres designated as Conservation Space and the site plan indicates this will be met. The 'Guidelines' state "Open space, as defined in the Subdivision Ordinance, allows amenities such as recreational uses and some non-intrusive common uses (e.g., when land application is not the preferred means of wastewater disposal, community septic systems are allowed in Open Space areas). Open space should be located as close to proposed development as practicable, taking into account considerations such as public safety and soil suitability." See Section 7.7 (D), Items 1 – 7 for allowed uses in Open Space related to Conservation Subdivisions. All land disturbing activities associated with the Conservation Subdivision are subject to the full provisions of the Soil Erosion and Sedimentation Control Ordinance, regardless of the designated use or status of a given area.

The roads are to be built with a 60-foot-wide travel way with a 20-foot-wide public right-of-way, will be approximately 2 miles in length, and are to be state maintained. An existing easement located near Lot 1 will be abandoned and relocated between Lots 37 and 38.

Ms. Tyson also informed the board that Bev Wiggins with Chatham County Historical Association stated a cultural resources review was completed in 2006 and noted: "Based on the proximity of these sites to the project boundary, an archaeological reconnaissance survey to determine whether there are any archaeologically significant sites located within the project boundary may be helpful." CCHA would like to see the reconnaissance survey completed before the area is disturbed. The request is not a regulatory of the subdivision regulations. North Carolina Department of Natural and Cultural Resources letter dated August 18, 2020 stated "We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed." There is an old hunting cabin located on the property, the developer plans to remove the cabin.

Notification of the proposed development was provided to the Chatham County School System.

Environmental Impact Assessment: Due to the number of lots, an Environmental Impact Assessment (EIA) was required to be submitted and peer reviewed. The EIA dated February 18, 2021 and updated, May 10, 2021 was prepared WithersRavenel, and peer reviewed by Johnson, Mirmiran & Thompson, Inc. (JMT). Per the EIA, Exhibit 27 noted that Carolina Darter, Carolina Ladle Crayfish, Septima's Clubtail, Cape Fear Shiner Buttercup Phacelia, Dry Mesic Basic Oak Hickory Forest, Dry Oak Hickory Forest, Mixed Moisture Hardpan Forest, and Upland Depression Swamp Forest has been documented in a one-mile radius of the site. The Carolina Darter was observed on the project site.

The developer engaged the NC Natural Heritage Program to visit the site and provide a survey report. Justin Robinson, Special Projects Botanist, and Judy Ratcliffe, Zoologist, visited the site in early 2020 and provided a report dated March 9, 2020 (the report is included as Exhibit 23 in the EIA). The report included that "it is recommended that the two rare to uncommon natural communities found within this project area (Upland Pool and Mixed Moisture Hardpan Forest) be conserved and periodically monitored for changes. Although no rare plants were observed in this survey, soils found in the project area are associated with rare plants and salamanders in adjacent counties." The report also "recommends setting aside a 200 ft riparian buffer zone along Dry Creek to support the aquatic community and habitat condition of Dry Creek and the Haw River downstream." The conservation subdivision layout follows the recommendation to protect the Upland pool and Mixed Moisture Hardpan Forest by including those areas in the Natural Space portion of the Conservation Space and the NCNPH has designated it as the Terrells Hardpan Natural Area. The developer has also provided an additional variable width buffer along Dry Creek, but not a continuous 200' riparian buffer.

In the Conservation Subdivision Guidelines for Conservation Space Selection two maps are required to be submitted, a Fragmentation Map and an On-site Inventory Map. The Fragmentation map illustrates the project site and all land within one mile of its boundaries and is designed to assist the applicant in deciding where Conservation Space should generally be located to create connections with existing Natural Space or allow future Natural Space connections on adjacent properties. The Onsite Inventory Map is used as the "primary decision-making tool for the applicant in selecting specific areas to include in Conservation Space, and the County in issuing approvals. Data required to generate this map should be available on the Chatham County GIS and from on-site investigations. This can include information on existing landcover, proposed natural space preservation locations and acreages, topography, locations of streams, wetland, floodplains, and required buffers, adjacent natural areas, and cultural and historic resources. Watershed Protection Department staff has reviewed the maps and determined they are adequate to meet the submittal requirements.

Ownership / Management of Conservation Space: Section 7.7 (F) of the Subdivision Regulations requires that the applicant identify the current and intended future owners(s) of the Conservation Space and who will be responsible for maintaining the area / facilities.

Per the Draft Conservation Management Plan the Natural Space and the Open Space will be maintained by the McBane Conservation Subdivision Homeowners Association. Section 7.7 (G) requires that a management plan for the Conservation Space be submitted to and approved by the County. A copy of the draft plan has been provided by the applicant. Per Section (G) "Upon initial approval of the management plan by the County, changes

to the plan shall be allowed only when approved by the County Board of Commissioners." Section (H) requires that the Conservation Space shall be protected in perpetuity by a binding legal document that is recorded with the deed upon review and approval by the County. The applicant has provided a draft copy of the deed which will convey the Conservation Space to the third party (homeowners association) and has included a draft copy of the Declarations of Covenants and Restrictions. Prior to final plat recordation, the county attorney shall review and approve the form of the Management Plan, the Declaration of Covenants and Restrictions, and the deed for the Conservation Space.

Trails are proposed to be rustic and located within the natural space of the project.

Ms. Tyson stated a community meeting was held December 3, 2020 at Northwest District Park and virtually. Approximately eighteen people attended the meeting. Some concerns were drainage into Dry Creek, will the developer conserve more land along Dry Creek, will the lots be mass graded, will there be street lighting, would dry stormwater ponds be considered, property owner has numerous erosion control violations on adjacent property so how are we ensured the violations will not happen on the project, and can screening be added at the end of the cul-de-sac to limit car lighting to existing home. The applicant's response included that the stormwater ponds will treat runoff and provide detention pursuant to the county stormwater requirements. The proposed project will have minimal light pollution. The violations were isolated and an unfortunate incident that happened over the summer. They will investigate shrub screening and the existing buffer vegetation should eliminate the light pollution.

The TRC met virtually on May 12, 2021 to review the First Plat submittal. The applicant Zachary Fuller and developer Hadley Swain Kirkland were present. Items discussed included some Native American artifacts may be present on the proposed project, the Dark family owned the property longer than the McBane's and would the developer consider using the Dark's name, NCNHP recommends a 200' wide buffer on Dry Creek and Watershed Protection agrees, trails need to cross perpendicular and a trail management plan will be needed, whether a water point will be located inside the subdivision, will there be fire hydrants, and if any of the crossings on the trails use a culvert a permit will be needed from the Army Corp of Engineers.

Septic: NC Aqua Water: NC Aqua

The road names Loxley Drive, McBane Park Drive, Wynwood Drive, Southwood Lane, Barclay Lane, Stanton Ct., Galax Ct., Bradfield Ct., and Baywood Ct. have been approved by Chatham County Emergency Operations Office as acceptable for submittal to the Board of Commissioners for approval.

Water Features: Alyssa Ricci, submitted the Riparian Buffer Review Application along with a riparian buffer map, to Drew Blake, Senior Watershed Specialist for review. Mr. James Lastinger of the US Army Corps of Engineers completed an on-site determination on July 14, 2020 to verify wetlands. Mr. Blake and Ms. Ricci visited the site August 17, 2020 and May 3, 2021, the second site visit was to review the remaining portion of the project. Mr. Blake confirmation letter dated May 7, 2021 stated six (6) ephemeral streams, three (3) intermittent streams, one (1) perennial stream, and five (5) wetlands were identified. The six (6) ephemeral streams require a 30-ft buffer, the three (3) intermittent streams require 50-ft buffers, the one (1) perennial stream require 100-ft buffer, and the five (5) wetlands require 50-ft buffers from all sides landward.

The applicant has provided a phasing schedule stating that Construction Plan submittal for Phase 1 within 2 years of First Plat approval and Final Plat submittal for Phase 7 (final phase) by March 31, 2032.

Ms. Tyson stated four stormwater devices are proposed. As part of the stormwater permitting process additional information will be provided to the Watershed Protection Department. A Stormwater Permit and Sedimentation & Erosion Control Permit will be obtained from the Chatham County Watershed Protection Department prior to Construction Plan submittal. No land disturbing activity can commence on the property prior to obtaining Construction Plan approval.

Site visits were scheduled for May 20, 2021 for Planning Department staff, Watershed Protection Department staff and various Board members to attended. Zachary Fuller and Hadley Swain Kirkland were present to walk the property with staff and Board members and discuss the project. Areas viewed included wetlands, perennial streams, upland pool, intermittent streams, ephemeral streams, and proposed conservation spaces. Pictures of the site visit can be viewed on the Planning Department webpage at www.chathamnc.org/planning, Rezoning and Subdivision Cases, 2021. Questions raised during the site visit include whether the buffer along Old Graham Road would be undisturbed or timbered and graded, removing or relocating lots adjacent to Dry Creek to expand the riparian buffer, preserving isolated stands of mature trees within the development footprint as pocket parks by adjusting lot sizes, and providing informational signs and plant identifiers along the trails in the Natural Space to emphasize the uniqueness of the Terrells Hardpan Natural Area.

Plan Chatham was adopted by the Board of Commissioners in November 2017 and is a comprehensive plan that provides strategic direction to address the most pressing needs in the county. These properties are in an area of the county identified as Rural on the Future Land Use and Conservation Plan Map. The description for rural includes single family on large lots or in a conservation subdivision, agriculture, home-based & small-scale businesses, greenway trails, farm buildings, and pastures. Conservation subdivisions are encouraged to protect nature resources while not disrupting agricultural practices. The developer also contacted the NC Natural Heritage Program to review their database for any rare species, important natural communities, natural areas, or conservation/managed areas within the project boundary and some rare species were identified in their records. It should be noted that Plan Chatham is not intended to be used as a regulatory tool but is a policy document. When reviewing subdivision applications, the boards can use the plan as a tool to identify future regulatory changes.

In closing Ms. Tyson stated the Planning Department recommends granting approval of the road names Loxley Drive, McBane Park Drive, Wynwood Drive, Southwood Lane, Barclay Lane, Stanton Ct., Galax Ct., Bradfield Ct., and Baywood Ct. and granting approval of subdivision First Plat for McBane Park with the following conditions:

- 1. The following development schedule shall apply: Construction Plan submittal for Phase 1 within 2 years of First Plat approval and Final Plat submittal for Phase 7 (final phase) by March 31, 2032.
- 2. Prior to final plat recordation, the county attorney shall review and approve the form of the Management Plan, the Declaration of Covenants and Restrictions, and the deed for the Conservation Space.

Mr. Nick Robinson introduced himself to the new Planning Board members and stated he is representing Swain Land & Timber. Originally this project was applied for as a standard subdivision back in 2006. The applicant sought a sketch design approval for 109 lots on 159 acres and it was approved, then in 2007 the applicant came back for a preliminary plat approval for the same 109 lots and was approved. Mr. Robinson showed the original preliminary plat design for the Board members to see and walked them through some of the elements. There was some controversy about the project, but ultimately it was recognized that the plat was compliant with the subdivision regulations at the time, and it was entitled to approval. The entire 159 acres was comprised as lots, every single square inch that is not a road on this subdivision plat was a lot. The roads ways back then came off of Old Graham Rd and then crossed two creeks and a voluntary 10' buffer around the wetlands even though at the time no buffers were required. Looking at the Dry Creek area you can see all the lots property line went to the edge of Dry Creek. This is how the preliminary plat looked back in 2007 and then the Board of Commissioners had some changes on it back in 2008. Then there was a pretty long real estate recession not too long after that. The Planning Board and Board of Commissioners made some significant changes to the subdivision ordinance and some of the other ordinances that regulate development in Chatham County back in 2008. They instituted new riparian buffers that were mandated, and they protected not just blue line streams as before, but also intermittent, ephemeral streams, and wetlands. This project was not subject to those changes because it was approved prior to those changes. At the same time as the regulation changes the Board of Commissioners wanted to incentivize developers to create a brand-new kind of subdivision in Chatham called the Conservation Subdivision. So, section 7.7 of the Subdivision Ordinance was created which allows for a by right conservation subdivision like the one you see on the agenda tonight. The idea that was in exchange for protecting 40% of the most conservation worthy portions of a property the county allowed applicants to have a slight increase in density of 10%.

Mr. Robinson stated that was all the background of this project, but if you fast forward to the year 2020 this project was still entitled 109 lots that covered up the whole tract and vested in that entitlement to create those lots configured exactly as you see them on this 2007 preliminary plat. The applicant could have come through the process with a final plat just like the preliminary plat and it would be legally entitled to cross all the streams, 10-foot buffer on the wetlands, and lots that went all the way down to Dry Creek. Instead of doing that, the applicant took stock of the situation and was urged by Planning staff and others to take a look at the possibility of reconfiguring the development into a conservation subdivision. This was a significant decision for them because it called for abandoning the entitlements they had fought hard for and all of the hundreds of thousands of dollars spent on engineering and design costs that went into those plans that were approved. The Swain's decided to do it anyway because they thought it was the right thing to do twelve years after the new subdivision regulations had been passed and in place. They followed the rules and procedures of the conservation subdivision, completed an Environmental Impact Assessment as required, they also voluntarily by suggestion of the staff engaged they NC Natural Heritage Program to come out to the site and survey it for items of environmental interests. They created the fragmentation and natural inventory maps needed to create a conservation design plan. Based on all that input and information they designed a very different subdivision which is before the Planning Board tonight.

Mr. Robinson stated the old subdivision plan had the entire tract covered with lots and is not longer the case, in fact all the stream crossings that was mentioned before now have been eliminated and the entire area in green on the plat is permanently protected as conservation space. There are riparian buffers for all of the wetlands, protection of the upland pool, and the other features that the NC Natural Heritage Program sited. These streams are not being impacted and they will be protected forever. There is a very different picture on Dry Creek as well, the lots do not come down to the creeks edge, instead there is a 100' riparian buffer in addition to the floodplain area. In most cases the buffer along Dry Creek are much more than 100' and in some cased be over 200' buffer, but it varies as staff stated. Mr. Robinson explained to the Board as an example that on lot 68 there might be 175' buffer when combining the floodplain and the 100' riparian buffer. All lots have to have the 25' rear setback, meaning there is an additional 25' buffer to where the house could be built, so with the rear setback combined with the riparian buffer and floodplain in many cases there will be a 200' buffer or even more. In some cases, it might be less than 200', but it will never be less than 100' buffer. The stormwater treatment ponds are significant because the grade of this property flows to the stream, and it is important for the health of the stream for those ponds to be as far down as they can be so they can collect and treat as much of the stormwater as possible. There had been some discussion about increasing the buffer to 200' and you would never want to do that with these stormwater ponds because if you push them up to 200' away from the stream you are going to decrease their effectiveness and have a negative impact.

Mr. Robinson stated this is a significantly redesigned subdivision completely in accordance and compliance with the Conservation Subdivision Regulation and it is a by right subdivision meaning if the requirements are met you are entitled to it by law. There are more lots than the original plat, but the lots a much smaller and the whole concept of a conservation subdivision is in exchange for conservation of 64 acres out of 160 acres, you are entitled to a 10% increase in the number of lots that you can have on the project. Planning staff have reviewed this First Plat and has found it to be entirely compliant with the requirements of the subdivision regulations and we agree and concur with the staff conditions. Mr. Robinson stated they are available for questions and encouraged the Board to view this project as a compliant application and respectfully request approval.

#### PUBLIC INPUT:

Mr. Daniel Amero stated this is the same developer that trespassed on his property, bulldozed a
significant amount of the boarder of my property and still to this day have damage occurring on my
property that the county has not seen yet. I am still very frustrated about that and cannot see how this
next development is going to go on and be controlled. They were not controlled with my property, and I

do not think they will be with this property either. Being down stream from a neighborhood like this is concerning because of what is put in the grass, in the ground, and what gets leaked down a storm drain. I work in construction in developments like this and I see what drains. You can see the elevation on that map, and it all flows down hill and there is even a storm drain in one of the cul-de-sacs that flows right into Dry Creek. It seems great that you are conserving a lot of that land, but the lots are packed in and some of the lots are probably less than 100' by 200' and that just seems crazy. The 109 lots probably had more trees than these lots will, and it was too expensive to develop the wetlands, so they went with this option, but it is not a good option. A few trees on the boarder will not stop the light pollution. Cary developers are coming here and designing this neighborhood, yes, it is legal, but not for here on this side of Chatham County, not in rural Chatham. I hate to see what is going to happen to the bordering neighbors because with my situation I bought the trees and my family planted them. The owner has still disrespected me and my family on the street two times and that is uncalled for and not how Chatham County should be developed. These people need to be controlled whether the UDO is more tightly restricting on them. The main thing is the creek, it is going to be so bad, these professionals do not live there, they do not see the creek as much as the residents around here do and do not see the impact that it will have on it. Mr. Amero thanked the Board for their time and anything they can do.

- Ms. Cynthia Crossen stated she is an adjacent property owner at 1116 Marshall Road, and we are not in favor of the McBane development proposed for our north border, which joins other development planned around us. It feels like we moved to Cary without moving, and all of the things that makes this area special and why we came here 46 years ago are going to be in jeopardy. It is not in keeping with the rural character of Chatham and the healthy creeks. I saw what happened to the creek with Chapel Ridge first hand. The darkness for stargazing, the traffic, the fresh air, and the wildlife. This is going to bring light pollution, water pollution, and noise pollution with 149 homes, plus the traffic this development will bring. It is so dense and like nothing else around it with too many lots for our area. Threats to water quality are fertilizer and pesticide runoff, improper functioning of the wastewater system, and stormwater runoff from impermeable surfaces. Imagining potential residents moving to an area with no nearby services such as grocery stores, drug stores, gas stations, restaurants, shopping, etc. If they are moving here to enjoy a more rural lifestyle, as we did, then this kind of dense subdivision just does not make sense. They will be moving to the country without the benefits of living in the country, as well as without the amenities of this kind of dense development. This number of lots and density will certainly negatively affect current residents. I have spoken to many neighbors about this and none of them are in favor of this and many of them grew up here and have homes here, this development will greatly impact their quality of life as well as mine. If this development is going to happen, we urge the developers to make it even more of a conservation subdivision. For example, additional land along Dry Creek could be conserved, further protecting both water quality and wildlife. Natural areas and pocket parks could be added within the neighborhood part of the development, based on a botanist's assessment of special trees and plants to preserve. This might require some lots being combined or eliminated but would offer residents in the most densely developed areas some preserved natural area to enjoy close to their homes in this conservation subdivision. Ms. Crossen thanked the Board.
- Mr. Pat Mahoney stated he has lived in Chapel Ridge along Dry Creek and has been there for eight years. He has some considerable fears with the flooding impact has been and will be in Dry Creek. In the last four years we have seen massive changes in the flooding on Dry Creek. There is a 100' floodplain and in the last four years there have been at least four floods that went up to or beyond the 100' floodplain. I know the last three years have been some of the heaviest rainfalls in Chatham's history, but there has been a huge runoff coming largely from the community I live in Chapel Ridge and the area it is coming from has been built out over the last four years. The impact of the buildout has been considerable, not just the floodplain, but the force of the flooding, visually it is frightening now, it was not initially. The community that is planned is going to be much denser than Chapel Ridge. The lots along Dry Creek are 1 to 3 acres in size and has a buffer of at least 200' in most of the lots with protected trees. The amount of runoff on the proposed development is going to be considerably more with the density. I know the standards have changed and I know they have planned storage areas to try and catch some of the runoff, will the ponds be adequate to prevent further or worsening of the flooding of Dry Creek. There is a bridge

on Old Graham that could get taken out if the flooding goes out much more and the consequences further down stream between here and Haw River. Mr. Mahoney thanked the Board.

- Ms. Elaine Chiosso stated this is a trend of climate change with more intense rainfalls which bring high chance of flooding when happens. When you remove a number of the trees which this development will certainly do, that is the problem we see, an increase of stormwater running into the creek bringing pollutions with it but also increasing the creek by volume and velocity. It is great to have stormwater ponds, but they can only treat stormwater to the capacity they are built for, and we are seeing rainfall more than the 25-year storms. I would recommend the 200' buffer on Dry Creek the NC Natural Heritage Program recommended and the two ponds should be moved up from bottom of this development and it will probably eliminate some lots closest to Dry Creek and that would be a very good thing. It would make sense to have some extra space in the development that is containing the stormwater whether that is ponds or low impact stormwater areas that use methods for capturing and treating runoff, such as rain gardens. It was a good idea to place some open areas within the areas the people will be living. Ms. Chiosso echoed Mr. Amero's comment about how much was this conservation subdivision driven by how difficult it would have been to develop the wetlands. We are looking at a lot of trouble here and with this wastewater collection system that will be connected to Chapel Ridge pumping raw sewage with the number of breaks we have seen in Briar Chapel and the headaches this can cause. Sewer breaks happen all the time and I am concerned about that. I am also concerned about providing water from Pittsboro to a new group of people who are probably unaware of the industrial contaminates and chemicals that are considered harmful polluting the drinking water. We have already seen this same developer have violations of sediment erosion at Laurel Ridge, what are the chances of this not happening on this development. Some of the concerns can be made better by increasing lot size, saving some of the forest into pocket parks, being more creative with stormwater management throughout the denser part, and the 200' buffer along Dry Creek. Ms. Chiosso thanked the Planning Board.
- Chair Spoon stated because we have had a couple questions about Dry Creek and the stormwater ponds it would be nice to have a better explanation on how that is going to work and then we will move into Board discussion.
- Mr. Jason Bertoncino stated he is a civil engineer with WithersRavenel, and these two ponds are designed for two purposes, water quality and water quantity. From a water quality standpoint, they are designed to capture the first 1 ½" of runoff where most ponds in North Carolina only capture the first 1", but in this area it is 1 ½" and it will drain slowly over a couple days to filter out pollutants and nutrients with vegetation. They are constructed for a 25-year storm event, certainly over the last three years we have had a lot of rain events. A 25-year event is not a 100-year event, but it is very similar in nature. These ponds are at a standard higher than most communities in North Carolina and they are indented to meet the ordinance and requirements of Chatham County. Mr. Bertoncino does not agree to move the ponds up the hill because they are more effective to be as low as they can possibly be, stormwater works by gravity with roadside ditches so the further down they are the more effective they are because they will collect more stormwater runoff.

Planning Board discussion on the above item:

• Ms. Weakley asked if just the stormwater from the roads are being treated? Mr. Bertoncino stated it will capture roads and roof tops as much as we can. The rear yards along Dry Creek would not be captured, but anything from the front yards forward and the rest of the neighborhood will be captured and treated. Ms. Weakley noticed that there is a 36" pipe draining stormwater between lots 66 and 67 that goes straight into Dry Creek and not directed to a stormwater pond. Mr. Fuller stated we are not going to be able to capture that water from the cul-de-sac, it does not need to be a 36" pipe, but there will be some

runoff from there due to the grades. We will do the best we can to get it to the stormwater ponds, but not sure we can capture all of it.

- Ms. Weakley stated there is likely going to be a lot of grading and filling that is required to create those ponds, do you have any sense as to how much fill will be required to raise the elevation to create the ponds. Mr. Bertoncino stated they do not have the number for the volume of dirt, but typically when there is a 3/1 slope the footprint of the dam is 50' in good conditions and the closer to a floodplain you are the better the conditions. The footprint of the dam is larger on steep slopes as you move up the hill and becomes counter intuitive the further up you go. The closer you can be to the flatter portions of the property the less impacts the dams will have. Ms. Weakley stated there will be a dam of some height right there on the floodplain and to get it there, there will be a lot of grading and filling in that location. Mr. Bertoncino stated yes in order to build a stormwater management pond there will be grading and fill.
- Ms. Weakley stated she had read the Environmental Impact Assessment (EIA) and noticed that it states, "timbering will take place on all developed areas", is that the case? Mr. Robinson stated the developed area in that context is the roadways and stormwater ponds only, lots will not be timbered except after the home site location is determined. Ms. Weakly stated the Conservation Subdivision Guidelines specifically state that a conservation design should first put aside primary natural areas, and the guidelines list out in order of value and the order they should be considered, the first one is state natural heritage areas and natural heritage element occurrences. In the peer review of the EIA, it was pointed out that the entire natural area as delineated by the NC Natural Heritage Program including element occurrences for the three natural communities in that conservation area are not all conserved in this design. There is a stormwater pond within the natural area and the area where lots 24 through 35 was delineated as natural area by the NC Natural Heritage Program and also delineated as natural element occurrences for plant communities.

Given that the conservation design number one consideration should be the state natural heritage areas and natural heritage element occurrences, why that natural area was not set aside for conservation and why there are impacts form lots and stormwater management. Mr. Fuller stated they prioritized the Upland Pool and the Mixed Moisture Hardpan Forest which was what the NC Natural Heritage Program noted in their recommendations. Ms. Weakley stated she gathered that, but the Conservation Subdivision Guidelines are very specific to what should be set aside in the conservation subdivision. Mr. Fuller stated they went through the checklist and followed the recommendations from the NC Natural Heritage Program and followed the subdivision guidelines after that for the primary and secondary areas. Ms. Weakley urged them to follow the number one priority of the Conservation Subdivision Guidelines and she also supports the 200' buffer along Dry Creek as others have voiced because there are rare fish found in this creek. North Carolina Wildlife Resources Commission has had guidance for avoiding and minimizing impacts with a 200' buffer.

• Ms. Weakley asked about the voluntary open space and why it is voluntary. Mr. Fuller stated it was recommended by staff to label it voluntary open space, so it is known to be above and beyond the guidelines. Ms. Weakley stated that is in the natural area, so why is it not natural space. Mr. Sullivan stated whenever staff is evaluating sites, we want to make sure we have all of the percentages met so we show the 40% set aside and then the breakdown to ensure they meet the minimum, then show what is above and beyond the requirements. It helps staff with record keeping for later on in the project when they move forward everything is complied with. Would the applicant consider calling it voluntary natural space instead of open space? Mr. Robinson stated yes, he does not see a reason why not.

- Ms. Weakly stated the Conservation Subdivision Guidelines talk about a trail's management and open space management plan, when is that submitted and who gets to review it? Ms. Tyson stated the Watershed Protection department reviews that and it is submitted when they start to put the trails in. Watershed Protection department handles everything with the trail management.
- Chair Spoon stated Mr. Sullivan and Ms. Thorn with the Watershed Protection department has worked on this and asked from what you can tell has the developer made a good faith effort towards honoring what the NC Natural Heritage Program was trying to have the applicant protect? Mr. Sullivan stated yes, and staff is encouraging the applicants to contact the NC Natural Heritage Program in addition to the EIA. The applicant voluntarily did that without any objection and a large part of the natural area has been set aside using the prioritization guidelines. They did make a good faith effort to meet the intent as far as the prioritization, it is always open for discussion if they should preserve more, but they have met the minimum.
- Vice-Chair Lucier stated the NC Natural Heritage Program has recommended a 200' buffer along Dry Creek and looking at the site plan map if that were implemented, it would only impact 5 lots, 63 through 68. Some of those lots could be made smaller or lumped together, so there might be a loss of just 2 lots, would the applicant consider that as a modification to the site plan? Mr. Robinson stated if that is the issue that stands between a recommendation of approval or not, I would like to be able to confer with the applicant for a few minutes to discuss this option. Mr. Robinson asked if there was anything else a Board member would like for him to discuss with his client. Ms. Weakley asked if they could discuss the possibility of preserving all of the natural space that was delineated and discussed earlier. Mr. Robinson stated you need to choose what you are going to do and what you are not going to do, if you protect all of the natural area then you end up not getting the density bonus at all. Those are guidelines and the developer in good faith walked through that with the NC Natural Heritage Program and conserved everything that was suggested to conserve in a specific area. Mr. Sullivan asked if they could discuss one of the concerns from the public about preserving pockets of trees within the developed area. Mr. Robinson stated he will discuss these items. There were a few minutes the Planning Board allowed Mr. Robinson to discuss these options with the applicant.
- Mr. Robinson stated he had a chance to speak with his client about the four different items concerning the Planning Board that would be voluntary and outside the requirements. In regard to the suggestion of having pocket areas of trees within the developed areas, we cannot agree to do that because we do not know where those are located and we do not know how that would impact the lot layout, and we need a plat approval. Everyone of these lots will have somebody who buys it, and their objective will be to build their house on it and save as many of the beautiful trees on it as they can and there will be design review to go through when the lot is purchased, so that is as good as we can commit to for that concern. For the prioritization of the conservation areas, the developer has had to make some hard decisions between equally viable candidates for conservation, the rule is not that you conserve every conservable portion of the project, there are guidelines and there are also recommendations from The NC Natural Heritage Program, and the applicant did what they thought was the right thing and followed the recommendations of the NC Natural Heritage Program. If they do that, then they cannot do the other suggestion by Ms. Weakley, you just run out of land. The applicant is already conserving more than the minimum requirement.

Mr. Robinson stated in regard to the suggestion by Vice-chair Lucier and many others did as well about the buffer on Dry Creek. The developer is willing to voluntarily agree to place a 200' buffer on Dry Creek in respect of those lots that Vice-Chair Lucier mentioned and the only thing they want to exclude from that is the location of the stormwater ponds because they do not want a 200' buffer to push the ponds

further up the hill. They will make the lots smaller or reconfigure them to establish the 200' buffer off Dry Creek as suggested. The last item that the developer is willing to change, and it was not asked of us to change, but it was discussed by Ms. Weakley, and it is a good point, and that is the cul-de-sac that has a drainage pipe that runs directly down to Dry Creek. The developer stated they will reconfigure this to eliminate that cul-de-sac so there will not be a drainage going directly into Dry Creek, but instead it would be collected into the stormwater management system. Mr. Robinson hopes that the Board will see those as voluntary concessions that cannot be required but the developer is willing to do and see your way to a recommendation for approval.

- Mr. Frazier stated he was surprised he did not see an easement where the trails went between two lots.
   Mr. Bertoncino stated yes there will be an easement for those trails. Mr. Robinson stated it would be important especially for whoever buys those lots to see an easement on the plat.
- Mr. Arthur stated this plat shows two roads out of this subdivision, just two roads for 149 houses, that is a lot of traffic, and it looks like somewhere I would not want to live in. Secondly, please explain the private wastewater treatment plan in more detail. Mr. Robinson stated the wastewater will be collected and delivered to and treated at the Chapel Ridge plant which is a North Carolina regulated utility and has not experienced any difficulty with its collection and treatment of wastewater since it has been there. The water is provided by Aqua and there is an agreement that the town of Pittsboro will supply the water to Aqua who then supplies it to the residents. Mr. Bertoncino stated the two points of ingress and egress for this number of lots is fairly typical and you will not see a requirement for more than two access points really anywhere close to this level.
- Mr. Sullivan asked if there will be a need to bore under Dry Creek for the water and wastewater or is
  everything already in place. Mr. Fuller stated they will not need to bore under Dry Creek to connect, the
  stub is already located on Old Graham Road.
- Ms. Siverson wanted to clarify that the 20' buffer along Old Graham Road will be left in a natural state. Mr. Bertoncino stated yes that is correct. Ms. Siverson asked if there is a way the developer can have a protective covenant in regard to trees and request when the home builders when they clear the lots, they only clear the required amount for the home site and a small garden, is that a possibility? Mr. Robinson stated they will do that on a case-by-case basis when they do the design reviews with the Architecture Review Board with the objective of preserving as many specimen trees as you can. The way this development will be developed is they will clear out the roads and they will stake off the lots. All the trees will stay on all lots until ready to build and a design review will be conducted.
- Vice-Chair Lucier stated he would like to clarify what was said about the voluntary changes. They agreed
  to the 200' buffer on Dry Creek and to eliminate the cul-de-sac that would serve lots 66 through 68 which
  in doing that would remove the public drainage easement that empties into Dry Creek. It was also said
  to change the voluntary open space to voluntary natural area. Mr. Robinson stated yes that is correct.
- Ms. Hager stated the on-site inventory map number four has a blue designated area that overlays right on top of lots for the Dry Mesic Oak Hickory Forest impact. If there was already going to be some reconfigurations for the 200' buffer maybe this could be used to identify where you can look to keep trees within the density and asked if they could consider looking there while making changes. Ms. Hager also asked what the requirements are for lights and light pollution and DOT requirements. Mr. Sullivan stated NCDOT does not have a street lighting requirement, but the county has standards if the developer chooses to install street lights, they have to follow the adopted guidelines.

- Mr. Robinson stated he wants to make sure we all understand what has been discussed and agreed upon. The orange area on the map that is shown as voluntary open space, but originally it was shown as natural space and wants to make sure the developer did not intend to use that space for anything other than natural area. Mr. Bertoncino stated that is correct. Mr. Robinson also wanted to make sure with the removal of the cul-de-sac that the drainage easement will go away. Mr. Bertoncino stated the intent by eliminating the cul-de-sac was to eliminate the drainage easement and the runoff would follow the road into a treatment pond.
- Chair Spoon stated there is a good understanding of the plan with the conditions that have been added on through the discussion and would entertain a motion on the application and if it is a motion for denial that there is some grounding as to why this is substandard to the subdivision regulations.
- Ms. Hager stated we have two meetings for this item. Chair Spoon stated yes, we have another meeting to discuss if the Board feels that is necessary.
- Mr. Andrews asked for clarification about the conservation subdivision and why it came about if we created an incentivized program for a conservation subdivision and then we do not approve something that we created to cause conservation. Vice-Chair Lucier stated the way the conservation subdivision the way it is written is not perfect, but that was done many years ago back when Vice-Chair Lucier was a commissioner. We wanted to incentivize in saving certain areas in conservation and allowing more density in the built upon area rather than just having a series of 1 acre lots spread throughout the entire development and requiring 40% in the conservation space focusing on the more natural areas that you would want to be protected. This allows an option that can conserve land rather than just spreading it out over the entire project. Mr. Andrews stated having a larger area is better.
- Mr. Frazier made a motion to table this item, the developer have agreed to make certain changes and feel we need to look at them before we act on them.
- Mr. Fogleman raised the concern as Mr. Arthur about traffic and the volume that will be using these roads.
   Chair Spoon agrees and the DOT does traffic studies and as we increase there will be more traffic studies and those are legitimate concerns. Chair Spoon reminded the Board there is a motion on the floor to table this item and asked for a second motion. Ms. Weakley second the motion to table this item.
- Vice-Chair Lucier clarified the motion to have the developer come back next meeting with a revised map
  to address the stated concerns and agreements, the 200' buffer, the cul-de-sac, the drainage easement,
  the open space to natural space label change, and an easement for the trails. Ms. Hager asked about
  the overlay to be looked at as well if they can. Vice-Chair Lucier stated he was only mentioning the agreed
  upon changes.

Motion made by Mr. Frazier to table this item with the applicant to make the changes mentioned by Vice-Chair Lucier, second by Ms. Weakley. Chair Spoon completed a roll call vote and the motion to table this item passed 10-0, unanimously.

#### IX. ZONING:

1. A legislative rezoning request by Scott Pearce dba For Garden Sake to add Parcel 62824 being two acres to the existing Parcel 19644 being approximately 19.25 acres to expand existing services and utilize the decommissioned O'Kelly Chapel Church as part of the expansion. Both parcels to be recombined and rezoned from Conditional Use Business 1 and R-1 Residential to Conditional District Regional Business (CD-RB) for lawn and garden shop, landscape business, and event center limited. Williams Township.

Mr. Sullivan stated the current business on Parcel 19644 was approved for landscape design, lawn & garden shop, and horticulture on June 19, 1995. Since the, there have been two revisions to the conditional use permit. On November 7, 2011, the Board of Commissioners approved the remaining two acres of the parcel to be rezoned CU-B1 for expansion of services. In 2016, the owners purchased the church property but were not sure at that time exactly how they wanted to incorporate it into their current business plan. On November 18, 2019, the Board of Commissioners approved to add the use of Event Center Limited to allow for the possibility of weddings, meetings, and other gatherings to be held on the property. Since the property with the landscaping business (parcel 19644) has a legacy business zoning district (CU-B1 with a conditional use permit) that can no longer be expanded additional property, the applicant is requesting to rezone the current business parcel and church parcel to Conditional District Regional Business (CD-RB) for conformity on both parcels.

When determining whether a rezoning request should be approved under Section 5 Conditional Zoning Districts, the following findings must be supported.

- 1. The alleged error in the Ordinance, if any, which would be remedied by the proposed amendment with a detailed explanation of such error in the Ordinance and detailed reasons how the proposed amendment will correct the same. The applicant is not claiming any errors in the Ordinance pertaining to this request. It is planning staff opinion this finding is supported.
- 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 historic O'Kelly Chapel Church was decommissioned in the 1980s after serving the community for 224 years when it began in 1794. The land and structure will remain part of the National Historic Registry. The Chatham County Historical Society has also voiced interest in preserving photos of the site before and after the church is moved approximately 40 feet closer to the existing For Garden Sake business. The applicant held a community meeting on February 12, 2021. Only one property owner attended the meeting. It was explained how the applicant wants to preserve the church and put it back into use with events since there have been community members who have voiced concern about the building falling into disrepair. The applicant met with the Chatham County Appearance Commission (CCAC) two separate times. February 24, 2012 and March 24, 2021 to iron out some specific plant species and areas for added buffering for the adjacent property as well as the view from the roadway. The landscape plan was approved by the CCAC.
- 3. The manner in which the proposed amendment will carry out the intent and purpose of any adopted plans or part thereof. The applicant previously applied to and has been granted a modification of the Joint Land Use Plan (JLUP) map by the Town of Cary and Chatham County to change the land use designation on parcel 62824 from Very Low Density Residential to Commercial/Retail. The application notes that on Page 2-3 of the JLUP, one of the guiding principles is preservation of rural character of the area. Additionally, both jurisdictions have use classifications for event center limited and the church has had a residential zoning classification even though the use is non-residential. Page 14 of the Plan Chatham encourages more opportunities for citizens and visitors to hold meetings or events based on our geographic location. Page 18 refers to preserving the rural character as one of the top goals of the plan. The applicant's business offers lawn and garden center, landscape design, and horticulture retail along with the existing design of the site, rural character has remained a top priority.

Page 41 refers to preserving historical resources. The O'Kelly Chapel Church is listed in the National Historic register and the applicant will work to maintain the structure in its current form. The cemetery located on the property was deeded to a private owner more than 40 years ago per a news article obtained by planning staff. A condition will be made for protection and access of the cemetery for those wishing to visit in case the ownership.

changes. Page 68, Land Use Policy 7, the project will continue to have minimal impact on adjacent property as noted in 7.4 due to the amount of landscaping and preserving of natural vegetation as possible. Strategy 2.3 on page 106 addresses preserving heritage trees. The applicant states there are possibly two heritage trees near the front of the property that could qualify. It was also requested that Grand Trees of Chatham be involved in the identification process so they can be documented for the registry. It is planning staff opinion this finding is supported.

- 4. The requested amendment is either essential or desirable for the public convenience or welfare. There is no significant increase in traffic expected other than what is currently in place with the business. This request is essentially adding a building that can serve as space for the previously approved events center limited. Fencing already extends along both properties and landscaping is in place for the current business property. No additional lighting is proposed with this request. Noise may be increased for instances of live music groups or prerecorded music for specific events, but the applicant states they will comply with the Chatham County Noise Ordinance enforced by the Chatham County Sheriff's Office. Signage is already in place and no new signage is requested. It is planning staff opinion this finding is supported.
- 5. All other circumstances, factors, and reason which the applicant offers in support of the proposed amendment. There is private septic and well on the property and no additional are requested at this time. The existing driveway on the church and garden center properties will be utilized. The current pond will continue to be used and built upon area will remain well under the 36% allowance. It is planning staff opinion this finding is supported. It is planning staff opinion this finding is met.

Based on all five findings being supported, planning staff recommends approval of the request.

Mr. Sullivan stated in closing the Planning Board has up to three meeting in which to make a recommendation of approval or denial to the Board of Commissioners. Should you recommend approval, a consistency statement is provided below.

It is the opinion of the Planning Board the request is supported by the Plan Chatham by preserving rural character, repurposing an historic building, and continuing to provide employment opportunities and tourism. Additionally, the Joint Chatham-Cary Plan map has been amended to expand the Commercial/Retail designation to parcel 62824.

The following conditions are also provided if the recommendation is for approval.

#### 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 revised site plan. The planning staff and CCAC may conduct routine inspections of the property to ensure compliance with the landscaping requirements.
- 2. Access to the cemetery shall be given and maintained for visitors.
- 3. Access shall be provided to the Chatham County Historical Society to document the church prior to and after it is relocated on the property to supplement any historical records that currently exist.
- 4. A building permit shall be obtained and remain valid at all times within two years of the date of this approval or the site plan becomes null and void.

#### Standard Site Conditions

5. 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 to or variations from any requirements of this permit must be approved through the Planning Department or other approving board before any such changes can take place.

- 6. All required local, state, or federal permits (i.e., NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, and Environmental Health Division, etc.) shall be obtained, if required, and copies submitted to the Planning Department as part of the platting process. Standard Administrative Conditions:
- 7. 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.
- 8. Continued Validity The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
- 9. Non-Severability If any of the above conditions is held to be invalid, this approval in its entirely shall be void.
- 10. 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.

Planning Board discussion on the above item:

Vice-Chair Lucier stated it is great to preserve a little Chatham County history to relocate and reuse the
church rather than letting it fall into disrepair and thanked Mr. Pearce for going through the trouble dealing
both with the Cary and Chatham County Planning Boards to make this rezoning happen. Mr. Pearce
thanked the Planning Board. Chair Spoon is thankful the church congregation was able to find a suitable
plan for the church and this will help cleanup and make zoning consistent in that area.

Motion made by Vice-Chair Lucier to approve the consistency statement, "It is the opinion of the Planning Board the request is supported by the Plan Chatham by preserving rural character, repurposing an historic building, and continuing to provide employment opportunities and tourism. Additionally, the Joint Chatham-Cary Plan map has been amended to expand the Commercial/Retail designation to parcel 62824." Motion second by Ms. Siverson. Chair Spoon completed a roll call vote and the consistency statement passed 10-0, unanimously.

Motion made by Mr. Arthur to approve this item, second by Vice-Chair Lucier. Chair Spoon completed a roll call vote and the motion to pass this item passed 10-0, unanimously.

#### X. NEW BUSINESS:

#### XI. BOARD MEMBERS ITEMS:

Update from the Planning Board liaisons.

- Vice-Chair Lucier stated the Pittsboro Planning Board had a long meeting in May and have not had
  their June meeting yet. Land on both sides Eubanks Road near the wastewater treatment plant is
  located, they enhanced the number of permitted uses to include manufacturing, auto repair, RV
  storage, and other uses. They also recommended approval of Green Beagle Lodge a commercial
  dog kennel. Adopted their UDO and approving 29 acres of Chatham Park.
- Ms. Siverson stated Siler City Planning Board is discussing the blocking off of Third Street for Mountaire. The well subcommittee has a report drafted and working on drafting the recommendation.

 Ms. Weakley stated the Chatham Conservation Partnership next meeting will be July 15<sup>th</sup> as a zoom meeting from 9am to 11:30am. The agenda is not set yet, but it is probably going to be presentations by CCP members about updates on projects and other things of interest.

# XII. PLANNING DIRECTOR'S REPORTS:

Mr. Sullivan reported on the following:

- 1. Minor Subdivision spreadsheet
- 2. UDO Update
- 3. In person meetings- looking for a location to host the Planning Bord meetings.
- 4. Herndon Farms Public Hearing

# XIII. ADJOURNMENT:

There being no further business, the meeting adjourned at 9:52 p.m.

Signed:		
	Jon Spoon, Chair	Date
Attest:		
	Dan Garrett, Clerk to the Board	Date